



AGREEMENT ON THE LEGAL STATUS OF
THE ECONOMIC COOPERATION ORGANIZATION (ECO),
NATIONAL REPRESENTATIVES AND
INTERNATIONAL STAFF

The States signatory to the present Agreement, considering that for the better exercise of functions entrusted to the Economic Cooperation Organization, it is necessary that the Organization, its international staff, the representatives of the signatory States attending meetings of the Organization, and experts employed on behalf of the Organization should have a legal status and accordingly;

Have agreed as follows:

PART - I

GENERAL

Article - 1

In the present Agreement,

- (a) "Organization" means the Economic Cooperation Organization, as defined in the Treaty of Izmir.
- (b) "Council of Ministers" means the Council of Ministers of the Economic Cooperation Organization as defined in the Treaty of Izmir.
- (c) "Council of Permanent Representatives" means the Council of Permanent Representatives of the Economic Cooperation Organization as defined in the Treaty of Izmir.



- (d) "Subsidiary Bodies" means any organ, committee or service established by the Council of Ministers or under its authority, except those to which the Council may decide that this Agreement does not apply.
- (e) "Secretary General" means the Secretary General of the Economic Cooperation Organization.
- (f) "Secretariat" means the Secretariat of the Economic Cooperation Organization.

Article - 2

The Organization and Contracting States shall cooperate at all times to facilitate the proper administration of justice, secure the observance of government regulations and prevent the occurrence of any abuse in connection with the immunities and privileges set out in the present Agreement. If any Contracting State considers that there has been an abuse of any immunity or privilege conferred by this Agreement, consultations shall be held between the State and the Secretariat, or between the States concerned, to determine whether any such abuse has occurred, and if so, to attempt to ensure that no repetition occurs. Notwithstanding the foregoing or any other provisions of this Agreement a Contracting State which considers that any person has abused his privilege of residence or any other privilege or immunity granted to him under this Agreement may require him to leave its territory.

PART - II

THE SECRETARIAT

Article - 3

The Secretariat shall possess juridical personality; it shall have the capacity to conclude contracts, to acquire and dispose of movable and immovable property and to institute legal proceedings with the approval of Council of Permanent Representatives.

Article - 4

The Secretariat, its property and assets, wheresoever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case the Secretary General, acting on behalf of the Secretariat, may expressly authorize the waiver of this immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution or detention of property.

Article - 5

The premises of the Secretariat shall be inviolable. Its property and assets, wheresoever located and by whomsoever held, shall be immune from search, arrest, requisition, confiscation, expropriation or any other form of interference.

Article - 6

The archives of the Secretariat and all documents belonging to it or held by it shall be inviolable, wherever located.

Article - 7

1. Without being restricted by financial controls, regulations or moratoria of any kind,

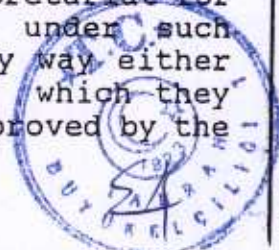
- (a) The Secretariat may hold currency of any kind and operate accounts in any currency;
- (b) The Secretariat may freely transfer its funds from one currency to another or within any country and convert any currency held by it into any other currency at the most favourable legal rate of exchange for a sale or purchase as the case may be.

2. In exercising its rights under paragraph 1 above the Secretariat shall pay due regard to any representations made by any Contracting State and shall give effect to such representations in so far as it is practicable to do so.

Article - 8

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

- (a) from all direct taxes; the Secretariat will not, however, claim exemption from rates, taxes, or dues which are no more than charges for public utility services;
- (b) from all customs duties and quantitative restrictions on imports and exports in respect of articles imported or exported by the Secretariat for its official use; articles imported under such exemptions shall not be disposed of, by way either of sale or gift, in the country into which they are imported except under conditions approved by the Government of that country;



- (c) from all customs duties and quantitative restrictions on imports and exports in respect of its publications.

Article - 9

The Secretariat will not, as a general rule, 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 Secretariat is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Contracting States will, whenever possible, make the appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article - 10

1. No censorship shall be applied to the official communications of the Secretariat.
2. The Secretariat 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.
3. Nothing in this Article shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a contracting State and the Secretary General, acting on behalf of the Secretariat.

PART - III

REPRESENTATIVES OF CONTRACTING STATES

Article - 11

Every person designated by a Contracting State as its principal permanent representative to the ECO in the territory of another Contracting State, and such members of his official staff resident in that territory as may be agreed between the State which has designated them and the Secretariat and between the Secretariat and the State in which they will be resident, shall enjoy the immunities and privileges accorded by that State to diplomatic representatives and their official staff of comparable rank.

