

**CONVENTION ON THE PRIVILEGES AND IMMUNITIES**  
**OF THE SPECIALIZED AGENCIES**

*Approved by the General Assembly of the United Nations  
on 21 November 1947*

Came into force on 2 December 1948, in accordance with section 44.

List of accessions and subsequent notifications indicating the dates of deposit of instruments of accession or receipt of subsequent notifications and specialized agencies in respect of which States have undertaken to apply the provisions of the Convention :

NETHERLANDS

Accession .....	2 December 1948	International Civil Aviation Organization World Health Organization
Notification .....	2 December 1948	International Labour Organization
Notification .....	21 July 1949	Food and Agriculture Organization of the United Nations United Nations Educational, Scientific and Cultural Organization International Monetary Fund International Bank for Reconstruction and Development International Refugee Organization

INDIA

Accession .....	10 February 1949	World Health Organization International Civil Aviation Organization International Labour Organization Food and Agriculture Organization of the United Nations United Nations Educational, Scientific and Cultural Organization
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UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Accession .....	16 August 1949	World Health Organization International Civil Aviation Organization International Labour Organization Food and Agriculture Organization of the United Nations United Nations Educational, Scientific and Cultural Organization International Refugee Organization
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Whereas the General Assembly of the United Nations adopted on 13 February 1946<sup>1</sup> 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 resolution 179 (II) adopted on 21 November 1947<sup>2</sup>, 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**

### **DEFINITION 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 Telecommunication Union, and

(j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

(iii) The world "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

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<sup>1</sup> United Nations, document A/64, 1 July 1946.

<sup>2</sup> United Nations, document A/519, 8 January 1948.

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 connection 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 sections 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 custom 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 forms 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 dispatch 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 connection 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 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 cooperate 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 connection 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 provision 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 I to IX<sup>3</sup> are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section I, 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

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<sup>3</sup> For the text of the above-mentioned draft annexes, see *Official Records of the General Assembly, Second Session, Resolutions, page 124 et seq.*

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 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 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.

# ANNEXES<sup>1</sup>

## 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 (a), 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

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<sup>1</sup> The draft annexes recommended by the General Assembly or the Economic and Social Council, referred to in section 35, are subject to approval by the respective specialized agencies in accordance with their constitutional procedures.

In pursuance of section 36 of the Convention, each of these annexes, in the form approved by the specialized agency concerned, transmitted to the Secretary-General of the United Nations, replaces the recommended draft and becomes the final text of the annex relating to this agency. Accordingly, the annexes reproduced herein are not the draft annexes but their final texts as approved by the specialized agencies and transmitted to the Secretary-General. Since the original languages of the final texts of annexes are English and French, the annexes are reproduced only in these two languages.

Following is the list of specialized agencies which, in accordance with section 37, have transmitted to the Secretary-General of the United Nations the final texts of their relevant annexes and have informed him that they accept the standard clauses, as modified by these annexes and undertake to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 and any provisions of the annexes placing obligations on the agencies :

<i>Specialized agencies</i>	<i>Date of receipt of the final text of annexes</i>
World Health Organization .....	2 August 1948
International Civil Aviation Organization.....	11 August 1948
International Labour Organization .....	14 September 1948
Food and Agriculture Organization of the United Nations .....	13 December 1948
United Nations Educational, Scientific and Cultural Organization.....	7 February 1949
International Refugee Organization .....	4 April 1949
International Bank for Reconstruction and Development.....	29 April 1949
International Monetary Fund.....	9 May 1949
Universal Postal Union .....	11 July 1949

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 connection 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 connection 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** **OF THE UNITED NATIONS**

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 connection 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 connection 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.

## **REVISED ANNEX II**<sup>4</sup>

In their application to the Food and Agricultural 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 and to the representatives of associate members, 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 connection with service on such committees or missions :

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<sup>4</sup> Adopted by the tenth session of the Conference of the Food and Agriculture Organization of the United Nations. The text of the revised annex II, transmitted by the Food and Agriculture Organization of the United Nations to the Secretary-General of the United Nations in accordance with section 38 of the Convention, was received on 26 May 1960. Pursuant to section 47 (1) of the Convention, the revised annex II became effective as between the Food and Agriculture Organization of the United Nations and Ecuador on 2 August 1960, the date of the receipt by the Secretary-General of the notification of acceptance by the Government of Ecuador.

