

No. 17417

FRANCE
and
INTERNATIONAL OFFICE OF EPIZOOTICS

Agreement concerning the headquarters of the International Office of Epizootics and its privileges and immunities in French territory (with annexes). Signed at Paris on 21 February 1977

Authentic text: French.

Registered by France on 21 December 1978.

FRANCE
et
OFFICE INTERNATIONAL DES ÉPIZOOTIES

Accord relatif au siège de l'Office international des épizooties et à ses privilèges et immunités sur le territoire français (avec annexes). Signé à Paris le 21 février 1977

Texte authentique : français.

Enregistré par la France le 21 décembre 1978.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE INTERNATIONAL OFFICE OF EPIZOOTICS CONCERNING THE HEADQUARTERS OF THE INTERNATIONAL OFFICE OF EPIZOOTICS AND ITS PRIVILEGES AND IMMUNITIES IN FRENCH TERRITORY

The Government of the French Republic and the International Office of Epizootics,

Considering the International Agreement signed at Paris on 25 January 1924 creating the International Office of Epizootics² and establishing the headquarters of the Office in Paris,

Desiring to regulate, by this Agreement, all questions relating to the establishment of the permanent headquarters of the International Office of Epizootics in Paris and consequently to define its privileges and immunities in France,

Have appointed as their representatives for this purpose:

The Government of the French Republic:

Mr. Claude Chayet, Minister Plenipotentiary, Director, Administrative Conventions and Consular Affairs,

The International Office of Epizootics:

Dr. Werner Eckerskorn, President; Dr. René Vittoz, Director-General, who have agreed as follows:

Article 1. The Government of the French Republic recognizes the legal personality of the International Office of Epizootics, hereinafter referred to as "the Office," and its capacity to contract, to acquire and dispose of movable and immovable property necessary for its activities and to institute legal proceedings.

Article 2. 1. The headquarters of the Office shall comprise the premises it occupies or may occupy for the purpose of carrying out its activities, not including premises used as living quarters by its staff.

2. The premises occupied by the Office at the date of signature of this Agreement are specified in annex A.

Article 3. 1. The headquarters of the Office shall be inviolable. Officers and officials of the French Republic shall not enter the headquarters to discharge any official duty save with the consent or at the request of the Director-General of the Office or his representative.

2. The Office shall not permit its headquarters to become a refuge for persons being prosecuted for a crime or flagrant offence or who have been convicted of a criminal offence or against whom a warrant of arrest or a deportation order has been issued by the competent French authorities.

¹ Came into force on 28 July 1978, the date of exchange of the instruments of approval, in accordance with article 17.

² See "International Agreement for the Creation at Paris of an International Office for dealing with Contagious Diseases of Animals," in League of Nations, *Treaty Series*, vol. LVII, p. 135.

3. The archives of the Office, and, in general, all scientific documents belonging to or held by it, shall be inviolable.

Article 4. The property and assets of the Office shall be immune from seizure, confiscation, requisition, expropriation or any other form of administrative or legislative restraint.

Article 5. 1. The Office may, without being subject to any financial controls, regulations or moratoria:

- a) Receive and hold funds and foreign currency of all kinds and have accounts in any currency and in any country;
- b) Freely transfer its funds and foreign currency within French territory or from France to another country and vice versa.

2. In exercising its rights under this article, the Office shall take into account all representations made to it by the Government of the French Republic.

Article 6. The Office, its assets, income and other property shall be exempt from all direct taxation. This exemption shall not, however, extend to charges for services rendered.

Article 7. 1. Buildings acquired and rented by the Office for operating purposes shall be exempt from the registration tax and taxes on real estate advertisements.

2. Insurance contracts entered into by the Office in the context of its official activities shall be exempt from the special tax on insurance agreements.

Article 8. The Office shall pay, under general laws and regulations, all indirect taxes which form part of the cost of goods sold and services rendered. Nevertheless, turnover taxes levied for the benefit of the State budget which relate to certain substantial purchases required for the Office's administrative operation as well as to the issue of publications pertaining to its functions may be reimbursed under conditions to be mutually agreed upon between the Office and the competent French authorities.

Article 9. 1. Furniture, furnishings and office supplies imported or exported by the Office which are essential to its operations, and publications pertaining to its functions shall be exempt from customs duties and turnover taxes.

2. The import and export of articles belonging to the categories of goods specified in the preceding paragraph shall also be exempt from all prohibitions or restrictions.

3. Articles acquired or imported under the exemptions specified in article 8 and in this article may not be transferred or loaned against payment or free of charge in French territory save on conditions previously agreed upon by the competent French authorities.

