



Treaty Series No. 13 (1963)

Agreement
on the Status of the Central Treaty
Organization, National Representatives
and International Staff

Ankara, November 9, 1960

with Exchange of Notes between the
Government of the United Kingdom and the
Secretary-General of the Organization

March 23, 1962

[The Agreement was ratified by, and entered into force
for, the United Kingdom on September 5, 1962]

Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
March 1963

LONDON
HER MAJESTY'S STATIONERY OFFICE
ONE SHILLING NET

AGREEMENT ON THE STATUS OF THE CENTRAL TREATY ORGANIZATION, NATIONAL REPRESENTATIVES AND INTERNATIONAL STAFF

The States signatory to the present Agreement,

Considering that for the exercise of their functions and the performance of their purposes, it is necessary that the Central Treaty Organization, its international staff, the representatives of signatory States attending meetings of the Organization, and experts employed on missions on behalf of the Organization should have the status set out hereunder,

Have agreed as follows:

PART I—GENERAL

ARTICLE 1

In the present Agreement,

- (a) the Organization means the Central Treaty Organization consisting of the Council and its subsidiary bodies;
- (b) the Council means the Council established under Article 6 of the Pact of Mutual Cooperation signed at Baghdad on February 24, 1955,⁽¹⁾ and the Council at Deputy level;
- (c) subsidiary bodies means any organ, committee or service established by the Council or under its authority, except those to which the Council may decide that this Agreement does not apply.

ARTICLE 2

The Organization and Contracting States shall cooperate at all times 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 and privileges set out in the present Agreement. If any Contracting State considers that there has been an abuse of any immunity or privilege conferred by this Agreement, consultations shall be held between the State and the Organization, or between the States concerned, to determine whether any such abuse has occurred, and, if so, to attempt to ensure that no repetition occurs. Notwithstanding the foregoing or any other provisions of this Agreement, a Contracting State which considers that any person has abused his privilege of residence or any other privilege or immunity granted to him under this Agreement may require him to leave its territory.

PART II—THE ORGANIZATION

ARTICLE 3

The Organization shall possess juridical personality; it shall have the capacity to conclude contracts, to acquire and dispose of movable and immovable property and to institute legal proceedings.

⁽¹⁾ "Treaty Series No. 39 (1956)", Cmd. 9859.

ARTICLE 4

The Organization, its property and assets, wheresoever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case the Secretary General, acting on behalf of the Organization, may expressly authorise the waiver of this immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution or detention of property.

ARTICLE 5

The premises of the Organization shall be inviolable. Its property and assets, wheresoever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of interference.

ARTICLE 6

The archives of the Organization and all documents belonging to it or held by it shall be inviolable, wherever located.

ARTICLE 7

1. Without being restricted by financial controls, regulations or moratoria of any kind,

- (a) the Organization may hold currency of any kind and operate accounts in any currency;
- (b) the Organization may freely transfer its funds from one country to another or within any country and convert any currency held by it into any other currency at the most favourable official rate of exchange for a sale or purchase as the case may be.

2. In exercising its rights under paragraph 1 above, the Organization shall pay due regard to any representations made by any Contracting State and shall give effect to such representations insofar as it is practicable to do so.

ARTICLE 8

The Organization, its assets, income and other property shall be exempt:

- (a) from all direct taxes; the Organization will not, however, claim exemption from rates, taxes or dues which are no more than charges for public utility services;
- (b) from all customs duties and quantitative restrictions on imports and exports in respect of articles imported or exported by the Organization for its official use; articles imported under such exemption shall not be disposed of, by way either of sale or gift, in the country into which they are imported except under conditions approved by the Government of that country;
- (c) from all customs duties and quantitative restrictions on imports and exports in respect of its publications.