(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 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 and, for the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connection 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 the Deputy Director-General of the Organization.

## **SECOND REVISED ANNEX II**<sup>5</sup>

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 and to the representatives of associate members, 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 connection with service on such committees or missions :

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<sup>5</sup> Adopted by the thirteenth session of the Conference of the Food and Agriculture Organization of the United Nations. The second revised annex II, transmitted by the Food and Agriculture Organization of the United Nations in accordance with section 38 of the Convention, was received on 28 December 1965.

(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 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 and, for the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connection 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 be accorded to the Deputy Director-General and the Assistant Directors-General of the Organization.

### **ANNEX III**

#### **INTERNATIONAL CIVIL AVIATION ORGANIZATION**

The standard clauses shall operate in respect to the International Civil Aviation Organization (hereinafter called "the Organization") 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 connection with service on such committees or missions :

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

(b) Immunity from legal process of every kind in respect of words spoken or written or acts done by them in the performance of their official



functions, 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 connection with (d) of 2 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**

#### **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 connection 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 V**

### **INTERNATIONAL MONETARY FUND**

In its application to the International Monetary Fund (hereinafter called "the Fund"), the Convention, including this annex, shall operate subject to the following provisions :

1. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Fund solely from this Convention and are not included in those which it can claim under its articles of Agreement or otherwise.

2. The provisions of the Convention, including this annex, do not modify or amend or require the modification or amendment of the articles of Agreement of the Fund or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Fund or any of its members, Governors, Executive Directors, alternates, officers or employees by the articles of Agreement of the Fund, or by any statute, law or regulation of any member of the Fund or any political subdivision of any such member, or otherwise.

## **ANNEX VI**

### **INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT**

In its application to the International Bank for Reconstruction and Development (hereinafter called "the Bank"), the Convention (including this annex) shall operate subject to the following provisions :

1. The following shall be substituted for section 4 :

"Actions may be brought against the Bank only in a court of competent jurisdiction in the territories of a member of the Bank in which the Bank has an office, has appointed an agent for the purpose of accepting service or notice of process, or has

issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Bank."

2. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Bank solely from this Convention and are not included in those which it can claim under its articles of Agreement or otherwise.

3. The provisions of the Convention, including this annex, do not modify or amend or require the modification or amendment of the articles of Agreement of the Bank or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Bank or any of its members, Governors, Executive Directors, alternates, officers or employees by the articles of Agreement of the Bank or by any statute, law or regulation of any member of the Bank or any political subdivision of any such member, or otherwise.

## **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 connection 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 dispatch 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.

### **REVISED ANNEX VII<sup>6</sup>**

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 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 connection 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 from 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;

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<sup>6</sup> The revised annex VII, reproduced above, was adopted by the Third World Health Assembly on 26 May 1950. Its text, transmitted in accordance with section 38 of the Convention by the Director-General of the World Health Organization to the Secretary-General of the United Nations, was received on 5 June 1950. By virtue of section 47 (1) the revised annex VII became effective on 14 September 1950, the date on which the Government of Norway notified the Secretary-General of its acceptance. On this date, therefore, the revised annex VII replaced, as between the WHO and Norway, the final text of annex VII which was transmitted to the Secretary-General by the World Health Organization on 2 August 1948 and reproduced in the United Nations *Treaty Series*, Volume 33, page 300.

(e) For the purposes of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on expert advisory panels of the Organization in the exercise of their functions as such.

(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.

3. Article V and section 25, paragraphs 1 and 2 (i), of article VII shall extend to the representatives of associate members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

## **SECOND REVISED ANNEX VII**<sup>7</sup>

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 such persons under section 16 shall be by the Executive 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 connection 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 from 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;

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<sup>7</sup> Approved by the Tenth World Health Assembly. The text of the second revised annex VII, transmitted by the World Health Organization to the Secretary-General of the United Nations in accordance with section 38 of the Convention, was received on 1 July 1957. Pursuant to section 47 (1) of the Convention, the second revised annex VII became effective as between the World Health Organization and Sweden on 22 August 1957, date on which notification of acceptance by the Government of Sweden was received by the Secretary-General of the United Nations.