Article 10. Except where it is not in the interest of national security, the Government of the French Republic undertakes to authorize the entry into France of the following persons without delay and without charge for visas, and their stay in France for the term of their duty or mission with the Office:

- a) Representatives of Member States, including their alternates, experts and observers attending general sessions of the Office or conferences and meetings called by it;

- b) Members of the Administrative Committee of the Office;
- c) Members of the staff of the Office and their families.

Article 11. To the fullest extent compatible with the provisions of the international conventions, regulations and arrangements to which it is a party, the Government of the French Republic, taking into account the special nature of the objectives of the Office in the control of epizootics, shall accord to the Office, in respect of its official postal, telephone, telegraphic, radiotelephonic and radiotelegraphic communications, terms at least as favourable as those accorded to diplomatic missions in the matter of priorities, charges and tariffs.

Article 12. 1. Staff members of the Office permanently included in categories I, II and III as specified in annex B to this Agreement shall be exempt from all taxes on the salaries and emoluments received for their work at the Office, with the exception of retirement or survivors' pensions and allowances.

2. The Government of the French Republic shall not accord to its own nationals or to permanent residents of France the benefit of the provisions of paragraph 1 of this article unless members of the Office adopt a system whereby salaries and emoluments are effectively taxed by the Office itself, in which case income other than salaries paid by the Office shall be taxed by the French Government at the rate applicable to income in general.

3. The Director-General of the Office shall, provided that he engages in no remunerated activity unrelated to his official duties, be exempt from the real estate tax in respect of his principal place of residence and from taxes levied on any income derived from outside sources.

Article 13. 1. Staff members of the Office belonging to categories I and II as specified in annex B to this Agreement shall benefit from arrangements for the temporary importation of their automobile free of duty.

2. The staff members of the Office referred to in annex B to this Agreement shall enjoy:

- a) Immunity from legal process in respect of all acts performed by them in their official capacity; this immunity shall not extend to violations of traffic regulations by staff members of the Office or to damage caused by a motor vehicle belonging to them or driven by them;
- b) In the case of staff members who formerly resided abroad, the right to import free of duty their furniture and personal effects in use at the time of their installation in France;
- c) Special residence permits issued by the competent French authorities for themselves and their spouses and minor children;
- d) The same facilities for repatriation as are granted to members of diplomatic missions, in time of international crisis;
- e) Special social security arrangements on terms to be established jointly by agreement between the Office and the competent French authorities.

3. The provisions of paragraphs 1 and 2 (a) and (d) of this article shall also apply to representatives and experts of member countries during the time they are in France for the purpose of participating in the work of the Office.

Article 14. The privileges and immunities referred to in this Agreement are granted in the interest of the efficiency of the Office. The Committee or the Director-General shall agree to waive the immunity of any staff member where such immunity might impede the course of justice, and provided it can be waived without prejudice to the interests of the Office. The Office shall co-operate to facilitate the proper administration of justice, compliance with police regulations and to prevent any abuse in connection with the exercise of the immunities and facilities provided for in articles 3-13 of this Agreement.

Article 15. The Government of the French Republic shall be under no obligation to grant to French nationals or to permanent residents in France the privileges and immunities referred to in articles 12, paragraph 3; 13, paragraph 1, and 13, paragraphs 2 (b), (c), and (d).

Article 16. Any dispute between the Government of the French Republic and the Office concerning the interpretation or application of this Agreement which is not settled by negotiation shall be referred for final decision without the right of appeal to a tribunal composed of:

- One arbitrator appointed by the Government of the French Republic;
- One arbitrator appointed by the Office;
- One arbitrator appointed by those two or, if they should fail to agree on the choice of the third, by the Secretary-General of the United Nations.

Article 17. This Agreement shall enter into force after the exchange of the instrument of approval by the Government of the French Republic and the notice of approval by the Office.

DONE at Paris in two copies, both in the French language, on 21 February 1977.

For the Government
of the French Republic:

[Signed]

CLAUDE CHAYET

For the International
Office of Epizootics:

[Signed]

WERNER ECKERSKORN

[Signed]

RENÉ VITTOZ

ANNEX A

The permanent headquarters of the Office shall be established on a site having a total area of 702 square metres and 45 centimetres, situated in Paris, 17th arrondissement, 12 rue de Prony; this site and the buildings on it were acquired by the Office under a contract dated 22 February 1939.

ANNEX B

The Office shall have four categories of staff, as follows:

- I. The Director-General of the Office, that is, the person appointed by the members of the Office as its chief executive officer;

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- II. The officials of the Office, that is, persons other than the Director-General who hold positions of responsibility in fields relating to the administrative or technical activities of the Office;
 - III. The employees, that is, persons performing duties in the administrative or technical departments of the Office;
 - IV. Service staff, that is, persons employed as domestic staff of the Office, not including those employed as domestics by individual staff members of the Office.
- These annexes shall constitute an integral part of the Agreement.
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