ARTICLE 9

The Organization will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid. Nevertheless, when the Organization is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Contracting States will, whenever possible, make the appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE 10

1. No censorship shall be applied to the official correspondence and other official communications of the Organization.

2. The Organization shall have the right to use codes and to despatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

3. Nothing in this Article shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a Contracting State and the Council, acting on behalf of the Organization.

PART III—REPRESENTATIVES OF CONTRACTING STATES

ARTICLE 11

Every person designated by a Contracting State as its principal permanent representative to the Organization in the territory of another Contracting State, and such members of his official staff resident in that territory as may be agreed between the State which has designated them and the Organization and between the Organization and the State in which they will be resident, shall enjoy the immunities and privileges accorded by that State to diplomatic representatives and their official staff of comparable rank.

ARTICLE 12

1. Any representative of a Contracting State to the Council or any of its subsidiary bodies who is not covered by Article 11 shall, while present in the territory of another Contracting State for the discharge of his duties, enjoy the following privileges and immunities:

- (a) the same immunity from personal arrest or detention as that accorded to diplomatic personnel of comparable rank;
- (b) in respect of words spoken or written and of acts done by him in his official capacity, immunity from legal process;
- (c) inviolability for all papers and documents;
- (d) the right to use codes and to receive and send papers or correspondence by courier or in sealed bags;
- (e) the same exemption in respect of himself and his spouse from immigration restrictions, aliens registration and national service obligations as that accorded to diplomatic personnel of comparable rank;
- (f) the same facilities in respect of currency or exchange restrictions as are accorded to diplomatic personnel of comparable rank;

- (g) the same immunities and facilities in respect of his personal baggage as are accorded to diplomatic personnel of comparable rank;
- (h) the right to import free of duty his furniture and effects at the time of first arrival to take up his post in the country in question, and, on the termination of his functions in that country, to re-export such furniture and effects free of duty, subject in either case to such conditions as the Government of the country in which the right is being exercised may deem necessary;
- (i) the right to import temporarily free of duty his private motor vehicle for his own personal use and subsequently to re-export such vehicle free of duty, subject in either case to such conditions as the Government of the country concerned may deem necessary.

2. Where the legal incidence of any form of taxation depends upon residence, a period during which a representative to whom this Article applies is present in the territory of another Contracting State for the discharge of his duties shall not be considered as a period of residence. In particular, he shall be exempt from taxation on his official salary and emoluments during such periods of duty.

3. In this Article "representative" shall be deemed to include all representatives, advisers and technical experts of delegations. Each Contracting State shall communicate to the other Contracting States concerned, if they so request, the names of its representatives to whom this Article applies and the probable duration of their stay in the territories of such other Contracting States.

ARTICLE 13

Official clerical staff accompanying a representative of a Contracting State, who are not covered by Articles 11 or 12 shall, while present in the territory of another Contracting State for the discharge of their duties, be accorded the privileges and immunities set out in paragraphs 1 (b), (c), (e), (f), (h) and (i) and paragraph 2 of Article 12.

ARTICLE 14

Privileges and immunities are accorded to the representatives of Contracting States and their staffs not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the Central Treaty Organization. Consequently, a Contracting State not only has the right, but is under a duty to waive the immunity of its representatives and members of their staff in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the purposes for which the immunity is accorded.

ARTICLE 15

The provisions of Articles 11 to 13 above shall not require any State to grant any of the privileges or immunities referred to therein to any person who is its national or to any person as its representative or as a member of the staff of such representative.

PART IV—INTERNATIONAL STAFF AND EXPERTS ON MISSIONS
FOR THE ORGANIZATION

ARTICLE 16

The categories of officials of the Organization to which Articles 17 to 19 shall be applicable within the territory of each Contracting State shall be the subject of an agreement between the Secretary General and that State. The Secretary General shall communicate to the Contracting States the names of the officials included in these categories.

