

**Flag
(Name of the State)**

And



International Organization for Educational Development

*International Convention of Vienna on 18th April 1961 concerning Diplomatic and Consular Relations
Mission for Educational Development & Economic Cooperation*

*Convention Internationale de Vienne du 18 Avril 1961 sur les Relations Diplomatiques & Consulaires
Mission de Development Educational & Cooperation Économique*

Agreement

Between

The government of (Name of the State)

And

The International Organization for Educational Development

(IOED)



*International Convention of Vienna on 18th April 1961 concerning Diplomatic and Consular Relations
Mission for Educational Development & Economic Cooperation*

*Convention Internationale de Vienne du 18 Aril 1961 sur les Relations Diplomatiques & Consular's
Mission de Development Educational & Cooperation Économique*

PREAMBLE

This Agreement, by and between, the Government of (Name of the State), and the International Organization for Educational Development (IOED), define the following terms and agree as follows:

Considering that the IOED 's Constitutive Deed was created June 6, 2014, based on the International Convention of Vienna on April 18, 1961, about Diplomatic and Consular Relations, with the mission to ensure educational, economic, social and cultural development in host countries.

Considering that the IOED is an organization authorized under the International Convention of Vienna on April 18, 1961, concerning Diplomatic and Consular Relations to examine all projects proceeding from appropriate authorities;

Considering that the IOED is an integral part of the new educational development & economic cooperation strategy as provided by the United Nations;

Considering that the IOED and the Government of (Name of the State) are prepared to settle through this Agreement all issues related to the establishment of the Diplomatic Regional Principal Office of the IOED in (Name of the State).

I. DEFINITIONS

Article 1

In this Agreement the expression:

“Appropriate authorities of (Name of the State)” means such national, local or other authority of (Name of the State) as may be appropriate in accordance with the laws of (Name of the State);

“IOED” means the International Organization for Educational Development;

“Government” means the Government of (Name of the State);

“Laws of (Name of the State)” includes legislative acts, decrees, regulations or orders issued by or under the authority of the Government;

“Officials of the IOED”, unless the context of this agreement provides otherwise, includes all officers, officials, employees and other staff members of the IOED with the exception of those recruited locally and assigned to hourly rates;

“President” means the President of the IOED;

“Principal Office” includes:

- The land of the Principal Office together with the buildings and other structures and installations erected upon it; and
- Any other land, buildings, structures, or installations, which may be defined as being part of the Principal Office by a supplementary agreement between the IOED and the Government.

II. CONTROL AND PROTECTION OF THE PRINCIPAL OFFICE

Article 2

1. The Principal Office shall be inviolable and shall be under the control and authority of the IOED, as provided in this Agreement.
2. The IOED shall have the power to make regulations operative within the Principal Office for the purpose of establishing therein conditions in all respects necessary for the conduct of its activities.

Article 3

1. Officers or officials of (Name of the State) whether administrative, military or police, shall not enter the Principal Office to perform any official duties therein except with the consent of, and under conditions agreed by the President and/or the Governor General.
2. Without prejudice of the provisions of this Agreement, the IOED shall prevent the Principal Office from becoming a refuge for persons who are avoiding arrest under any law of (Name of the State) or who are required by the Government for extradition to another State or who are endeavoring to avoid service of legal process.

Article 4

1. The appropriate authorities of (Name of the State) shall exercise due diligence to ensure that the tranquility of the Principal Office is not disturbed by unauthorized entry by any person or group of persons from outside or by disturbance in its immediate vicinity, and shall cause to provide on the boundaries of the Principal Office such number of police as is required for its protection.
2. If so required by the President, the appropriate authorities of (Name of the State) shall provide a sufficient number of police for the preservation of law and order in the Principal Office and for the removal there from of any person or group of persons as requested by the President.

Article 5

The Government will take whatever action may be required in order that the IOED shall not be dispossessed of its right in the Principal Office nor deprived of the enjoyment of such rights except with its express consent.

III. ACCESS AND RESIDENCE

Article 6

1. The appropriate authorities of (Name of the State) shall not impede in any way the transit to or from the Principal Office of any person proceeding there to perform his official duties or at the invitation of the IOED.
2. To this end, the Government shall authorize, without delay, the entry and residence in (Name of the State) and egress there from, while they are engaged on business with the IOED, of:
 - a. The President, Governor General, Central Governor, Lieutenant Governor, Vice-President, General Secretary, Ambassador, Deputy Ambassador and other officials of the IOED;
 - b. Persons other than officials of the IOED performing missions for the IOED;
 - c. Other persons invited under the authority of the President and/ or the Governor General to visit or to perform their duties at the Principal office; and
 - d. Members of the family and personal employees of the persons referred to in subparagraphs (a) and (c) of this paragraph, while the latter are engaged on business with the IOED.
3. Diplomatic Passports and/or government required Visas for all persons referred to in paragraph (2) of this Article, where required, shall be granted and supplied by (Name of the State) promptly and free of any fees and/or charges.
4. No measure excluding or restricting the residence in (Name of the State) of any such person shall be taken on account of any activities performed by him in his official capacity. In case of abuse of privilege by any such person in activities in (Name of the State) outside that capacity, measures for excluding or restricting his residence there may be taken after prior consultation of the Minister of Foreign Affairs of (Name of the State) with the President.