Article - 12

1. Any representative of a Contracting State to the Organization or any of its subsidiary bodies who is not covered by Article 11 shall, while present in the territory of another Contracting State for the discharge of his duties, enjoy the following privileges and immunities:-

- (a) the same immunity from personal detention or arrest as that accorded to diplomatic personnel of comparable rank;
- (b) Immunity from legal process in respect of words spoken or written and of acts done by him in his official capacity;
- (c) Inviolability for all papers and documents;
- (d) the right to use codes and to receive and send papers or correspondence by courier or in sealed bags;
- (e) the same exemption in respect of himself and his spouse and the member of its immediate family residing with and dependent on him from immigration restrictions, aliens registration and national service obligations as that accorded to diplomatic personnel of comparable rank;
- (f) the same treatment in respect of currency or exchange facilities as are accorded to diplomatic personnel of comparable rank;
- (g) the same immunities and facilities in respect of his personal baggage as are accorded to diplomatic personnel of comparable rank;
- (h) the right to import free of duty his furniture and personal effects at the time of first arrival to take up his post in the country in question, and on the termination of his functions in that country, to re-export such furniture and effects free of duty, subject in either case to such conditions as the Government of the country in which the right is being exercised may deem necessary;
- (i) the right to import temporarily free of duty his private motor vehicle for his own personal use or subsequently to sell or re-export such vehicle free of duty, subject in either case to such conditions as the Government of the country concerned may deem necessary for diplomatic personnel of comparable rank.



2. Where the legal incidence of any form of taxation depends upon residence, a period during which a representative to whom this Article applies is present in the territory of another Contracting State for the discharge of his duties shall not be considered as a period of residence. In particular, he shall be exempt from taxation on his official salary and emoluments during such periods of duty.

3. In this Article "representative" shall be deemed to include all representatives, advisers and technical experts of delegations. Each Contracting State shall communicate to the other Contracting States concerned, if they so request, the names of its representatives to whom this Article applies and the probable duration of their stay in the territories of such other Contracting States.

Article - 13

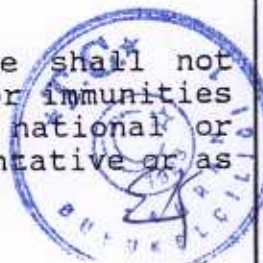
Official clerical staff accompanying a representative of a Contracting State, who are not covered by Article 11 or 12 shall, while present in the territory of another Contracting State for the discharge of their duties, be accorded the privileges and immunities set out in paragraph 1(b), (c), (e), (f), (h) and (i) and paragraph 2 of Article 12.

Article - 14

Privileges and immunities are accorded to the representatives of Contracting States and their staff not for the personal benefit of the individuals themselves, but in order to safe-guard the independent exercise of their functions in connection with the Economic Cooperation Organization. Consequently, a Contracting State not only has the right, but is under a duty to waive the immunity of its representatives and members of their staff in any case where in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the purposes for which the immunity is accorded.

Article - 15

The provisions of Articles 11 to 13 above shall not require any State to grant any of the privileges or immunities referred to therein to any person who is its national or permanent resident or to any person as its representative or as a member of the staff of such representative.



PART - IV

INTERNATIONAL STAFF AND EXPERTS
ON MISSIONS FOR THE SECRETARIAT

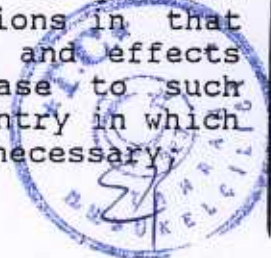
Article - 16

The Secretary General shall work out a scheme of categorization of personnel into diplomatic and general service categories to which Article 17 to 19 shall be applicable and shall intimate the names of officials included in these categories to the contracting Parties.

Article - 17

Officials of the Secretariat agreed upon under Article 16 except those who are nationals of the receiving State and enjoying the comparable rank of the members of the diplomatic missions, shall:

- (a) be immune from legal process in respect of words spoken or written and of acts done by them in their official capacity and within the limits of their authority;
- (b) be granted together with their spouses and members of their immediate families residing with and dependent on them, the same immunities from immigration restrictions and aliens' registration as are accorded to diplomatic personnel of comparable rank;
- (c) be accorded the same facilities in respect of currency or exchange restrictions as are accorded to diplomatic personnel of comparable rank;
- (d) be given, together with their spouses and members of their immediate families residing with and dependent on them, the same repatriation facilities in time of international crisis as are accorded to diplomatic personnel of comparable rank;
- (e) have the right to import free of duty their furniture and effects at the time of first arrival to take up their post in the country, in question and, on the termination of their functions in that country, to re-export such furniture and effects free of duty, subject in either case to such conditions as the Government of the country in which the right is being exercised may deem necessary.



