

No. 27326

**FRANCE
and
LATIN UNION**

Agreement concerning the establishment in Paris of the Secretariat of the Latin Union and its privileges and immunities in French territory (with annex). Signed at Paris on 13 January 1988

Authentic text: French.

Registered by France on 3 July 1990.

**FRANCE
et
UNION LATINE**

Accord relatif à l'établissement à Paris du Secrétariat de l'Union latine et à ses privilèges et immunités sur le territoire français (avec annexe). Signé à Paris le 13 janvier 1988

Texte authentique : français.

Enregistré par la France le 3 juillet 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE LATIN UNION CONCERNING THE ESTABLISHMENT IN PARIS OF THE SECRETARIAT OF THE LATIN UNION AND ITS PRIVILEGES AND IMMUNITIES IN FRENCH TERRITORY

The Government of the French Republic and the Latin Union,

Considering that a Secretariat of the Latin Union has been established in Paris,

Desiring to regulate by this Agreement matters relating to the establishment in Paris of this Secretariat of the Latin Union and to define its privileges and immunities;

Have agreed as follows:

Article 1

The Latin Union is authorized to establish in France a secretariat hereinafter referred to as the "Secretariat". This Secretariat is authorized to perform its official functions in France.

The official functions of the Secretariat within the meaning of this Agreement shall include activities consistent with the goals of the Latin Union as defined in article II and set out in article XVII, paragraphs (a) to (h) inclusive, of the Convention of 15 May 1954 establishing the Latin Union,² as well as actions taken by the Secretariat to ensure the administrative efficiency of the Latin Union.

Article 2

1. The premises which the Latin Union owns or rents and which the Secretariat occupies or may occupy for the purpose of its official functions, not including premises used as living quarters by the staff of the Secretariat, shall be inviolable.

2. Officers and officials of the French Government may not enter the premises of the Secretariat to discharge any official duty save at the request or with the consent of the Secretary-General or of any of his assistants for the purpose of, *inter alia*, restoring law and order or expelling any person whose presence is deemed undesirable by the Secretary-General or any of his assistants. Consent may be presumed in the case of a serious accident requiring immediate protective measures.

3. The Latin Union shall not permit the premises of the Secretariat to become a refuge for any person who is sought for a crime or flagrant offence, who has been convicted of a criminal offence or against whom a warrant of arrest or a deportation order has been issued by the French authorities.

¹ Came into force on 1 November 1989, i.e., the first day of the second month following the date of the last notification (of 15 September 1989) by which the Contracting Parties had informed each other of its approval, in accordance with article 19 (2).

² The Convention was not submitted for registration as at the date of publication of the Agreement of 13 January 1988.

Article 3

The Latin Union shall have immunity from jurisdiction and execution, except:

When it shall have expressly waived such immunity in a particular case;

In respect of any civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the Latin Union or in respect of a motor traffic offence involving such a vehicle;

In respect of the enforcement of an arbitration award made under article 17 of this Agreement;

In the event of an attachment order in respect of the salaries, wages and emoluments owed by the Latin Union to a member of its staff.

Article 4

Subject to the exceptions to immunity provided for in article 3, the property and assets made available by the Latin Union to the Secretariat for the performance of its official functions shall be immune from search, seizure, confiscation, requisition, expropriation or any other form of administrative or judicial restraint.

Article 5

1. The Secretariat, as well as the property and assets made available by the Latin Union to the Secretariat for the performance of its official functions, shall be exempt from all direct taxation. This exemption shall not, however, extend to charges for services rendered.

2. Buildings purchased or rented by the Latin Union for the performance of the official functions of the Secretariat shall be exempt from the registration tax, the tax on real-estate advertisements and the lease tax.

3. The Latin Union shall pay, in accordance with the provisions of ordinary law, all indirect taxes which form part of the cost of goods sold and services rendered to the Secretariat.

Nevertheless, turnover taxes levied by the State in respect of large purchases of operating equipment or of services needed for the performance of the official functions of the Secretariat of the Latin Union shall be reimbursed under conditions to be agreed with the competent French authorities.

Article 6

Furniture, furnishings and office supplies for the Secretariat's operating purposes, as well as publications, cinematographic films or photographic documents needed for performance of its official functions shall, when imported or exported, be exempt from customs duties and charges and turnover taxes.

Subject to the provisions of article 16 below, 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.

Articles imported under such exemptions may not be transferred free of charge or against payment or be loaned in French territory save on conditions previously approved by the competent French authorities.

Article 7

1. Official correspondence sent by the Secretariat to the headquarters of the Latin Union and vice versa shall be inviolable.

2. The Secretariat shall be entitled to send or receive its official correspondence by special couriers of the Latin Union and by sealed bags.

Article 8

1. Except where it is not in the interest of national security, the Government of the French Republic shall issue at the request of the Secretariat, without charge and without unwarranted delay, visas for their entry into and stay in France for the terms of their duty or mission with the Latin Union:

(a) To staff members of the Secretariat within the meaning of the annex to this Agreement and to members for their families;

(b) To staff members of the Latin Union residing abroad who are sent on mission to the Secretariat.

2. The Government of the French Republic shall authorize on the same conditions the entry into and stay in France of delegates to the Congress of the Latin Union and representatives of the members of the Executive Council of the Latin Union sent on mission to the Secretariat.

Article 9

Subject to the provisions of article 11:

1. The staff members of the Secretariat referred to in the annex to this Agreement shall enjoy:

(a) As regards categories I, II and III, even after the termination of their functions, immunity from jurisdiction in respect of acts performed by them in their official capacity and within the limits of their authority; however, this immunity shall not extend to violations of traffic regulations by persons enjoying such immunity or to damage caused by a motor vehicle belonging to them or driven by them.

Staff members enjoying immunity from jurisdiction must be insured under an insurance policy covering both their contractual and their criminal liability arising from acts in respect of which their immunity from jurisdiction may be validly challenged.

(b) As regards categories I, II, III and IV:

(1) In the case of staff members who formerly resided abroad, the right to import free of duty their furniture and personal effects at the time of their installation in France;

(2) Special residence permits issued by the competent French authorities for themselves and their spouses and minor children;

(3) In time of international crisis, the same facilities for repatriation for themselves and their family members as are granted to members of diplomatic missions.

2. In addition, the Secretary-General and his assistants shall benefit from arrangements for the temporary duty-free import of their automobiles.