

AGREEMENT
on the Legal Capacity, Privileges and Immunities of the
INTERSPUTNIK International Organization of Space
Communications

The Contracting Parties,

In accordance with the Agreement on the Establishment of the INTERSPUTNIK International System and Organization of Space Communications, signed in Moscow on 15 November, 1971,

Recognizing the mutual interest in creating most favourable conditions on the territories of the States parties to this Agreement for carrying out the activities of the INTERSPUTNIK International System and Organization of Space Communications,

have resolved to conclude the following Agreement:

Article 1

For the purpose of this Agreement:

a) "INTERSPUTNIK" means the INTERSPUTNIK International Organization of Space Communications;

b) "The Agreement on INTERSPUTNIK" means the Agreement on the Establishment of the INTERSPUTNIK International System and Organization of Space Communications, signed in Moscow on 15 November, 1971;

c) "Representatives" means representatives of the Members of INTERSPUTNIK in the Council, members of delegations at the sessions of the Council, members of the Auditing Commission, heads and members of delegations at the meetings held by INTERSPUTNIK, as well as advisers and experts of these delegations;

d) "Officers" means the Director General, his Deputy and the categories of the personnel of the Directorate provided for by Article 13 of the Agreement on INTERSPUTNIK, which shall be determined by the Council of INTERSPUTNIK pursuant to Article 4, paragraph 1 of this Agreement.

Article 2

1. In accordance with Article 8 of the Agreement on INTERSPUTNIK, INTERSPUTNIK shall be a legal entity and shall be entitled to conclude contracts, acquire, lease and alienate property and to institute proceedings.

2. The premises of INTERSPUTNIK are inviolable. The property, assets and documents of INTERSPUTNIK, wherever they may be, shall be immune from any form of administrative or judicial intervention, except when the INTERSPUTNIK Council itself waives the immunity in a particular case.

3. INTERSPUTNIK shall be exempt from all direct dues and taxes, both national and local. This provision shall not apply to payments for municipal and other similar services.

4. INTERSPUTNIK shall be exempt from customs duties and limitations on the import and export of articles for official use.

Article 3

1. Representatives while performing their official duties on the territories of the States parties to this Agreement, shall be granted the following privileges and immunities:

a) immunity from personal arrest or detention as well as from the jurisdiction of courts in respect of any act which they may perform in their capacity as Representatives;

b) inviolability of official correspondence and documents;

c) exemption from personal services and direct dues and taxes in respect of the salaries paid to them by the sending State;

d) the same customs privileges in respect of their personal baggage as are granted to the personnel of the diplomatic mission in the State concerned.

2. The Representatives of the Members of INTERSPUTNIK in the Council, in addition to the privileges and immunities under paragraph 1 of this Article, shall enjoy with the consent of the competent authorities of the State concerned other privileges and immunities granted to the diplomatic representatives in the State concerned.

The provisions of this paragraph shall apply as appropriate to members of families of the Representatives of the Members of INTERSPUTNIK in the Council forming part of their household.

3. The privileges and immunities provided for in this Article shall be granted to the persons concerned exclusively in official interests. Each Contracting Party shall have the right and the obligation to waive the immunity of any of its Representatives in all cases when, in the opinion of this Party, this immunity obstructs the course of justice and can be renounced without detriment to the purpose for which it was granted.

4. The Representatives shall be exempt from obligatory residential registration.

5. The provisions of this Article shall not apply to the relations between the Representatives and organs of the State of which they are citizens or in which they have their permanent residence.

Article 4

1. The INTERSPUTNIK Council, on the presentation by the Director General, shall determine the categories of Officers to whom the provisions of this Article shall apply. The Director General shall periodically communicate to all Members of INTERSPUTNIK the names of such Officers.

2. Officers on the territory of the States parties to this Agreement:

a) shall not be subject to judicial and administrative jurisdiction in respect of any act which they may perform in their capacity as Officers;

b) shall be exempt from personal services;

c) shall be exempt from direct dues and taxes in respect of their salaries paid by INTERSPUTNIK;

d) shall be exempt from customs duties on articles destined for personal use, including articles intended for their establishment on their first entry in the country which is the seat of INTERSPUTNIK, and shall also be exempt from obtaining permission to export such articles on their departure from the country concerned.

Articles imported by Officers may be alienated in the country which is the seat of INTERSPUTNIK in accordance with the procedure established in this country.

The provisions of sub-paragraphs b) and d) of this paragraph shall apply as appropriate to members of the families of Officers forming part of their household.

3. The Director General and his Deputy, in addition to the privileges and immunities under paragraph 2 of this Article, shall enjoy with the consent of the competent authorities of the State concerned other privileges and immunities granted to the diplomatic representatives in the State concerned.

4. The privileges and immunities envisaged in this Article shall be granted to Officers exclusively for the purposes of INTERSPUTNIK and for the sake of independent performance of their official functions. The Director General shall have the right and the obligation to waive the immunity granted to any Officer referred to in paragraph 1 of this Article in cases when, in his opinion, immunity obstructs the course of justice and can be renounced without detriment to the interests of INTERSPUTNIK. In relation to the Director General and his Deputy, the corresponding right and obligation shall be with the INTERSPUTNIK Council.

5. The provisions of paragraph 2 of this Article shall not apply to the relations between Officers and organs of the State of which they are citizens or in which they have their permanent residence.

Article 5

1. The competent organs of the States parties to this Agreement shall assist INTERSPUTNIK, its Officers and, where appropriate, its Representatives in obtaining official and living premises, in equipping official premises, and also in obtaining medical care and other social and municipal services in accordance with the procedure established in these States.

2. INTERSPUTNIK shall enjoy on the territory of the States parties to this Agreement no less favourable conditions in relation to priority and rates for the use of international telephone, telegraph and postal services than those enjoyed in this State by diplomatic missions.

Free postal, telegraph and telephone communications services may be granted to INTERSPUTNIK with the agreement of the communications administrations of the Contracting Parties.

Article 6

Persons who enjoy the privileges and immunities provided for in this Agreement shall respect the laws of the States on whose territories they perform their official duties related to the activities of INTERSPUTNIK.

Article 7

1. This Agreement shall be open for signature by all Members of INTERSPUTNIK and shall be subject to ratification.

2. Instruments of ratification shall be deposited with the Government of the Union of Soviet Socialist Republics, which is designated as the Depository of this Agreement.

3. The Agreement shall enter into force on the deposit of six instruments of ratification with the Depository Government.

4. Any Member of INTERSPUTNIK which did not sign this Agreement may accede to it.

Instruments of accession shall be sent to the Depositary Government.

5. For the Governments depositing instruments of ratification or accession upon entry into force of this Agreement, the Agreement shall enter into force on the date of the deposit of such instruments.

6. This Agreement is concluded for the period of validity of the Agreement on INTERSPUTNIK.

The Agreement may be denounced. For the Government which has given notice of denunciation, the denunciation shall take effect six months after receipt of such notice by the Depositary.

7. The Depositary Government shall inform all Contracting Parties of the date of each signature, of deposit of instruments of ratification or accession, of the date of entry into force of this Agreement, and of all other communications received.

8. This Agreement shall be registered by the Depositary Government pursuant to Article 102 of the Charter of the United Nations.

9. The original of this Agreement, the texts of which in English, French, Russian and Spanish are equally authentic, shall be deposited with the Depositary Government, which shall transmit certified copies thereof to all Contracting Parties.

In witness whereof the undersigned duly authorized thereto have signed this Agreement.

Done at Berlin on the 20th September 1976.