

**No. 52197\***

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**International Fund for Agricultural Development  
and  
United Republic of Tanzania**

**Headquarters Agreement between the Government of the United Republic of Tanzania and the International Fund for Agricultural Development on the establishment of the IFAD's country office. Dar es Salaam, 5 May 2008 and 21 July 2008**

**Entry into force:** 21 July 2008 by signature, in accordance with article XIV

**Authentic text:** *English*

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**Fonds international de développement agricole  
et  
République-Unie de Tanzanie**

**Accord de siège entre le Gouvernement de la République-Unie de Tanzanie et le Fonds international de développement agricole relatif à l'établissement du bureau de pays du FIDA. Dar es-Salaam, 5 mai 2008 et 21 juillet 2008**

**Entrée en vigueur :** 21 juillet 2008 par signature, conformément à l'article XIV

**Texte authentique :** *anglais*

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**HEADQUARTERS AGREEMENT BETWEEN THE GOVERNMENT  
OF THE UNITED REPUBLIC OF TANZANIA AND THE  
INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT  
ON THE ESTABLISHMENT OF THE IFAD'S COUNTRY OFFICE**

**WHEREAS** the International Fund for Agricultural Development (IFAD), a Specialised Agency of the United Nations Organisation, wishes to establish a Country Office in Tanzania to support its operations, including supervision of projects; consolidate its cooperation and linkages; be close to its partners and programmes; and manage knowledge; and the Government of the United Republic of Tanzania agrees to permit the establishment of such an office.

**WHEREAS** the United Republic of Tanzania acceded on 29 October 1962 to the Convention on the Privileges and Immunities of the Specialised Agencies.

**WHEREAS** the United Republic of Tanzania signed on 18 July 1977 and ratified on 25 November 1977 the Agreement Establishing IFAD.

**NOW THEREFORE**, the Government of the United Republic of Tanzania and IFAD hereby agree as follows:

***Article I***

**DEFINITIONS**

For the purpose of this Agreement:

- (a) "Government" means the Government of the United Republic of Tanzania;
- (b) "the Fund" or "IFAD" means the International Fund for Agricultural Development;
- (c) "Office" means the International Fund for Agricultural Development's Country Office located in the United Republic of Tanzania;
- (d) "IFAD officials" means the Country Representative and all other officials as specified by IFAD in accordance with Article VI, Section

18 of the Convention on the Privileges and Immunities of the Specialized Agencies, 1947.

## ***Article II***

### **JURIDICAL PERSONALITY OF THE FUND**

1. The Government recognizes the juridical personality of the Fund, and in particular its capacity:
  - (i) to contract;
  - (ii) to acquire and dispose of movable and immovable property; and
  - (iii) to be a party to judicial proceedings.
2. The Government shall permit the Fund to purchase or rent premises to serve as its Office.
3. The Office shall be authorised to display the emblem of the Fund on its premises and vehicles.

## ***Article III***

### **INVOLABILITY OF THE OFFICE**

1. The property and assets of the Office, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.
2. The archives of the Office, and in general all documents belonging to it or held by it, shall be inviolable, wherever located.
3. The Office and its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case the Fund has expressly waived its immunity. No waiver of immunity shall extend to any measure of execution.

4. The Office shall not allow its premises to serve as a refuge for any person wanted for a criminal offence or in respect of whom a warrant, conviction or expulsion order has been issued by the competent authorities of the United Republic of Tanzania.
5. The authorities, officials and agents of the United Republic of Tanzania shall not enter the Office in an official capacity unless at the request or with the authorisation of the Office, granted by the Country Representative or his or her delegate. In the event of *force majeure*, fire or any other calamity requiring urgent measures of protection, the consent of the Country Representative or his or her representative shall be considered to have been given. However, if requested by the Country Representative, any person who has entered the Office with his or her presumed consent shall leave the Office immediately.
6. The competent authorities of the United Republic of Tanzania shall, to the extent possible, take all necessary measures to protect the Office against any intrusion or damage, to ensure that their tranquillity is not disturbed and to preserve their dignity.
7. The residences of IFAD's officials who are not citizens or permanent residents of the United Republic of Tanzania shall be entitled to the same inviolability and protection as the Office.

#### ***Article IV***

#### **PUBLIC SERVICES**

1. The Government undertakes to assist the Office as far as possible in obtaining and making available where applicable the necessary public services on equitable terms. The Office shall bear the costs of these services.
2. In the case of interruption or threatened interruption of any such services, the competent authorities shall consider the Office's need for such services as important as that of any other international organisation and shall therefore take the necessary measures to ensure that the Office's activities are not impaired by such a situation.

***Article V***

**COMMUNICATIONS**

The Office's communications shall enjoy protection under the conditions and limitations defined in section 11 and 12 of the Convention on the Privileges and Immunities of the Specialised Agencies.

***Article VI***

**TAX EXEMPTION**

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

- (a) all direct and indirect taxes on goods directly imported or purchased locally by the organisation for its official use in the United Republic of Tanzania, it being understood, however, that no claim of exemption will be made from taxes which are, in fact, no more than charges for public utility services;
- (b) customs duties or other taxes. However, it is understood that the Office shall not be exempted from prohibitions or restrictions on imports and exports in respect of articles imported or exported by the Office for its official use. Articles imported under such exemption will not be sold in the United Republic of Tanzania except under conditions agreed with the Government; and subject to compliance with such conditions as the Commissioner for Customs and Sales Tax may prescribe for the protection of revenue.
- (c) customs duties or other taxes on imports and exports in respect of its publications.