- (f) have the right to import temporarily free of duty their private motor vehicles and other items for their own personal use and subsequently, to sell or re-export such vehicles free of duty subject in either case to such conditions as the Government of the country concerned may deem necessary for diplomatic personnel of comparable rank.

Article - 18


Officials of the Secretariat agreed under Article 16 shall be exempt from taxation on the salaries and emoluments paid to them by the Secretariat in their capacity as such officials.

Article - 19

In addition to the immunities and privileges specified in Articles 17 and 18, the Secretary General and such other senior officials of the Secretariat as may be agreed between the Secretary General and the Government of each Contracting State, shall be accorded within the territory of that State the privileges and immunities normally accorded to diplomatic personnel of comparable rank.

Article - 20

1. Experts (other than officials coming within the scope of Article 17 to 19) employed on missions on behalf of the Secretariat shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions while present in the territory of a Contracting State for the discharge of their duties:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions for the Secretariat, immunity from legal process;
- (c) The same facilities in respect of currency or exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
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- (d) Inviolability for all papers and documents relating to the work on which they are engaged for the Secretariat.

2. The Secretary General shall communicate to the Contracting States concerned the names of any experts to whom this Article applies.

Article - 21

Privileges and immunities are granted to officials and experts in the interests of the Secretariat and not for the personal benefit of the individuals themselves. The Secretary General may, with the approval of the member Government to which the official belongs, waive the immunity of any official or expert in any case where, in his opinion the immunity would impede the course of justice and can be waived without prejudice to the interest of the Secretariat.

Article - 22

The provisions of Articles 17, 19 and 20 above shall not require any State to grant any of the privileges or immunities referred to therein to any person who is its national except:

- (a) immunity from legal process in respect of words spoken or written or acts done by him in the performance of his official functions for the Secretariat;
- (b) inviolability for all papers and documents relating to the work on which he is engaged for the Secretariat;
- (c) facilities in respect of currency or exchange restrictions so far as necessary for the effective exercise of his functions.

PART - V

SETTLEMENT OF DISPUTES

Article - 23

The Council of Ministers of ECO shall make provisions for appropriate modes of settlement of:

- (a) disputes arising out of contracts or other disputes of a private character to which the Secretariat is a party;



- (b) disputes involving any official or expert of the Secretariat to whom Part IV of this Agreement applies who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of Article 21.

PART - VI

SUPPLEMENTARY AGREEMENTS

Article - 24

The Secretary General acting on behalf of the Secretariat may conclude with any Contracting State or States agreements for the purpose of implementing this Agreement.

PART - VII

FINAL PROVISIONS

Article - 25

1. The present Agreement shall be ratified in accordance with the respective constitutional rules and practices of Member States and the instruments of ratification shall be deposited with the Government of the Islamic Republic of Iran which shall transmit a certified copy to the other Member States and to the Secretariat.
2. The present Agreement shall come into force after two-third of the Member States deposit the instrument of ratification with the Government of the Islamic Republic of Iran.
3. The present Agreement, after entering into force shall supersede the original Agreement on the Legal Status of the Economic Cooperation Organization (ECO), National Representatives and International Staff annexed to the original Treaty of Izmir of March 1977.
4. The present Agreement is drawn up in one original copy in the English language.



IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signature on this Agreement; and their signature on

DONE at Izmir this 14th day of September in the year One thousand Nine hundred Ninety-six.

FOR THE ISLAMIC STATE OF AFGHANISTAN:

M. Lafreji

FOR THE AZERBAIJAN REPUBLIC:

G. Homiyev

FOR THE ISLAMIC REPUBLIC OF IRAN:

Farid Ghasseini

FOR THE REPUBLIC OF KAZAKSTAN:

Abdusalam

FOR THE KYRGYZ REPUBLIC:

M. Sultan

FOR THE ISLAMIC REPUBLIC OF PAKISTAN:

F. Hossain

FOR THE REPUBLIC OF TAJIKISTAN:

T. Aliev

FOR THE REPUBLIC OF TURKEY:

S. D. ...

FOR TURKMENISTAN:

FOR THE REPUBLIC OF UZBEKISTAN:

D. ...