ARTICLE 17

Officials of the Organization agreed upon under Article 16 shall:

- (a) be immune from legal process in respect of words spoken or written and of acts done by them in their official capacity and within the limits of their authority;
- (b) be granted, together with their spouses and members of their immediate families residing with and dependent on them, the same immunities from immigration restrictions and aliens' registration as are accorded to diplomatic personnel of comparable rank;
- (c) be accorded the same facilities in respect of currency or exchange restrictions as are accorded to diplomatic personnel of comparable rank;
- (d) be given, together with their spouses and members of their immediate families residing with and dependent on them, the same repatriation facilities in time of international crisis as are accorded to diplomatic personnel of comparable rank;
- (e) have the right to import free of duty their furniture and effects at the time of first arrival to take up their post in the country in question and, on the termination of their functions in that country, to re-export such furniture and effects free of duty, subject in either case to such conditions as the Government of the country in which the right is being exercised may deem necessary;
- (f) have the right to import temporarily free of duty their private motor vehicles for their own personal use and subsequently, to re-export such vehicles free of duty, subject in either case to such conditions as the Government of the country concerned may deem necessary.

ARTICLE 18

Officials of the Organization agreed under Article 16 shall be exempt from taxation on the salaries and emoluments paid to them by the Organization in their capacity as such officials. Any Contracting State may, however, conclude an arrangement with the Secretary General acting on behalf of the Organization whereby such Contracting State will employ and assign to the Organization all or some of its nationals who are to serve on the international staff of the Organization and pay the salaries and emoluments of such persons from its own funds at a scale fixed by it. The salaries and emoluments so paid may be taxed by such Contracting State but shall be

exempt from taxation by any other Contracting State. If such an arrangement is entered into by any Contracting State and is subsequently modified or terminated, Contracting States shall no longer be bound under the first sentence of this Article to exempt from taxation the salaries and emoluments paid to their nationals.

ARTICLE 19

In addition to the immunities and privileges specified in Articles 17 and 18, the Secretary General, and such other senior officials of the Organization as may be agreed between the Secretary General and the Government of each Contracting State, shall be accorded within the territory of that State the privileges and immunities normally accorded to diplomatic personnel of comparable rank.

ARTICLE 20

1. Experts (other than officials coming within the scope of Articles 17 to 19) employed on missions on behalf of the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions while present in the territory of a Contracting State for the discharge of their duties:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions for the Organization, immunity from legal process;
- (c) the same facilities in respect of currency or exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) inviolability for all papers and documents relating to the work on which they are engaged for the Organization.

2. The Secretary General shall communicate to the Contracting States concerned the names of any experts to whom this Article applies.

ARTICLE 21

Privileges and immunities are granted to officials and experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Council shall have the right and the duty to waive the immunity of any official or expert in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.

ARTICLE 22

The provisions of Articles 17, 19 and 20 above shall not require any State to grant any of the privileges or immunities referred to therein to any person who is its national, except:

- (a) immunity from legal process in respect of words spoken or written or acts done by him in the performance of his official functions for the Organization;

- (b) inviolability for all papers and documents relating to the work on which he is engaged for the Organization;
- (c) facilities in respect of currency or exchange restrictions so far as necessary for the effective exercise of his functions.

PART V—SETTLEMENT OF DISPUTES

ARTICLE 23

The Council shall make provision for appropriate modes of settlement of:

- (a) disputes arising out of contracts or other disputes of a private character to which the Organization is a party;
- (b) disputes involving any official or expert of the Organization to whom Part IV of this Agreement applies who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of Article 21.

PART VI—SUPPLEMENTARY AGREEMENTS

ARTICLE 24

The Secretary General, acting on behalf of the Organization, may conclude with any Contracting State or States supplementary agreements modifying the provisions of the present Agreement, so far as that State or those States are concerned.

PART VII—FINAL PROVISIONS

ARTICLE 25

1. The present Agreement shall be open for signature by Member States of the Central Treaty Organization, and such other States as members may agree, and shall be subject to ratification. Instruments of ratification shall be deposited with the Government of Turkey, which will notify all signatory States of each such deposit.