(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) For the purposes of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(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.

3. Article V and section 25, paragraphs 1 and 2 (i), of article VII shall extend to the representatives of associate members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

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

### **THIRD REVISED ANNEX VII<sup>8</sup>**

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

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<sup>8</sup> Adopted by the Eleventh World Health Assembly. The text of the third revised annex VII, transmitted by the World Health Organization to the Secretary-General of the United Nations in accordance with section 38 of the Convention, was received on 25 July 1958. Pursuant to section 47 (1) of the Convention, the third revised annex VII became effective as between the World Health Organization and Ghana on 27 October 1958, the date on which the notification of acceptance by the Government of Ghana was received by the Secretary-General of the United Nations.

effective exercise of their functions, including the time spent on journeys in connection 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 from 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) For the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) the privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(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.

3. Article V and section 25, paragraphs 1 and 2 (i) of article VII shall extend to the representatives of associate members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

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

## **ANNEX VIII**

### **UNIVERSAL POSTAL UNION**

The standard clauses shall apply without modification.

## **ANNEX IX<sup>9</sup>**

### **INTERNATIONAL TELECOMMUNICATION UNION**

The standard clauses shall apply without modification, except that the International Telecommunication Union shall not claim for itself the enjoyment of privileges treatment with regard to the "Facilities in respect of communications" provided in article IV, section 11.

## **ANNEX X**

### **INTERNATIONAL REFUGEE ORGANIZATION**

The standard clauses shall apply without modification.

## **ANNEX XI<sup>10</sup>**

### **WORLD METEOROLOGICAL ORGANIZATION**

The standard clauses shall apply without modification.

## **ANNEX XII<sup>11</sup>**

### **INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION**

1. The privileges and immunities, exemptions and facilities referred to in article VI, section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the member

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<sup>9</sup> At its fifth session, in September-October 1950, annex IX, reproduced above, was adopted by the Administrative Council of the International Telecommunication Union, which has also undertaken, in accordance with section 37 of the Convention on the Privileges and Immunities of the specialized agencies, to give effect to sections 8, 18, 22, 23, 24, 31,32 and 42 and 45 of this Convention.

In accordance with section 36 of the Convention on the Privileges and Immunities of the specialized agencies, the text of this annex was transmitted by the Secretary-General of the International Telecommunication Union to the Secretary-General of the United Nations and was received on 16 January 1951.

<sup>10</sup> Final text of annex XI, adopted by the First Congress of the World Meteorological Organization held in Paris in March-April 1951. Received by the Secretary-General of the United Nations on 29 December 1951.

<sup>11</sup> Final text of annex XII, adopted by the First Assembly of the Intergovernmental Maritime Consultative Organization, held in London from 6 to 19 January 1959. Received by the Secretary-General of the United Nations on 12 February 1959.



in whose territory the Organization has its Headquarters to apply article VI, section 21 of the standard clauses to any person who is its national.

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 time spent on journeys in connection 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 from 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 relating to the work on which they are engaged for the Organization;

(e) The right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Intergovernmental Maritime Consultative Organization.

In connection with section 2 (i) (d) and (e) above the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(ii) Privileges and immunities are granted to such 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 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.

## **REVISED ANNEX XII**<sup>12</sup>

1. The privileges and immunities, exemptions and facilities referred to in article VI, section 21 of the standard clauses shall be accorded to the Secretary-General of the Organization, to the Deputy Secretary-General and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the member in whose territory the Organization has its Headquarters to apply article VI, section 21 of the standard clauses to any person who is its national.

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<sup>12</sup> Adopted by the Council of the Intergovernmental Maritime Consultative Organization in resolution C.37 (XX) of 16 May 1968. Transmitted to the Secretary-General of the United Nations by the Intergovernmental Maritime Consultative Organization on 9 July 1968, in accordance with section 18 of the Convention.

