

No. 7524

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**INTERNATIONAL LABOUR ORGANISATION  
and  
ETHIOPIA**

**Agreement (with annex) concerning the establishment of  
an Office of the Organisation in Addis Ababa. Signed  
at Addis Ababa, on 10 December 1964**

*Official text: English.*

*Registered by the International Labour Organisation on 22 December 1964.*

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**ORGANISATION INTERNATIONALE DU TRAVAIL  
et  
ÉTHIOPIE**

**Accord (avec annexe) sur l'établissement d'un Bureau de  
l'Organisation à Addis-Abéba. Signé à Addis-Abéba,  
le 10 décembre 1964**

*Texte officiel anglais.*

*Enregistré par l'Organisation internationale du Travail le 22 décembre 1964.*

No. 7524. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF ETHIOPIA AND THE INTERNATIONAL LABOUR ORGANISATION CONCERNING THE ESTABLISHMENT OF AN OFFICE OF THE ORGANISATION IN ADDIS ABABA. SIGNED AT ADDIS ABABA, ON 10 DECEMBER 1964

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WHEREAS the International Labour Organisation (hereinafter referred to as “ the Organisation ”) has decided to establish an Office of the International Labour Organisation (hereinafter referred to as the I.L.O. Office) in Addis Ababa, Ethiopia; and;

WHEREAS the Imperial Ethiopian Government (hereinafter referred to as “ the Government ”) welcomes the establishment of such an office and undertakes to assist the Organisation in securing all the necessary facilities for its establishment;

WHEREFORE the Government and the Organisation have entered into this Agreement through their undersigned duly authorised representatives.

*Article 1*

ESTABLISHMENT

The Government welcomes the establishment of the I.L.O. Office in Addis Ababa and will afford every assistance within its power to enable the Organisation to secure, at its own expense, the necessary facilities for its establishment.

*Article 2*

SCOPE AND FUNCTION

The I.L.O. Office will exercise functions as assigned by the Director-General of the International Labour Office in relation to the activities of the Organisation in Africa and ensure liaison between the Organisation and other international bodies, in particular the United Nations Economic Commission for Africa.

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<sup>1</sup> Came into force on 10 December 1964, the date of signature, in accordance with article 9 (1).

*Article 3*

## JURIDICAL PERSONALITY

The I.L.O. Office shall possess juridical personality. It shall have the capacity :

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

*Article 4*

## FACILITIES

(1) The Government shall exercise due diligence to ensure that the tranquility of the I.L.O. Office is not disturbed.

(2) The Government will afford every assistance within its power to ensure that the I.L.O. Office shall be supplied, on equitable terms and at the latter's expense, with the necessary public services. In case of the interruption or threatened interruption of any such services, the Government will do its utmost to enable the I.L.O. Office to carry on with its essential work, circumstances permitting.

*Article 5*

## PROPERTY, FUNDS AND ASSETS

(1) The I.L.O. Office, its property and its assets shall enjoy immunity from every form of legal process except in so far as in any particular case the International Labour Office has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

(2) The premises and archives of the I.L.O. Office shall be inviolable and its official correspondence and communications not be subject to any form of censorship.

(3) The I.L.O. Office shall enjoy for its official communications treatment not less favourable than that accorded by the Government to any foreign Government including foreign diplomatic missions in Ethiopia.

(4) The I.L.O. Office may freely hold funds in non-Ethiopian currency; it may freely transfer those funds from Ethiopia to other countries.

(5) The I.L.O. Office, its assets, income and other moveable property shall be exempt :

(a) from all direct taxes; it being understood, however, that no claim of exemption shall be made from taxes which are, in fact, no more than charges for public utility services;

(b) from customs duties and prohibitions and restrictions on import and exports in respect of articles imported or exported by the I.L.O. Office for its exclusive official use; it is understood however, that articles imported under such exemption will not be sold in Ethiopia except under conditions agreed with the Government;

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

### *Article 6*

#### STATUS OF THE STAFF

(1) The staff of the I.L.O. Office, excepting those who are assigned to hourly rates, shall enjoy in the territory of Ethiopia the following privileges, immunities and exemptions :

(a) Immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(b) Immunity from national service obligations, provided that, with respect to Ethiopian nationals, such exemption shall be confined to the staff who by reason of their duties the Government agrees to their temporary deferment in the call-up to avoid interruption in the continuation of the essential work of the I.L.O. Office;

(c) Immunity, together with members of their families, from immigration restrictions and alien registration;

(d) Exemption for staff, other than Ethiopian nationals and permanent foreign residents of Ethiopia, from any form of direct taxation on income derived from sources outside Ethiopia;