5. The provisions of this Article shall not apply to general interruption of transport. Nor shall they imply exemption from the obligation to produce evidence to establish IOED personnel's rights which are granted under this Article are included in the categories specified in paragraph (2) thereof or from the reasonable application of quarantine and health regulations.

IV. COMMUNICATIONS, TRANSPORT, PUBLIC SERVICE AND UTILITIES

Article 7

The IOED shall enjoy for its official communications treatment not less favorable than that accorded by the Government to any other government—including diplomatic missions of such other government—or to any other international or organization in the matter of priorities and rates on mails, cables, telegrams, radiograms, telephotos, telephones, internet and other communications as well as press rates for information to press, radio or television.

Article 8

1. All communications addressed to the IOED, its President, Governor General, Central Governor, Lieutenant Governor, Vice-President, General Secretary, Ambassador, Deputy Ambassador and any officials at the Principal Office, and all outward official communications of the IOED, by whatever means or in whatever form transmitted, shall be immune from censorship and from any other form of interception or interference. Such immunity shall extend, without limitation by reason of this enumeration, to publications, documents, plans, blue-prints and sketches, still and moving pictures, emails, films and sound recordings.
2. The IOED shall have the right to use codes and to dispatch and receive official correspondence and, without limitation by reason of this enumeration, publications, documents, plans, blue-prints and sketches, still and moving pictures, films and sound recordings, either by courier or in sealed bags which shall enjoy the same immunities, exemptions and privileges as diplomatic courier bags.
3. Nothing in this Article shall be construed to preclude the adoption of appropriate precautions, particularly in the event of an emergency in (Name of the State), to be determined by agreement between the IOED and the Government and designed to prevent or avoid abuse of the immunities, exemptions and privileges provided in this Article.

Article 9

1. Except in the case of payment for actual services rendered to the IOED, aircraft operated by or for the IOED shall be exempt from all charges as well as fees or taxes incidental to the landing at, parking on or taking off from any airport in (Name of the State). Except as limited by the preceding sentence, nothing in this Agreement shall be construed as exempting such aircraft from full compliance with all rules and regulations governing the operation of flights into, within, and out of territory of (Name of the State).
2. Rules and regulations enacted by the government authorities regarding the restriction or prohibition of flights out of or into the territory of (Name of the State) or regarding the restriction or prohibition of flights over such territory shall not apply to the IOED. Rules and regulations regarding flight safety shall apply to the IOED.

Article 10

1. The appropriate authorities of (Name of the State) shall exercise to the extent requested by the President and/or Governor General, the powers which they possess with respect to the supply of public services to ensure that the Principal Office shall be supplied on equitable terms with the necessary public services, including electricity, water, post, telephone, internet, telegraph, transport, drainage, collection of refuse, fire protection, et cetera.
2. In case of any interruption or threatened interruption of any such service, the appropriate authorities of (Name of the State) shall consider the needs of the IOED as being of equal importance with similar needs of essential agencies of the Government, and shall take steps accordingly to ensure that the work of the IOED is not prejudiced.

V. FINANCIAL FACILITIES AND TAXATION

Article 11

1. Without being restricted by financial controls, restrictions, regulations or moratoria of any kind, the IOED may freely:
 - a. Acquire negotiable currencies from authorized banks, hold them and use them; operate accounts in any currency; and through authorized channels acquire, hold and dispose of funds, securities and gold; and
 - b. Transfer its funds, securities, gold and currencies, from or to any other county, or within the territory of (Name of the State).
2. In exercising its rights under this Article, the IOED shall pay due regard to any representations made by the Government and shall give effect to such representations so far as is possible while safeguarding the interests of the IOED.
3. The Government shall assist the IOED to obtain the most favorable conditions regarding exchange rates, banking commissions on exchange transactions, and the like.
4. It is understood that any authority may not seize the bank accounts of the IOED, whether they are in local currency or in foreign currency.

