

No. 489

**BOLIVIA, CHILE, COLOMBIA,
COSTA RICA, CUBA, etc.**

**Convention on the Inter-American Institute of Agricultural
Sciences. Opened for signature at the Pan American
Union in Washington, on 15 January 1944**

Official texts: English, French, Portuguese and Spanish.

Filed and recorded at the request of the United States of America on 3 March 1953.

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COSTA-RICA, CUBA, etc.**

**Convention relative à l'Institut interaméricain des sciences
agricoles. Ouverte à la signature à l'Union panamé-
ricaine à Washington, le 15 janvier 1944**

Textes officiels anglais, français, portugais et espagnol.

*Classée et inscrite au répertoire à la demande des États-Unis d'Amérique le 3 mars
1953.*

No. 489. CONVENTION¹ ON THE INTER-AMERICAN INSTITUTE OF AGRICULTURAL SCIENCES. OPENED FOR SIGNATURE AT THE PAN AMERICAN UNION IN WASHINGTON, ON 15 JANUARY 1944

The Governments of the American Republics, desiring to promote the advancement of the agricultural sciences and related arts and sciences; and wishing to give practical effect to the resolution approved by the Eighth American Scientific Congress held in Washington in 1940, recommending the establishment of an Inter-American Institute of Tropical Agriculture, have agreed to conclude a Convention in order to recognize the permanent status of the Inter-American Institute of Agricultural Sciences, hereinafter referred to as "the Institute", on the basis of the following Articles:

Article I

The Contracting States hereby recognize the permanent status of the Inter-American Institute of Agricultural Sciences, incorporated under the laws of the District of Columbia, United States of America, on June 18, 1942; and they agree to recognize the Institute as a legal entity in accordance with their own legislation. The Institute shall have all the rights, benefits, assets, lands and other property to which it was or may be entitled as a corporation, and shall assume all the obligations and contracts for which it became responsible as a corporation.

¹ In accordance with article XV, the Convention came into force on 30 November 1944, three months following the deposit of the fifth instrument of ratification with the Pan American Union and subsequently with respect to States which deposited their instruments of ratification after the entry into force of the Convention, one month after such deposit.

Following is a list of States parties to the Convention indicating the respective dates of signature and deposit of the instruments of ratification and the dates of entry into force of the Convention:

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of the instrument of ratification</i>	<i>Date of entry into force</i>
El Salvador	18 February 1944	31 May 1944	30 November 1944
United States of America	15 January 1944	4 July 1944	30 November 1944
Guatemala	16 March 1944	6 July 1944	30 November 1944
Costa Rica	15 January 1944	14 August 1944	30 November 1944
Nicaragua	15 January 1944	31 August 1944	30 November 1944
Dominican Republic	28 January 1944	8 January 1945	8 February 1945
Honduras	28 January 1944	19 March 1945	19 April 1945
Venezuela*	10 October 1944	6 March 1946	6 April 1946
Panama	15 January 1944	24 January 1947	24 February 1947
Mexico	19 November 1946	26 May 1947	26 June 1947
Haiti (adherence) . . . . .	...	19 June 1951	19 July 1951
Cuba	20 January 1944	...	...
Ecuador	20 January 1944	...	...
Uruguay	17 April 1944	...	...
Chile	13 May 1944	...	...
Bolivia	12 July 1944	...	...
Colombia	23 July 1948	...	...

* See on p. 313 of this volume the text of the reservation made by the Government of Venezuela upon signature.

The executive headquarters of the Institute shall be located in Washington, D. C. The principal field headquarters of the Institute shall be located in Turrialba, Costa Rica. Regional offices of the Institute may be maintained throughout the American Republics.

PURPOSES

Article II

The purposes of the Institute are to encourage and advance the development of agricultural sciences in the American Republics through research, teaching and extension activities in the theory and practice of agriculture and related arts and sciences.

In furtherance of these purposes the Institute may, subject to the laws of the several countries, exercise the following powers : To develop, finance and operate similar establishments and installations in one or more of the American Republics; to give assistance in the establishment and maintenance of organizations having similar purposes in the said Republics; to purchase, sell, lease, improve or operate any property in the American Republics, in accordance with the purposes of the Institute; to collaborate with the Government of any American Republic, or with any other organization or entity, and to give assistance to the same; to receive contributions and donations of money or property, both real and personal; to enter into and carry out contracts and agreements; to raise or acquire and, in any manner, dispose of all agricultural commodities and products thereof essential for experimental or research purposes; and to carry on any other business or activity appropriate to the foregoing purposes.