(e) The right for the staff, other than Ethiopian nationals and permanent foreign residents, to take out of Ethiopia, funds in non-Ethiopian currencies without any restrictions or limitations, provided that they can show good cause for their lawful possession of such funds. Nothing said in this provision shall, however, be interpreted to limit the right of members of the staff whatever their nationality or residency undertaking official missions outside Ethiopia to take with them funds in non-Ethiopian currencies provided by the I.L.O. for the fulfilment of these missions;

(f) Exemption from import duty and other levies and from prohibitions and restrictions on imports for their furniture and personal effects within six months after first taking up their post in Ethiopia or their permanent appoint-

ment to them. This exemption includes one automobile upon first installation.

It is understood, however, that articles imported under such exemption will not be sold in Ethiopia except under conditions agreed with the Government;

(g) In addition to the immunities and privileges for which provision is made herein, the Director and Deputy-Director of the I.L.O. Office shall have, in respect of themselves, their spouses and minor children, such privileges exemptions and facilities as are accorded in International Law and practice to diplomatic representatives of comparable rank. The Director and Deputy-Director shall, for this purpose, be incorporated by the Imperial Ethiopian Ministry of Foreign Affairs into the Diplomatic List.

(2) The privileges and immunities for which provision is made in this Agreement are granted for the purpose of carrying out effectively the aims and purposes of the Organisation and not for the personal benefit of the staff of the I.L.O. Office. The Director of the I.L.O. Office shall have the right and the duty to waive the immunity of any member of the staff in any case where such immunity would impede the course of justice and can be waived without prejudice to the interests of the Organisation. In the case of the Director of the I.L.O. Office, the Director-General of the International Labour Office shall have the right to waive the immunity.

### *Article 7*

#### LAISSEZ-PASSER

(1) The Government shall recognise and accept the United Nations laissez-passer issued to the staff of the I.L.O. Office and experts invited to the I.L.O. Office on official business as a valid travel document.

(2) The Government shall issue courtesy visas to such holders when their request is accompanied by a certificate that they are travelling on the business of the I.L.O. Office.

### *Article 8*

#### ABUSES OF PRIVILEGES AND SETTLEMENT OF DISPUTES

(1) The I.L.O. Office and its staff shall co-operate at all times with the appropriate Ethiopian authorities to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connection with the privileges and immunities granted by this Agreement. It shall for this purpose establish such rules and regulations as it may deem necessary and expedient, and pay due regard to any representation made by the Government.

(2) Any dispute between the Organisation and the Government concerning the interpretation or application of this Agreement and its Annex which is not settled by negotiation or other agreed mode of settlement shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Organisation, one to be named by the Government and the third to be chosen by agreement of both Parties, or in case of failure, by the President of the International Court of Justice.

### *Article 9*

#### FINAL PROVISIONS

1. This Agreement and its Annex shall come into force on the date of its signature.

2. This Agreement and its Annex will remain in force while the I.L.O. Office remains established in Addis Ababa.

3. This Agreement and its Annex may be modified by mutual consent. Each Party shall give full and sympathetic consideration to any request for such modification.

IN WITNESS WHEREOF the undersigned duly authorised representatives of the Government and the Organisation respectively have, on behalf of both Parties, signed the present Agreement and its Annex at Addis Ababa this tenth day of December, 1964 in two copies in the English language.

For the Imperial Ethiopian  
Government :

(*Signed*) Mammo TADESE  
Acting Minister  
for Foreign Affairs

For the International Labour  
Organisation :

(*Signed*) David A. MORSE  
Director-General  
of the International Labour  
Organisation

#### ANNEX TO THE AGREEMENT

In addition to the privileges, immunities and facilities enumerated in article 6 of the Agreement, the staff of the I.L.O. Office shall be accorded the following facilities and exemptions :

1. Repatriation facilities in time of international crises, together with members of their families, as would be accorded to the staff of other international organisations resident in Ethiopia.

2. Exemption for staff, other than Ethiopian nationals and permanent foreign residents of Ethiopia, from taxation on salaries, emoluments and indemnities paid to them by the International Labour Office.

It is understood, however, that the restriction “ other than Ethiopian nationals and permanent foreign residents of Ethiopia ”, would not be applicable until such a time as Ethiopian nationals and permanent foreign residents of Ethiopia, presently employed by other international organisations would be subjected to similar restrictions.

For the Imperial Ethiopian  
Government :

(*Signed*) Mammo TADESE  
Acting Minister  
for Foreign Affairs

For the International Labour  
Organisation :

(*Signed*) David A. MORSE  
Director-General of the International  
Labour Organisation