

No. 13714

**BRAZIL
and
INTER-AMERICAN DEVELOPMENT BANK**

**Agreement concerning privileges and immunities of the
Inter-American Development Bank. Signed at Brasília
on 21 January 1972**

Authentic text: Portuguese.

Registered by Brazil on 31 December 1974.

**BRÉSIL
et
BANQUE INTERAMÉRICAINNE
DE DÉVELOPPEMENT**

**Accord relatif aux privilèges et immunités de la Banque in-
teraméricaine de développement. Signé à Brasília le
21 janvier 1972**

Texte authentique : portugais.

Enregistré par le Brésil le 31 décembre 1974.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE FEDERATIVE REPUBLIC OF BRAZIL AND THE INTERAMERICAN DEVELOPMENT BANK CONCERNING PRIVILEGES AND IMMUNITIES OF THE BANK

The Government of the Federative Republic of Brazil (hereinafter referred to as “the Government”) and the Inter-American Development Bank (hereinafter referred to as “the Bank”),

Considering that it is the practice of international organizations engaged in promoting the economic and social development of Latin America to conclude agreements with national governments for the purpose of establishing favourable conditions for the performance of the functions of officials of such organizations in pursuance of the objectives of the latter,

Considering that the Inter-American Development Bank is an international organization engaged in contributions to the economic and social development of the countries of Latin America, and

That the Agreement establishing the Bank² was approved by Legislative Decree No. 18, of 1959.

Have agreed as follows:

Article I. The Government shall grant to officials of the Bank the privileges and immunities established in the present Agreement. The names of the persons chosen by the Bank who are to enjoy such privileges and immunities shall be communicated to the Ministry of Foreign Affairs for approval.

Article II. The competent Brazilian authorities shall exempt from immigration and alien registration the persons mentioned below and members of their families who are their dependants:

- (a) bank officials;
- (b) experts under contract to the Bank.

The present article shall not apply to cases of general interruption of transport and shall not prevent the effective application of the laws in force, nor shall it exempt such persons from the proper application of quarantine and health regulations.

Article III. The officials and experts under contract who are not of Brazilian nationality and to whom the previous article refers shall, in the territory of Brazil, enjoy the following privileges and immunities:

- (a) They shall enjoy immunity from judicial and administrative proceedings in respect of acts carried out in the performance of their official duties, unless the Bank waives that prerogative.
- (b) In periods of international tension, they and members of their families who are their dependants shall be granted the same repatriation facilities and the same

¹ Came into force on 20 December 1973, the date on which the Government of Brazil notified the Bank of its approval under the relevant constitutional provisions, in accordance with article VIII.

² United Nations, *Treaty Series*, vol. 389, p. 69.

right to protection by the Brazilian authorities as are granted to members of diplomatic missions.

(c) They shall be exempt from any taxation on salaries and emoluments paid by the Bank or on income from abroad.

The Bank shall waive the immunity of any official or expert under contract in cases where the enjoyment of such immunity would obstruct the course of justice.

Article IV. (a) Officials of the Bank who serve in Brazil and are not of Brazilian nationality may import, within six months following their entry into Brazil to take up their duties for the first time, free of consular dues, customs duties, taxes and related charges other than charges for storage, wharfage and similar services, the movables and personal and household effects intended for their establishment, including a vehicle for their personal use.

(b) Experts under contract to the Bank who are not of Brazilian nationality shall enjoy the privileges described in subparagraph (a) of this article with regard to the import of movables and personal and household effects intended for their establishment and, where their contract is of at least one year's duration, a motor-car.

(c) Officials and experts under contract to the Bank who are of Brazilian nationality and have served the Bank abroad for more than two years shall, on their final return to Brazil, enjoy the exemptions referred to in subparagraph (a) of the present article during the six months following the date on which their functions come to an end. For the purposes of the import and transfer of vehicles for personal use, the rules applicable to officials of the Ministry of Foreign Affairs accredited abroad on their return to Brazil shall apply.

(d) With respect to the transfer of ownership of the vehicles referred to in subparagraphs (a) and (b) of the present article, the rules applicable to members of the Diplomatic Corps accredited in Brazil shall apply.

Article V. In addition to the privileges specified in the present Agreement, the official who is appointed as the representative of the Bank in Brazil shall enjoy the same exemptions, privileges and immunities as those granted to representatives of international and technical assistance organizations in respect of the performance of their functions in Brazil, provided that he is not of Brazilian nationality and does not have his permanent residence in Brazil.

Article VI. Officials of the Bank covered by the present Agreement shall receive an identity card attesting their connexion with the Bank and requesting the Brazilian authorities to offer them assistance and co-operation.

Article VII. The present Agreement shall in no way limit or prejudice the scope of the privileges and immunities granted by the Agreement establishing the Bank.

Article VIII. The present Agreement shall enter into force on the day on which the Government of the Federative Republic of Brazil notifies the Bank of its approval, in accordance with the relevant constitutional provisions, and may be denounced by either of the Parties upon written notice, ceasing to have effect 6 (six) months after the date of receipt of the notice of termination.

IN WITNESS WHEREOF the undersigned, being the representatives duly appointed by the Government and the Bank, have signed the present Agreement, in two copies, both texts being equally authentic, in the Portuguese language, in the city of Brasília, on 21 January 1972.

For the Federative Republic
of Brazil:
MARIO GIBSON BARBOZA

For the Inter-American
Development Bank:
EWALDO CORREIA