THE BOARD OF DIRECTORS

Article III

The representatives of the twenty-one American Republics on the Governing Board of the Pan American Union shall serve as members of the Institute, and shall be considered as members of the Board of Directors thereof. In the event that any member is unable to attend a meeting of the Board of Directors the said member or his government may designate an alternate for that purpose. The decisions of the Board shall be adopted by a majority vote of its members, which majority vote shall include the votes of a majority of the members representing Contracting States. The Board shall have, among others, the following functions :

To elect the Director of the Institute and to approve the appointment of the Secretary made by the Director.

To remove both the Director and the Secretary.

To determine the compensation of the Director and the Secretary.

To supervise the activities of the Director, who shall be responsible for carrying out all orders and resolutions of said Board.

To appoint and define the duties and compensation of an administrative committee consisting of not more than eight persons, of whom one shall be the Director of the Institute *ex officio*. The members of this administrative committee need not be members of the Board of Directors.

To approve the budget for the administration of the Institute to be submitted annually by the Director.

To fix the annual quotas of the Institute.

The Board shall receive an annual report from the Director upon the activities of the Institute as well as upon its general condition and financial status.

OFFICERS

Article IV

The Institute shall have a Director and a Secretary. The Director shall be elected by the Board of Directors in plenary session for a term of six years; he may be reelected one or more times. The first term of the Director under the provisions of this Convention shall begin as of the day on which this Convention enters into force.

The Secretary shall be appointed by the Director with the approval of the Board of Directors of the Institute and shall be directly responsible to the Director.

The Director and the Secretary shall hold office until their respective successors shall be chosen and shall qualify; but they may be removed by vote of the majority of the members of the Institute.

THE DIRECTOR

Article V

1. The Director under the supervision of the Board of Directors shall have ample and full powers to direct the activities of the Institute; and he shall be responsible for carrying out all orders and resolutions of said Board.

2. The Director under the supervision of the Board of Directors shall be the legal representative of the Institute; and he may legalize, with the seal of the Institute, all contracts, conveyances and other instruments which require such legalization and which in his opinion are necessary and advantageous to the operation of the Institute. In addition, he shall be authorized to take any other step necessary to validate such instruments as may be required or permitted by law. The Director may grant powers to others for all those acts which he cannot perform personally.

3. The Director, under the supervision of the Board of Directors of the Institute, shall have the power to appoint, remove, and determine the compensation of employees.

4. The Director shall prepare the budget of the Institute for each fiscal year, and submit it to the Board of Directors at least two months before the annual meeting at which it will be considered for approval.

5. The Director shall submit an annual report to the Board of Directors of the Institute two months before the annual meeting, setting forth the work of the Institute during the year and its general condition and financial status, and he shall submit to the approval of the said Board the budget and the plans for the following year.

THE SECRETARY

Article VI

The Secretary shall keep the minutes and records of the Institute, shall exercise all prerogatives and carry out all administrative duties assigned to him by the Director.

TECHNICAL ADVISORY COUNCIL

Article VII

Provision is made for the establishment of a Technical Advisory Council, as follows :

1. Each of the Contracting States may appoint an agricultural expert to be its representative in the Technical Advisory Council of the Institute. This Council shall cooperate with the Director on agricultural matters of a technical nature. The appointment of each representative shall be officially notified to the Secretary of the Institute. The members of the Council shall serve for a period of five years at the will or their respective governments, and may be reappointed one or more times.

2. The Technical Advisory Council shall meet at least once a year, under the chairmanship of the Director of the Institute, at such place as the activities, of the Institute may require. The Director may call special meetings of the Council on his own initiative, whenever the best interests of the Institute may require. Notice with respect to any meeting shall be given at least two months in advance and shall state the purpose or purposes of the proposed meeting. A majority of the members of the Council shall constitute a quorum.

3. No member of the Technical Advisory Council, as such, shall receive from the Institute any pecuniary compensation for his services, although the Institute may defray traveling expenses of the members of the Council to the annual meeting.