2. As soon as two signatory States have deposited their instruments of ratification, the present Agreement shall come into force in respect of those States.⁽²⁾ It shall come into force, in respect of each other signatory State, on the date of the deposit of its instrument of ratification.

ARTICLE 26

The present Agreement may be denounced by any Contracting State by giving written notification of denunciation to the Government of Turkey, which will notify all signatory States of each such notification. The denunciation shall take effect one year after the receipt of the notification by the Government of Turkey.

⁽²⁾ The Agreement entered into force on September 5, 1962.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed the present Agreement.

Done in Ankara this ninth day of November, 1960, in English, in a single copy which shall be deposited in the archives of the Government of Turkey which will submit a certified copy to each of the signatory States.

For Iran:

HASSAN ARFA

For Pakistan:

S. M. HASSAN

For the Republic of Turkey:

C. S. HAYTA

For the United Kingdom of Great Britain and Northern Ireland:

B. A. B. BURROWS.

RATIFICATIONS

United Kingdom	...	...	...	...	...	September 5, 1962
Pakistan	...	...	...	...	...	August 31, 1961

**EXCHANGE OF NOTES BETWEEN HER BRITANNIC MAJESTY'S
AMBASSADOR AT ANKARA AND THE SECRETARY-
GENERAL OF THE CENTRAL TREATY ORGANISATION
REGARDING IMMUNITIES AND PRIVILEGES**

No. 1

*Note from Her Britannic Majesty's Ambassador at Ankara to the
Secretary-General of the Central Treaty Organisation*

British Embassy.

Your Excellency,

Ankara, March 23, 1962.

I have the honour to inform Your Excellency, in accordance with Article 16 of the "Agreement on the Status of the Central Treaty Organisation, National Representatives and International Staff" which was signed at Ankara on November 9, 1960, that Her Majesty's Government in the United Kingdom are prepared to grant the immunities and privileges specified in Articles 17, 18 and 19 of the Agreement to the different categories of officials of the Central Treaty Organisation when they are in the United Kingdom of Great Britain and Northern Ireland, as follows:

- (a) The privileges and immunities specified in Article 17 will be granted to the Secretary-General, all officials of grades 1-10 inclusive of the International Secretariat and Combined Military Planning Staff (CENTO Military Staff) and all military personnel permanently attached for administrative services with the Combined Military Planning Staff (CENTO Military Staff).
- (b) The immunities specified in Article 18 will be granted to the Secretary-General, all officials of grades 1-10 inclusive, and all military personnel permanently attached for administrative services with the Combined Military Planning Staff (CENTO Military Staff), other than officials and military personnel seconded from United Kingdom Government Service who received their pay and allowances from Her Majesty's Government and not from the Organisation.
- (c) The immunities and privileges specified in Article 19 will be granted to the Secretary-General and the senior of the Deputy Secretaries-General in office at the time.

I have the honour to suggest that, if the above proposals are acceptable to Your Excellency, this Note together with your reply to that effect should constitute an Agreement between Her Majesty's Government in the United Kingdom and the Secretary-General of the Central Treaty Organisation under Article 16 of the Status Agreement, entering into force on the date on which

the Status Agreement comes into force in respect of the United Kingdom of Great Britain and Northern Ireland.

I avail, &c.

B. A. B. BURROWS.

No. 2

Note from the Secretary-General of the Central Treaty Organisation to Her Britannic Majesty's Ambassador at Ankara

*Central Treaty Organization,
Ankara, March 23, 1962.*

Your Excellency,

I have the honour to acknowledge the receipt of your Note dated March 23, 1962, which reads as follows:

[As in No. 1]

I have the honour to inform Your Excellency that I concur with the foregoing in my capacity of the Secretary General of the Central Treaty Organization.

I avail, &c.

A. A. KHALATBARY,
Secretary General.

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