Article 12

The IOED, its property, other assets, income as well as its operations and transactions shall be exempt from all taxation and from all custom duties. This exemption shall apply:

- a. To direct and indirect taxes and all other taxes and indirect levies in force in (Name of the State). Except from direct and indirect taxes and levies representing the remuneration for public services, and for the portion of the tax that may be required for real estate publicity and corresponding to the salary of the land officer, in the event of the purchase or the location of a building for official use.
- b. In the event of the purchase of goods and services, the IOED will not claim exemption from direct taxes in common law conditions, except in the case of large purchases for official use.

c. To all custom duties and other levies, prohibitions and restrictions on imports, exports in respect of all articles imported and exported by the IOED for official purposes. Such articles shall include, without any limitation by reason of this enumeration:

- (1) Publications, still and moving pictures, and film and sound recordings; and
- (2) Motor vehicles and spare parts thereof, required for its official purposes. The Government shall grant exemption also in respect of allotments of petrol or other required fuels and lubricating oils for each vehicle in quantities prevailing for heads of diplomatic missions in (Name of the State).

VI. PRESIDENT, GOVERNOR GENERAL, CENTRAL GOVERNOR, LIEUTENANT GOVERNOR, VICE-PRESIDENT, GENERAL SECRETARY, ADMINISTRATORS OF THE IOED AND THEIR ALTERNATES, AND REPRESENTATIVES OF OTHER COUNTRIES

Article 13

1. The President, Governor General, Central Governor, Lieutenant Governor, Vice-President, General Secretary, and the Administrators of the IOED shall enjoy at all times in the territory of (Name of the State) the same immunities, exemptions and privileges as are accorded by the Government to non-resident diplomatic envoys of comparable rank in conformity with international laws.
2. Other representatives of member governments participating in the work of the IOED shall, while exercising their functions and during their journey to and from the Principal Office, enjoy in the territory of (Name of the State) the immunities, exemptions and privileges normally enjoyed by non-resident members of diplomatic missions of comparable rank.
3. The General Secretary and the Administrators of the IOED, if resident in (Name of the State), shall enjoy in the territory of (Name of the State), the same immunities, exemptions and privileges as the Government accords to resident diplomatic representatives of comparable rank.
4. No tax shall be levied on or in respect of salaries and emoluments paid by the IOED to its Administrators and their Alternates, and to the General Secretary as for these salaries and emoluments.

VII. OFFICIALS, EXPERTS AND CONSULTANTS OF THE IOED

Article 14

1. Officials, experts, and consultants of the IOED shall enjoy in the territory of (Name of the State) the following immunities, exemptions and privileges:
 - a. Immunity from legal process in respect of word spoken or written and acts performed by them in their official capacity: such immunity to continue notwithstanding that the person may have ceased to be an official of the IOED;
 - b. Immunity from personal arrest or detention;
 - c. Immunity from seizure of their personal and official baggage;

- d. Immunity, together with members of their families and their personal employees, from all immigration restrictions and alien restrictions, subject to application of Article 18 hereof;
 - e. Immunity from national service obligations;
 - f. Where they are not nationals of (Name of the State), the same privileges in respect of exchange facilities as are accorded by the Government to members of diplomatic missions of comparable rank;
 - g. Where they are not nationals or permanent residents of (Name of the State), exemption from any form of direct or indirect taxation on income derived from sources outside (Name of the State); the freedom to maintain in (Name of the State) accounts in foreign and local currencies; the freedom to own in (Name of the State) foreign securities and other movable or immovable property; and while employed by the IOED in (Name of the State) and upon termination of such employment, the right to transfer out of (Name of the State) funds in any non-(Name of the State) currency without restriction or limitation, provided that the official concerned can show good cause for his lawful possession of such funds.
 - h. The right to import, in a single or separate shipments, free of duty and other levies, prohibitions or restrictions on imports, their furniture and effects to and from their permanent post in (Name of the State); and, where they are not nationals or permanent foreign residents of (Name of the State), the same privileges and facilities as regarding the importation, transfer and replacement of motor vehicles and spare parts thereof and the purchase or supply of petrol as are in force in (Name of the State) for the resident members of diplomatic missions of comparable rank.
 - i. The same repatriation facilities for themselves, members of their families and their employees, and the same right to protection by the authorities of (Name of the State) 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 of comparable rank or other international organizations.
2. The Government shall assist the IOED in providing proper housing facilities for its officials and shall endeavor to safeguard them against the activities of speculators in real estate.

Article 15

- 1. In addition to the immunities, exemptions and privileges specified in paragraph (1) of Article 14, the President and, in his absence, the Governor General, the Central Governor, the Vice-President and/ or the General Secretary acting on his behalf, shall be accorded in respect of himself, members of his family and his personal employees, the immunities, exemptions and privileges accorded to heads of diplomatic missions in conformity with international law.
- 2. In addition to the immunities, exemptions and privileges specified in paragraph (1) of Article 14, the Governor General, the Central Governor, the Vice-President and the

General Secretary shall enjoy the immunities, exemptions and privileges the Government accords to resident diplomatic representatives of comparable rank.