FISCAL AGENT

Article VIII

The Pan American Union shall act as fiscal agent for and on behalf of the Institute, and as such shall receive and disburse the funds of the Institute.

MAINTENANCE OF THE INSTITUTE

Article IX

The income of the Institute for its maintenance and operation shall consist of annual quotas paid by the Contracting States, as well as of legacies, donations and contributions which the Institute may accept. Such funds and contributions shall be used only for purposes in keeping with the character of the Institute.

The annual quotas shall be determined by the Board of Directors of the Institute provided the vote is unanimous with respect to the members representing the Contracting States. The amounts of the respective quotas shall be in proportion to the population of each Contracting State, on the basis of the latest official statistics in possession of the Pan American Union on the first day of July of each year.

The annual quota payment of each Contracting State shall not exceed one dollar United States currency per one thousand of the total population of that State. The quota payments may, however, be increased by unanimous recommendation of those members of the Board of Directors who represent Contracting States and the approval by the appropriate authorities of each of the Contracting States of the increased quota of that State.

The quotas shall be communicated annually by the Pan American Union to the Governments of the Contracting States, and shall be paid before the first of July of each year.

The quota payments of each Contracting State shall commence on the day on which this Convention enters into force with respect to that State, prorated according to the number of full calendar months remaining in the current fiscal year.

The fiscal year of the Institute shall begin on the first day of July of each year.

LANGUAGES

Article X

The official languages of the Institute shall be English, Spanish, Portuguese and French.

POSTAL PRIVILEGES

Article XI

The Contracting States agree to extend to the Institute forthwith the domestic and international franking privilege provided in the existing inter-American postal conventions and to ask the States members of the Pan American Union which have not ratified the present Convention to grant the Institute the same postal privileges.

EXEMPTION FROM TAXATION

Article XII

Lands and buildings in the territory of any of the Contracting States of which the Institute is the legal or equitable owner and which are used exclusively for the purposes of the Institute shall be exempt from taxation of every kind, National, State, Provincial or Municipal, other than assessments levied for services or for local public improvements by which the premises are benefited.

Furniture, equipment, supplies, construction materials and any other articles intended for official use of the Institute shall be exempt in the territory of any of the Contracting States from every form of taxation, including but not limited to customs duties, excise and surtaxes.

All funds and other property used for the purposes of the Institute, and all contracts and other official acts of the Institute within the scope of its purposes shall likewise be exempt from taxation of every kind in the territory of each of the Contracting States.

MOVEMENT OF FUNDS

Article XIII

Each of the Contracting States shall take such measures as may be appropriate to facilitate the movement of funds of the Institute.

EXEMPTIONS AND PRIVILEGES FOR PERSONNEL AND STUDENTS

Article XIV

Each of the Contracting States agrees that it will accord to persons engaged in the work of the Institute or pursuing studies under the auspices of the Institute, such privileges with respect to exemption from taxation and other burdens affecting the entry, travel and residence of such persons as may be appropriate under its laws and regulations.

SIGNATURE AND RATIFICATION

Article XV

1. The original of the present Convention in the English, Spanish, Portuguese and French languages shall be deposited with the Pan American Union and opened for signature by the Governments of the American Republics. The Pan American Union shall furnish a certified copy of the present Convention to each signatory Government and to the Government of each non-signatory State which is a member of the Union. The Pan American Union shall inform all the Governments of the States members of the Pan American Union with respect to all signatures and the respective dates thereof.

2. The present Convention shall be ratified by the signatory States in conformity with their respective constitutional procedures. The instruments of ratification shall be deposited with the Pan American Union, which shall notify all the signatory Governments of each ratification deposited and the date of its deposit.

3. The present Convention shall come into force three months after the deposit of not less than five ratifications with the Pan American Union. Any ratification received after the date of entry into force of the Convention shall take effect one month after the date of its deposit with the Pan American Union.

DENUNCIATION

Article XVI

1. The present Convention shall, subject to the provisions of Paragraph 2 of this Article, remain in force indefinitely, but may be denounced by any Contracting State by a notification in writing to the Pan American Union, which shall inform all the other Contracting States of each notification of denunciation received. After the expiration of one year from the date of the receipt by the Pan American Union of a notification of denunciation by any Contracting State, the present Convention shall cease to be in force with respect to such State, but the Convention shall remain in full force and effect with respect to all the other Contracting States.

