

No. 12806

**NORWAY, DENMARK, FINLAND,
ICELAND and SWEDEN**

Agreement concerning the secretariats of the Nordic Council of Ministers and their legal status. Signed at Oslo on 12 April 1973

Additional Protocol to the above-mentioned Agreement concerning the secretariat of the Presidium of the Nordic Council and its legal status. Signed at Oslo on 15 May 1973

Authentic texts: Danish, Finnish, Icelandic, Norwegian and Swedish.

Registered by Norway on 29 October 1973.

**NORVÈGE, DANEMARK, FINLANDE,
ISLANDE et SUÈDE**

Accord relatif aux secrétariats du Conseil des ministres nordique et à leur statut juridique. Signé à Oslo le 12 avril 1973

Protocole additionnel à l'Accord susmentionné concernant le secrétariat du Présidium du Conseil nordique et à son statut juridique. Signé à Oslo le 15 mai 1973

Textes authentiques: danois, finnois, islandais, norvégien et suédois.

Enregistrés par la Norvège le 29 octobre 1973.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING THE SECRETARIATS OF THE
NORDIC COUNCIL OF MINISTERS AND THEIR LEGAL
STATUS

The Governments of Denmark, Finland, Iceland, Norway and Sweden,
Agreeing to promote Nordic co-operation,

Having for that purpose decided to establish a secretariat for Nordic
co-operation questions with headquarters at Oslo, and having previously established
a secretariat for Nordic cultural co-operation with headquarters at Copenhagen
to assist the Nordic Council of Ministers,

Deeming it desirable to determine the legal status of those secretariats and
the conditions pertaining thereto,

Have agreed as follows :

SCOPE OF THE AGREEMENT

Article 1. The Agreement shall apply to the aforesaid secretariats of the
Nordic Council of Ministers.

LEGAL STATUS OF THE SECRETARIATS

Article 2. Each secretariat shall be an independent legal entity with the same
legal capacity as other juridical persons in the country in which the Secretariat
has its headquarters. In particular, it can acquire and dispose of immovable
and movable property and be a party in legal proceedings.

The secretariat at Oslo shall be represented by its Secretary-General or by
such person or persons as he may designate, and the secretariat for Nordic
cultural co-operation at Copenhagen by its Director or by such person as he
may designate.

IMMUNITIES AND PRIVILEGES

Article 3. The property and other assets of the secretariats may not be made
the subject of any action by administrative or judicial authorities without the express
consent of the Council of Ministers in each individual case.

Article 4. The premises and archives of the secretariats and other documents
belonging to or in the possession of the secretariats shall be inviolable wherever
they may be situated.

In matters relating to the public nature of such documents the rules established
by the Council of Ministers shall apply.

¹ Came into force on 1 July 1973, the date determined by the Nordic Council of Ministers, in accordance
with article 15.

Article 5. The correspondence and other official communications of the secretariat may not be subject to censorship and shall be treated in the same way as the correspondence of a diplomatic mission.

Article 6. The secretariats and their income and property used for official purposes shall be exempt from all direct taxation.

With respect to articles imported or exported for official use the secretariats shall also be exempt from all customs duties and other similar duties.

The provisions of the foregoing paragraphs shall not apply with respect to taxes and duties pertaining only to payment for services rendered.

In other respects each secretariat shall be subject to the same regulations concerning taxes and duties as are applicable to diplomatic missions in the country in which the secretariat has its headquarters.

Article 7. No taxes may be levied on the salaries or other emoluments paid by the secretariats to permanent staff. The secretariats shall be required to provide the authorities of the Contracting Parties with a list of staff members in that category.

The Council of Ministers shall establish rules concerning the liability of permanent staff members to pay dues to the secretariats in lieu of taxes.

The amount of the dues shall be determined by the Council of Ministers.

The authorities of the Contracting States shall be entitled to take the salaries and other emoluments of permanent staff members into consideration in the computation of the tax to be levied, in accordance with national law or with existing agreements on double taxation, on income from sources other than the secretariat.

Article 8. Employees of the secretariats and their families shall be exempt in the country of service from customs and other duties on effects, including motor vehicles, intended for their personal use, which they bring with them when taking up their post in one of the secretariats.

Article 9. Effects imported free of customs duty in accordance with article 6 or 8 may be alienated, in the country where such exemption is enjoyed, only in accordance with the conditions approved by the government of that country.

LEGAL STATUS OF STAFF

Article 10. The Council of Ministers shall establish the staff rules and salary scales for the secretariats.

Article 11. Each Contracting Party undertakes to grant civil service staff leave of absence for four years to serve in the secretariats and to permit such staff to count the period of service there as service performed in the country of origin.

Article 12. Each country of service undertakes to allow employees of the secretariats to join the State pension scheme of the country of service on the same conditions as are applied with respect to corresponding civil service posts in that country, save as otherwise provided by agreement with the employee concerned.

