

No. 27192

**INTERNATIONAL LABOUR ORGANISATION
and
ZIMBABWE**

**Agreement concerning the establishment of a sub-regional
office at Harare. Signed at Geneva on 8 February 1990**

Authentic text: English.

Registered by the International Labour Organisation on 10 April 1990.

**ORGANISATION INTERNATIONALE DU TRAVAIL
et
ZIMBABWE**

**Accord sur l'établissement d'un bureau sous-régional à
Harare. Signé à Genève le 8 février 1990**

Texte authentique : anglais.

Enregistré par l'Organisation internationale du travail le 10 avril 1990.

AGREEMENT¹ BETWEEN THE INTERNATIONAL LABOUR ORGANISATION AND THE GOVERNMENT OF ZIMBABWE CONCERNING THE ESTABLISHMENT OF A SUB-REGIONAL OFFICE AT HARARE

WHEREAS the International Labour Organisation (hereinafter referred to as ILO), has decided to establish an Office of the International Labour Organisation at Harare; and

WHEREAS the Government of Zimbabwe has informed the International Labour Organisation of its readiness to host that Office (hereinafter referred to as the "HARARE OFFICE").

The Government of Zimbabwe and the International Labour Organisation HAVE AGREED as follows:-

ARTICLE 1

The Government of Zimbabwe shall afford every assistance within its power in securing the necessary facilities for the HARARE OFFICE of the ILO.

ARTICLE 2

The Harare Office shall be the seat of the Southern Africa Team for Employment Promotion of the African Regional Department of the International Labour Office (hereinafter referred to as "SATEP") and of such other units or staff of the African Regional Department as the Director-General may decide, with the agreement of the Government of Zimbabwe, to assign to Harare.

¹ Came into force on 8 February 1990 by signature, in accordance with article 10 (1).

ARTICLE 3

1. The Government of Zimbabwe shall grant to the Harare Office, and to its property, funds and assets, the privileges, immunities and exemptions provided for in the Convention on the Privileges and Immunities of the Specialised Agencies.¹
2. The Director of SATEF and his deputy shall enjoy in the territory of the Republic of Zimbabwe, while exercising their functions and during their journeys to and from Harare Office, the same privileges, immunities and exemptions as are accorded by the Government in conformity with international law to resident representatives of comparable rank of other international organisations.

ARTICLE 4

1. Officials, experts and consultants recruited by the ILO or on secondment to serve the Harare Office shall enjoy in the territory of the Republic of Zimbabwe, the following immunities, exemptions and privileges:-
 - (a) immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity;
 - (b) where they are not nationals, immunity from personal arrest or detention;
 - (c) immunity from seizure of their personal and official baggage;

¹ United Nations, *Treaty Series*, vol. 33, p. 261. For the final and revised texts of annexes published subsequently, see vol. 71, p. 318; vol. 79, p. 326; vol. 117, p. 386; vol. 275, p. 298; vol. 314, p. 308; vol. 323, p. 364; vol. 327, p. 326; vol. 371, p. 266; vol. 423, p. 284; vol. 559, p. 348; vol. 645, p. 340; vol. 1057, p. 320; vol. 1060, p. 337; and vol. 1482, No. A-521.

- (d) exemption from tax on, or in respect of, salaries and emoluments paid by the ILO to the same extent that this exemption is granted to officials, experts and consultants of International Organisations of comparable rank;
- (e) immunity, together with dependent members of their families and the personal employee of the Director of SATEP, from all immigration restrictions and alien registration;
- (f) the same privileges in respect of exchange facilities as are accorded by the Government to members of diplomatic missions of comparable rank;
- (g) exemption from any form of direct taxation on income derived from sources outside the Republic of Zimbabwe; the freedom to maintain within the Republic of Zimbabwe foreign accounts in local currency, and elsewhere foreign currency accounts; such freedom to own in the Republic of Zimbabwe foreign securities and other property as is accorded to staff and officers of diplomatic missions and international organisations of comparable rank; and, while employed in the service of the Harare Office and upon the termination of such employment, the right to transfer out of the Republic of Zimbabwe funds in any non-Zimbabwe currency without any restriction or limitation, provided that the officials concerned can show good cause for their lawful possession of such funds;
- (h) the same right to import their furniture and effects, including vehicles and spare parts therefore, on first taking up their permanent posts at the Harare Office, or thereafter, the same privileges and immunities as regards goods, including motor fuel, purchased in the Republic of

Zimbabwe as are accorded in the Republic of Zimbabwe, to the resident members of diplomatic missions and international organisations of comparable rank;

- (i) the same repatriation facilities for themselves, dependent members of their families and the personal employee of the Director, and the same right to protection by the authorities of the Republic of Zimbabwe in time of international crisis or national emergency, as members of diplomatic missions; and
- (j) other privileges and exemptions which are or may be accorded by the Government to members of diplomatic missions of comparable rank or to officials, experts and consultants of comparable rank of other international organisations.

2. Officials, experts and consultants of the ILO, not serving in the Harare Office but having official business with that Office, shall enjoy in the territory of the Republic of Zimbabwe the immunities, exemptions and privileges specified in paragraphs (a), (b), (c), (e) and (f) above.

ARTICLE 5

All officials of the professional category and experts and consultants of the ILO serving at the Harare Office shall be provided by the Ministry of Foreign Affairs with an identity card certifying that they are officials of the ILO, experts or consultants - as the case may be - and that they are entitled to the immunities, exemptions and privileges provided in this Agreement.

ARTICLE 6

The Director shall with the consent of the President have the duty to waive the immunity of any such person in any case where, in his opinion, such immunity would impede the course of justice and can be waived without prejudice to the overriding interests of the ILO.

ARTICLE 7

The Director of SATEP and the officials of the ILO serving at the Harare Office shall cooperate at all times with the Government to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the immunities, exemptions and privileges accorded in this Agreement. Should the Government consider that an abuse has occurred, the Director of SATEP shall with the consent of the President consult with the appropriate authorities of the Republic of Zimbabwe without delay.

ARTICLE 8

The Government of Zimbabwe shall facilitate the entry into, and stay in, Zimbabwe of the persons invited to the Harare Office for official purposes and their departure from the country.

ARTICLE 9

The Government of Zimbabwe shall facilitate the securing of appropriate office accommodation and necessary telephone, water and electricity installation.

ARTICLE 10

1. This Agreement shall come into force on signature.

2. The Agreement shall remain in force while the Harare Office remains established at Harare.
3. The Agreement may be modified by mutual agreement between the two parties, and each party shall give full and sympathetic consideration to any request for such modification.

In Witness whereof the undersigned duly authorised representatives of the International Labour Organisation and of the Government of Zimbabwe, respectfully, have signed the present Agreement.

Done at GENEVA, this *eight*..... day of *February*.....
1990, in two originals in the English Language, both texts being
equally authentic.

For the International Labour
Organisation:
[Signed]
MICHEL HANSENNE
Director-General
of the International Labour Office

For the Government
of the Republic of Zimbabwe:
[Signed]
A. T. MUGOMBA
Ambassador
Permanent Representative
of the Republic of Zimbabwe
to the United Nations at Geneva