Article 16

1. Where they are not nationals or permanent foreign residents of (Name of the State), experts and consultants performing missions for the IOED who are resident in (Name of the State) shall enjoy the immunities, exemptions and privileges specified in paragraph (1) of Article 14 and may be designated by the President or Governor General, on the ground of their responsibilities in the IOED, as entitled to the immunities, exemptions, privileges and facilities.
2. Other experts and consultants performing missions for the IOED shall be accorded by the Government such immunities, exemptions and privileges as are, in the opinion of the President or Governor General, necessary for the exercise of their functions during the period of their mission, including the time spent on journeys in connection therewith.

Article 17

All officials of the IOED and its experts and consultants referred to in paragraph (1) of Article 16 shall be provided by the appropriate authorities of (Name of the State) with an identity card certifying that they are officials of the IOED or its experts or consultants – as the case may be – and they are entitled to the immunities, exemptions and privileges provided in this Agreement.

Article 18

The immunities, exemptions and privileges accorded in Articles 14 to 16 of this Agreement are granted in the interests of the IOED and not for the personal benefit of the persons concerned. The President and/or the Governor General shall 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 interests of the IOED.

VIII. GENERAL PROVISIONS

Article 19

The IOED, its President, the Governor General, the Central Governor, Vice-President and other officials shall cooperate at all times with the appropriate authorities of (Name of the State) 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 by virtue of this Agreement. Should the Government consider that an abuse has occurred the President and/or Governor General shall upon request consult with the appropriate authorities of (Name of the State)?

IX. INTERPRETATION, APPLICATION, AMENDMENTS

Article 20

1. The Government and the IOED may enter into such supplementary agreement as may be necessary to fulfill the purpose of this Agreement.
2. Consultations with respect to any amendment to this Agreement shall be entered into at the request of either party thereto.

Article 21

Wherever this Agreement imposes obligations on the appropriate authorities of (Name of the State), ultimate responsibility for the fulfillment of such obligations shall rest with the Government.

Article 22

This Agreement shall be interpreted in the light of its primary purpose to enable the IOED fully and efficiently to fulfill its purpose and discharge its functions. To the extent that this is reasonably required, therefore, the Government will, in applying this Agreement, extend to the IOED and to its officials all immunities, exemptions and privileges which it grants, or may grant, to other international organizations and their officials.

X. SETTLEMENT OF DISPUTES

Article 23

Any dispute between the IOED and (Name of the State) concerning the interpretation or application of this Agreement or of any supplementary agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to arbitration by a tribunal of three arbitrators, one to be appointed by the President; one to be appointed by the Government; and the third arbitrator to be chosen by the two, or if they should fail to agree on his appointment, by the President of the International Court of Justice or, should its President be a national of (Name of the State), by the Vice-President of that Court.

XI. FINAL PROVISIONS

Article 24

This Agreement shall cease to be in force:

1. By written mutual accord between the parties thereto; and
2. If the Principal Office of the IOED is removed from the territory of (Name of the State), except for such provisions of the present Agreement as may be applicable in connection with the orderly termination of the activities of the IOED at its Principal Office in (Name of the State), and disposal of its property and assets therein.

Article 25

This Agreement shall enter into force upon the date of its signature.

Article 26

The Government of (Name of the State) is committing to provide a piece of land with an area of between 5,000 m² to 10,000 m² to the IOED, at no cost to the IOED, and shall provide such land immediately upon signature of this document or soon after. This land will be located in close proximity to the Capital City, and in an easily accessible location, and it shall serve the purpose for the IOED to build its Regional Principal Office thereon.

Article 27

The government of (Name of the State) shall provide a Certificate notating the consummation of this agreement. Said Certificate shall be filed with all appropriate agencies within the government.

Said Certificate shall be filed with the United Nations by the government of (Name of the State) within 30 days of consummation of this agreement.

Final Clause

IN WITNESS WHEREOF, the undersigned, duly authorized for this purpose, have signed the present Agreement and have affixed their seals thereto.

Done in (Place) (Name of the State) this date: _____

For the International Organization for Educational Development – IOED

Signature/Seal

H.E.

On behalf of H.E. General Dr. Arvind Kumar Sharma, IPC India,
The Honourable Executive President of the IOED

For the Government of the (Name of the State)

Signature/Seal

H.E.

On behalf of H.E. (Name)

Honourable President of the Honourable President of (Name of the State)

Through the Ministry of Foreign Affairs