Any agreement that has been or may in future be concluded between the Nordic countries concerning co-ordination with respect to entitlements earned under the State pension schemes shall also apply to employees of the secretariats

having pension entitlements in the Nordic countries that have signed the agreement.

The rights of employees to social benefits shall be governed by the Convention of 15 September 1955, with subsequent amendments¹, between Denmark, Finland, Iceland, Norway and Sweden respecting social security.

Article 13. In other respects the legal status of employees shall be governed by the provisions of the service agreement or the decisions of the Council of Ministers.

Article 14. For the settlement of disputes concerning the interpretation or application of the service agreement there shall be established a board of arbitration consisting of five members, of which each country shall appoint one.

The Council of Ministers shall establish the emoluments for the members of the board.

The board of arbitration shall adopt its own rules of procedure.

FINAL PROVISIONS

Article 15. This Agreement shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Norwegian Department of Foreign Affairs.

The Agreement shall be deposited with the Norwegian Department of Foreign Affairs and certified copies thereof shall be made available by the Norwegian Department of Foreign Affairs to the Governments of the other countries.

The Agreement shall enter into force on the date determined by the Council of Ministers.

Article 16. If one of the Contracting Parties wishes to denounce the Agreement, written notice to that effect shall be given to the Norwegian Government, which shall forthwith inform the other Contracting Parties specifying the date on which such notice was received.

The denunciation shall apply only in respect of the denouncing country and shall take effect on the first day of the month commencing six months after the date on which the Norwegian Government received the notice of denunciation.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Agreement.

DONE at Oslo on 12 April 1973 in one copy in the Danish, Finnish, Icelandic, Norwegian and Swedish languages, all texts being equally authentic.

For the Government of Denmark :

[JØRGEN TRIER JACOBSEN]

For the Government of Finland :

[OLAVI MUNKKI]

For the Government of Iceland :

[AGNAR KL. JÓNSSON]

For the Government of Norway :

[HALLVARD EIKA]

For the Government of Sweden :

[RICHARD HICHENS-BERGSTRÖM]

¹ United Nations, *Treaty Series*, vol. 254, p. 55; vol. 434, p. 312; vol. 588, p. 318, and vol. 597, p. 324.

ADDITIONAL PROTOCOL¹ CONCERNING THE SECRETARIAT OF THE PRESIDUM OF THE NORDIC COUNCIL AND ITS LEGAL STATUS

The Governments of Denmark, Finland, Iceland, Norway and Sweden,

Noting that the Presidium of the Nordic Council, in pursuance of article 49 of the 1962 Agreement between Denmark, Finland, Iceland, Norway and Sweden, concerning co-operation,² has established a secretariat with headquarters at Stockholm,

Deeming it desirable to determine the legal status of that secretariat and the conditions pertaining thereto,

Having concluded an agreement concerning the secretariats of the Nordic Council of Ministers and their legal status, on 12 April 1973,³

Have agreed as follows:

Article 1. The provisions of articles 1 to 14 of the Agreements of 12 April 1973 concerning the secretariats of the Nordic Council of Ministers and their legal status shall, subject to the provisions of articles 2 and 3 of this Protocol, apply *mutatis mutandis* to the secretariat of the Presidium of the Nordic Council at Stockholm.

Article 2. The secretariat of the Presidium shall be represented by the secretary of the Presidium or by such person or persons as he may designate.

Article 3. The powers accorded to the Nordic Council of Ministers under articles 4, 7, 10 and 13 shall, in matters respecting the secretariat of the Presidium, be exercised by the Presidium of the Nordic Council.

Article 4. This Additional Protocol shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Norwegian Department of Foreign Affairs.

The Protocol shall be deposited with the Norwegian Department of Foreign Affairs and certified copies thereof shall be made available by the Norwegian Department of Foreign Affairs to the Governments of the other countries.

The Protocol shall enter into force on the date determined by the Council of Ministers in consultation with the Presidium of the Nordic Council but not before the entry into force of the Agreement concerning the Secretariats of the Nordic Council of Ministers and their legal status.

Article 5. This Additional Protocol may be denounced in accordance with the provisions of article 16 of the Agreement concerning the secretariats of the Nordic Council of Ministers and their legal status. If that Agreement is terminated,

¹ Came into force on 1 July 1973, the date determined by the Nordic Council of Ministers in consultation with the Presidium, in accordance with the provisions of article 4.

² United Nations, *Treaty Series*, vol. 434, pp. 145.

³ See p. 313 of this volume.

the Additional Protocol shall automatically cease to have effect at the same time.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Protocol.

DONE at Oslo on 15 May 1973 in one copy in the Danish, Finnish, Icelandic, Norwegian and Swedish languages, all texts being equally authentic.

For the Government of Denmark :

[JØRGEN TRIER JACOBSEN]

For the Government of Finland :

[OLAVI MUNKKI]

For the Government of Iceland :

[AGNAR KL. JÓNSSON]

For the Government of Norway :

[HALLVARD EIKA]

For the Government of Sweden :

[RICHARD HICHENS-BERGSTRÖM]