2. In the event that the number of Contracting States should be reduced to less than five as the result of denunciations, the remaining Contracting States shall immediately consult with each other with a view to revising the present Convention and with a view to determining the future status of the Institute. If, within two years after the date upon which the number of Contracting States is reduced to less than five, as the result of denunciations, no agreement shall have been reached by the remaining Contracting States regarding the continuation of the Convention and the status of the Institute, the Convention shall,

upon the expiration of six months' written notice by any remaining Contracting State, cease to be in force. In the event that the Convention should cease to be in force, the status of the Institute shall be determined by the Governing Board of the Pan American Union.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Convention in the English, Spanish, Portuguese and French languages at the Pan American Union, Washington, D. C., on behalf of their respective Governments and affix thereto their seals on the dates appearing opposite their signatures.

The following reservation was made by the Government of Venezuela upon signature:

La réserve suivante a été faite par le Gouvernement du Venezuela au moment de la signature:

[SPANISH TEXT — TEXTE ESPAGNOL]

« PRIMERA : En cuanto a la estipulación contenida en el artículo XII por la cual los Estados signatarios se comprometen a conceder la exención de impuestos estatales o municipales en favor de los bienes inmuebles pertenecientes al Instituto Interamericano de Ciencias Agrícolas, deja constancia expresa de que no puede acordar dicha exención por cuanto al régimen de tales impuestos escapa a la competencia del Poder Federal, de conformidad con el numeral 3º del párrafo 4º del artículo 17 de la Constitución Nacional.

« SEGUNDA : En cuanto a la estipulación contenida en el párrafo 2º del artículo XVI por la cual se conviene en que el futuro destino del Instituto será determinado por el Consejo Directivo de la Unión Panamericana, en el caso de que la presente Convención cesare de tener efecto, el Gobierno de Venezuela se reserva los derechos que puedan corresponderle, llegada esa eventualidad, sobre los inmuebles situados en su territorio que se hubieren destinado a los fines previstos en la Convención, y los cuales no podrán ser traspasados, cedidos ni en forma alguna enajenados o gravados, sino de conformidad con las leyes vigentes en el país. »

[TRANSLATION — TRADUCTION]

« FIRST : With regard to the provision in article XII whereby the Contracting States undertake to exempt from state or municipal taxation the immovable property belonging to the Inter-American Institute of Agricultural Sciences, the Government of Venezuela expressly reaffirms that it cannot grant such exemption as the taxation system concerned is not within the jurisdiction of the Federal Authority, in conformity with article 17, paragraph 4, sub-paragraph 3, of the National Constitution.

« SECOND : With regard to the provision in article XVI, paragraph 2, under which it is agreed that, in the event that the Convention should cease to be in force, the future status of the Institute shall be determined by the Governing Board of the Pan American Union, the Government of Venezuela reserves whatever rights it

[TRADUCTION — TRANSLATION]

« I. En ce qui concerne la disposition de l'article XII en vertu de laquelle les États signataires s'engagent à exempter des impôts d'État ou municipaux, les terrains et les bâtiments appartenant à l'Institut interaméricain des sciences agricoles, le Gouvernement vénézuélien déclare expressément qu'il ne peut accorder ladite exemption en raison du fait que, conformément à l'alinéa 3 du paragraphe 4 de l'article 17 de la Constitution nationale, le pouvoir fédéral n'a pas compétence à l'égard des impôts en question.

« II. En ce qui concerne la disposition du paragraphe 2 de l'article XVI, en vertu de laquelle il est convenu que, au cas où la Convention cesserait d'être en vigueur, le *status* de l'Institut sera déterminé par le Conseil d'administration de l'Union pan-américaine, le Gouvernement vénézuélien se réserve les droits qu'il pourra détenir,

may acquire, should that contingency arise, to the immovable property situated on its territory and intended for the purposes set forth in the Convention, which may not be transferred, ceded or in any way alienated or mortgaged, except as provided in the laws in force in the country.”

le cas échéant, sur les immeubles situés sur son territoire qui auraient été affectés aux fins prévues par la Convention et qui ne pourront être transférés, cédés, aliénés ou grevés sous une forme quelconque que conformément aux lois en vigueur dans le pays. »