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 time spent on journeys in connection 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 from 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 relating to the work on which they are engaged for the Organization;

(e) The right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Intergovernmental Maritime Consultative Organization.

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

(ii) Privileges and immunities are granted to such 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 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 XIII**<sup>13</sup>

#### **INTERNATIONAL FINANCE CORPORATION**

In its application to the International Finance Corporation (hereinafter called "the Corporation") the Convention, including this annex, shall operate subject to the following provisions :

1. The following shall be substituted for section 4 :

"Actions may be brought against the Corporation only in a court of competent jurisdiction in the territories of a member in which the Corporation has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or

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<sup>13</sup> Final text of annex XIII, adopted by the Board of Directors of the International Finance Corporation on 2 April 1959. Received by the Secretary-General of the United Nations on 22 April 1959.

persons acting for or deriving claims from members. The property and assets of the Corporation shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Corporation."

2. Paragraph (b) of section 7 of the standard clauses shall apply to the Corporation subject to article III, section 5 of the articles of Agreement of the Corporation.

3. The Corporation in its discretion may waive any of the privileges and immunities conferred under article VI of its articles of Agreement to such extent and upon such conditions as it may determine.

4. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Corporation from this Convention and are not included in those which it can claim under its articles of Agreement or otherwise.

5. The provisions of the Convention, including this annex, do not modify or amend or require the modification or amendment of the articles of Agreement of the Corporation or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Corporation or any of its members, Governors, Executive Directors, alternates, officers and employees by the articles of Agreement of the Corporation, or by any statute, law or regulation of any member of the Corporation or any political subdivision of any such member, or otherwise.

#### **ANNEX XIV<sup>14</sup>**

#### **INTERNATIONAL DEVELOPMENT ASSOCIATION**

In its application to the International Development Association (hereinafter called "the Association") the Convention, including this annex, shall operate subject to the following provisions :

1. The following shall be substituted for section 4 :

"Actions may be brought against the Association only in a court of competent jurisdiction in the territories of a member in which the Association has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Association shall, wheresoever located and by whomsoever held, be immune from all forms of seizure attachment or execution before the delivery of final judgment against the Association."

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<sup>14</sup> Final text of annex XIV, adopted by the Executive Directors of the International Development Association on 13 February 1962. Received by the Secretary-General of the United Nations on 15 February 1962.

2. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Association from this Convention and are not included in those which it can claim under its articles of Agreement or otherwise.

3. The provisions of the Convention, including this annex, do not modify or amend or require the modification or amendment of the articles of Agreement of the Association or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Association or any of its members, Governors, Executive Directors, alternates, officers or employees by the articles of Agreement of the Association, or by any statute, law or regulation of any member of the Association or any political subdivision of any such member, or otherwise.

## **ANNEX XV<sup>15</sup>**

### **WORLD INTELLECTUAL PROPERTY ORGANIZATION**

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

"1. The privileges, immunities, exemptions and facilities referred to in article VI, section 21, of the standard clauses shall also be accorded to the Deputy Directors General 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 connection 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 from 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 relating to the work on which they are engaged for the Organization;

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<sup>15</sup> Final text of annex XV, approved by the World Intellectual Property Organization Coordination Committee at its eleventh session held in Geneva from 26 September to 4 October 1977. Transmitted to the Secretary-General of the United Nations by the Director General of the World Intellectual Property Organization on 19 October 1977.

"(e) For their communications with the Organization, the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags.

"In connection with (d) and (e) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

"(ii) Privileges and immunities are granted to the experts referred to in paragraph (i) above 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 XVI**<sup>16</sup>

### **INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT**

In their application to the International Fund for Agricultural Development (hereinafter called "the Fund") 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 any Vice-President of the Fund.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Fund 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 connection 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 from 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 Fund;

(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 Fund and, for the purpose of their

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<sup>16</sup> Final text of annex XVI, approved by the Governing Council of the International Fund for Agricultural Development on 16 December 1977. Transmitted to the Secretary-General of the United Nations by the President of the International Fund for Agricultural Development on 16 December 1977.

communications with the Fund, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connection 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 Fund and not for the personal benefit of the individuals themselves. The Fund 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 Fund.