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**International Fund for Agricultural Development
and
Zambia**

Headquarters Agreement between the Republic of Zambia and the International Fund for Agricultural Development on the establishment of the IFAD's country office. Lusaka, 23 July 2010

Entry into force: 23 July 2010 by signature

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**Fonds international de développement agricole
et
Zambie**

Accord de siège entre la République de Zambie et le Fonds international de développement agricole relatif à l'établissement du bureau de pays du FIDA. Lusaka, 23 juillet 2010

Entrée en vigueur : 23 juillet 2010 par signature

Texte authentique : anglais

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HEADQUARTERS AGREEMENT BETWEEN THE REPUBLIC OF ZAMBIA 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 Specialized Agency of the United Nations Organization, wishes to establish a Country Office in the Republic of Zambia 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 Republic of Zambia agrees to permit the establishment of such an office.

WHEREAS the Government of the Republic of Zambia acceded on 16 June, 1975 to the Convention on the Privileges and Immunities of the Specialized Agencies.

WHEREAS the Government of the Republic of Zambia ratified on 16 December 1977 the Agreement Establishing IFAD.

NOW THEREFORE, the Government of the Republic of Zambia and IFAD hereby agree as follows:

Article 1

DEFINITIONS

For the purpose of this Agreement:

- (a) "Government" means the Republic of Zambia;
- (b) "the Fund" or "IFAD" means the International Fund for Agricultural Development

- (c) "Office" means the International Fund for Agriculture Development's Country Office located in the Republic of Zambia;
- (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 of 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 juridical proceedings.
2. The Government shall permit the Fund to purchase or rent premises to serve as its Office.
3. The Office shall be authorized to display the emblem of the Fund on its premises and vehicles.

Article III

INVIOABILITY 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, whatever 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 should 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 Government of the Republic of Zambia.
5. The authorities, officials and agents of the Government of the Republic of Zambia shall not enter the Office in an official capacity unless at the request or with the authorization of the Office, granted by the Country Representative or his or her delegate.
6. 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. For the purpose of this Article, Force Majeure means an event, condition, circumstance, or combination of events or circumstances occurring after the date of this Agreement which is not reasonably foreseeable, is beyond the reasonable control, and arising without the fault or negligence of the Party claiming Force Majeure, which despite all reasonable efforts to prevent or mitigate its effects, makes it impossible for a Party to perform its obligations under this Agreement.

7. The competent authorities of the Republic of Zambia shall, to the extent possible, take all necessary measures to protect the Office against any intrusion or damage, to ensure that their tranquility is not disturbed and to preserve their dignity.
8. The residences of IFAD's officials who are not citizens or permanent residents of the Republic of Zambia 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 organization and shall therefore take the necessary measures to ensure that the Office's activities are not impaired by such a situation.