

No. 9413

**DENMARK
and
INTERNATIONAL COUNCIL
FOR THE EXPLORATION OF THE SEA**

**Agreement on the privileges, immunities and facilities to
be granted to the International Council for the
Exploration of the Sea. Signed at Copenhagen on
24 July 1968**

Authentic text : English.

Registered by Denmark on 19 February 1969.

**DANEMARK
et
CONSEIL INTERNATIONAL
POUR L'EXPLORATION DE LA MER**

**Accord sur les privilèges, immunités et facilités devant
être accordés au Conseil international pour
l'exploration de la mer. Signé à Copenhague le
24 juillet 1968**

Texte authentique : anglais.

Enregistré par le Danemark le 19 février 1969.

AGREEMENT¹ BETWEEN THE INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA AND THE GOVERNMENT OF DENMARK

The Government of Denmark of the one part, and The International Council for the Exploration of the Sea of the other,

Desiring to conclude an Agreement for the purpose of determining the privileges, immunities and facilities to be granted by the Government of Denmark to the International Council for the Exploration of the Sea, to the representatives of its Members and to its experts and officials, and of regulating other related matters, have agreed as follows :

Article I

DEFINITIONS

In the present Agreement :

(i) The International Council for the Exploration of the Sea will be called "the Organization" ;

(ii) For the purposes of Article IV, the words "property and assets", "funds, notes, coins, securities, gold or currency", or "assets, income and other property" shall be deemed to include property, assets, and funds administered by the Organization under its Constitution and/or in furtherance of its constitutional functions ;

(iii) The words "representatives of Members" shall be deemed to include all delegates to the Council of the Organization and their substitutes ; delegates in their capacity of members of the Bureau of the Organization ; all advisers, technical experts who are members of delegations, and secretaries of delegations ; as well as all experts and advisers appointed by Members of the Organization to assist in the work of the Organization.

(iv) The words "principal or subsidiary organs" shall be deemed to include the Council of the Organization, its Bureau, Committees, General Secretary and Secretariat ;

¹ Came into force on 24 July 1968 by the exchange of notes between the authorized representatives of the Government of Denmark and the Organization stating respectively that it had been approved by the Government of Denmark and adopted by the Council of the Organization, in accordance with article XII (1).

(v) For the purposes of Article III, Section 2, Article IV, Section 2, and Article VI, Section 2 and 3 the words "meeting" or "meeting of the organization" shall be deemed to include all meetings of the principal or subsidiary organs of the Organization as well as all conferences or meetings convened by, or under the authority or auspices of, the Organization in Denmark.

Article II

JURIDICAL PERSONALITY

The Organization shall possess in Denmark juridical personality and legal capacity and, in particular, capacity (a) to contract, (b) to acquire and dispose of movable and immovable property, and (c) to institute legal proceedings.

Article III

FREEDOM OF ACTION

Section 1. The Organization and its principal or subsidiary organs shall have in Denmark the independence and freedom of action belonging to an international organization.

Section 2. The Organization, its principal or subsidiary organs, as well as its Members and the representatives of Members in their relations with the Organization, shall enjoy in Denmark absolute freedom of meeting including freedom of discussion and decision.

Article IV

PROPERTY, FUNDS AND ASSETS

Section 1. The Organization and its property and assets located in Denmark shall enjoy immunity from every form of legal process except : (a) in so far as in any particular case this immunity is expressly waived by the Bureau of the Organization or the General Secretary as its duly authorized representative, it thereby being understood, however, that no waiver of immunity shall extend to any measure of execution ; (b) in the case of a civil action by a third party for damages arising from an accident caused by a motor vehicle belonging to, or operated on behalf of the Organization or in the case of a motor traffic offence involving such a vehicle.

Section 2. (1) The premises of the Organization in Denmark or any premises in Denmark occupied by the Organization in connexion with a meeting of the Organization shall be inviolable.

(2) Such premises and the property and assets of the Organization in Denmark shall be immune from search, requisition, confiscation, expro-

priation, and any other form of interference, whether by executive, administrative, judicial or legislative action.

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

Section 4. (1) Without being restricted by financial controls, regulations or moratoria of any kind : (a) the Organization may receive and hold funds, notes, coins, gold, currency and securities of any kind and operate accounts in any currency ; (b) the Organization shall be free to transfer its funds, notes, coins, gold, currency or securities to or from Denmark or within Denmark and to convert any currency held by it into any other currency.

(2) This section shall also apply to Members of the Organization in their relations with the Organization.

Section 5. The Government of Denmark shall provide for the Organization, at the most favourable rate officially recognized, its national currency to the amount required to meet the expenditure of the Organization in Denmark or other member countries.

Section 6. In exercising its rights under Sections 4 and 5, the Organization shall pay due regard to any representations made by the Government of Denmark in so far as the Organization considers that effect can be given to such representations without detriment to its interests.

Section 7. The Organization, its assets, income and other property, shall be : (a) exempt from all direct and indirect taxes. It is understood, however, that the Organization will not claim exemption from taxes which are, in fact, no more than charges for public utility services ; (b) exempt from customs duties, prohibitions and restrictions on imports and exports in respect of goods or articles imported or exported by the Organization for official use. It is understood, however, that goods or articles, imported under such exemption will not be sold in Denmark except under conditions agreed with the Government of Denmark ; (c) exempt from customs duties, prohibitions and restrictions on imports and exports in respect of their publications.

Section 8. While the Organization will not as a general rule, in the case of minor purchases, 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, the Government of Denmark shall, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article V

FACILITIES IN RESPECT OF COMMUNICATIONS

Section 1. The Organization shall enjoy in Denmark for its official communications treatment not less favourable than that accorded by the Government of Denmark to any other government including its diplomatic missions, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communication, and Press rates for information to the Press and radio on the condition that such treatment is not incompatible with the terms of the International Telecommunications Convention.¹

Section 2. (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.

Article VI

REPRESENTATIVES OF MEMBERS

Section 1. Representatives of Members on principal or subsidiary organs and at conferences or meetings convened by or under the authorization or auspices of the Organization, shall, while exercising their functions and during their journeys to and from the place of meetings, enjoy the following privileges and immunities : (a) immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind ; (b) inviolability for all papers and documents ; (c) the right to use codes and to despatch or receive papers or correspondence by courier or sealed bags ; (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration formalities or national service obligations in Denmark ; (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions ; (f) the same immunities and facilities in respect of their personal baggage as are accorded to members of diplomatic missions of comparable rank.

¹ United Kingdom, *Treaty Series*, No. 74 (1961), Cmnd. 1484.