

No. 33647

MULTILATERAL

Agreement on international legal guarantees for the free and independent operation of the Inter-State Television and Radio Broadcasting Company “Mir” (with annexed charter). Concluded at Ashgabat on 24 December 1993

Authentic text: Russian.

Registered by Belarus on 1 April 1997.

Ratifications by various countries

MULTILATÉRAL

Accord relatif aux garanties de droit international du fonctionnement libre et indépendant de la Compagnie inter-étatique de télévision et de radiodiffusion « Mir » (avec charte annexée). Conclu à Ashgabat le 24 décembre 1993

Texte authentique : russe.

Enregistré par le Bélarus le 1^{er} avril 1997.

Ratifications de divers pays

[TRANSLATION]

AGREEMENT¹ ON INTERNATIONAL LEGAL GUARANTEES FOR THE FREE AND INDEPENDENT OPERATION OF THE INTER- STATE TELEVISION AND RADIO BROADCASTING COMPANY “MIR”

The States Parties to this Agreement, hereinafter referred to as “the States Parties”,

Being founders of the Inter-State Television and Radio Broadcasting Company “Mir” in accordance with the Agreement of 9 October 1992 on Founding an Inter-State Television and Radio Broadcasting Company² and the Charter of the Inter-State Television and Radio Broadcasting Company dated 22 January 1993,³

Reaffirming their commitment to the universally recognized principles of international exchange of information,

Wishing to promote the establishment of a common information area in the States concerned,

Desiring to establish international legal guarantees for the free and independent performance of the professional work of the Inter-State Television and Radio Broadcasting Company “Mir” as an inter-State organization in the territories of the States Parties,

Recognizing that these international legal guarantees are granted not for the benefit of individuals but to ensure the independent operation of the Inter-State Television and Radio Broadcasting Company “Mir”,

Have agreed as follows:

Article 1

For the purposes of this Agreement:

1. “Company” shall mean the Inter-State Television and Radio Broadcasting Company “Mir” and its branch offices in the States Parties.
2. “Representatives in the Company” shall mean the mandated representatives of the States Parties in the Company and members of delegations of the States Parties taking part in meetings and conferences relating to the Company.

¹ Came into force provisionally on 24 December 1993 by signature, and definitively in respect of the following States(*) on 5 July 1996, in accordance with article 15:

<i>Participant</i>	<i>Date of deposit of the notification</i>	
Armenia*	12 February	1996
Azerbaijan*	26 June	1996
Belarus		
Georgia		
Kazakhstan*	25 June	1996
Russian Federation*	6 September	1995
Tajikistan*	25 June	1996
Uzbekistan*	11 April	1995

² See p. 3 of this volume.

³ United Nations, *Treaty Series*, vol. 1819, No. I-31139.

3. “Officials of the Company” shall mean all persons employed in the Company and indicated in a list which the Company shall transmit to the competent bodies of the relevant States Parties.

Article 2

1. The States Parties shall grant the Company, its officials and its representatives such privileges and immunities in their territories as are necessary to ensure the operation of the Company in accordance with the tasks stipulated in its Charter.

2. The representatives in the Company and the officials of the Company shall respect the legislation of the States Parties in whose territory they are carrying out their official duties, and also the traditions and customs of the peoples of those States.

Article 3

The Company, its property and assets shall enjoy immunity from administrative and judicial interference and enforcement actions.

Article 4

The archives, documents and premises of the Company shall be inviolable.

Article 5

The property of the Company shall not be liable to search, requisition, confiscation or administrative seizure.

Article 6

1. The Company and its property shall be exempt from direct taxation and duties of any kind save payments for communal and other similar services.

2. The Company shall be exempt from customs duties and restrictions when importing and exporting items intended for the uses stipulated in the Charter of the Inter-State Television and Radio Broadcasting Company “Mir”.

3. The Company shall enjoy no less favourable terms in respect of postal, telegraph, telex, telefax and telephone priority, tariffs and rates than those enjoyed by intergovernmental organizations in the State Party concerned.

Article 7

1. The representatives in the Company shall enjoy immunity from personal arrest or detention, and also from administrative and judicial jurisdiction, during the performance of their official duties.

2. The official correspondence and documents of representatives in the Company shall be inviolable.

3. Save in the territory of their State of nationality, representatives in the Company shall be exempt in the territory of the States Parties from personal obligations and taxation in respect of earnings paid to them by their State of nationality.

4. Save in the territory of their State of nationality, representatives in the Company shall be exempt in the territory of the States Parties from mandatory residence permit and registration formalities. If a visa regime is introduced, their applications for visas to visit the territories of States Parties shall be expedited.

Article 8

Officials of the Company shall be answerable solely to the Company in the performance of their official duties.

Article 9

Officials of the Company who are not nationals of the Company's host State shall be exempt from personal obligations, taxes and duties in respect of earnings paid to them by the Company. They shall also be exempt from customs duties on items intended for personal use, including household effects at the time of initial entry into the Company's host State, and from obtaining permission to export such items on finally leaving the State. If a visa regime is introduced, their applications for visas to visit States Parties shall be expedited.

Article 10

1. The States Parties shall render assistance to the Company and those representatives in the Company and officials of the Company who are not nationals of the Company's host State in securing business and living accommodation, and in equipping business premises and obtaining medical assistance and other social and communal services in accordance with the procedure laid down for intergovernmental organizations in the host country of the Company.

2. The provisions of paragraph 1 of this article concerning medical assistance and other social and communal services shall also apply to family members of representatives in the Company and officials of the Company who live with them.

Article 11

The privileges and immunities that are necessary to ensure the operation of the Company in accordance with the tasks stipulated in its charter shall be granted and exercised on the basis of documents issued by the competent bodies of a State Party on the basis of a submission by the Company.

Article 12

1. The States Parties and the Company may waive the immunity of their respective representatives and officials if such immunity is an obstacle to the administration of justice and provided that such a waiver does not undermine the purposes for which the immunity was granted.

2. Insofar as the Company is concerned, the right to waive the immunity of its officials, with the exception of the Chairman of the Company and members of the board of directors, is vested in the Chairman of the Company.

The immunity of the Chairman of the Company and members of the board of directors may be waived only by a general meeting of the representatives in the Company.

Article 13

1. Disputes regarding the interpretation and application of this Agreement shall be resolved through negotiation or in accordance with another procedure which may be agreed upon by the Parties concerned.

2. Nothing in this Agreement shall prevent the individual States Parties and the Company from concluding protocols elaborating on the application of this Agreement in the territories of those State Parties.

Article 14

1. Amendments to this Agreement may be submitted by any State Party.
2. Amendments to this Agreement shall be adopted by States Parties in accordance with the same procedure whereby they ratified this Agreement.

Article 15

1. This Agreement shall be applied provisionally from the date of its signature.
2. This Agreement shall enter into force 10 days after six documents giving notice of the completion of the internal State procedures required for its entry into force have been lodged with the depositary.
3. For each State which has joined the Company in accordance with article 4 of the Charter of the Inter-State Television and Radio Broadcasting Company “Mir”, this Agreement shall enter into force on the date of that State’s entry into the Company.

Article 16

Any State Party may terminate its participation in this Agreement on leaving the Company.