

No. 47906

**Latvia
and
Israel**

Agreement between the Government of the Republic of Latvia and the Government of the State of Israel on gainful occupation for family members of a member of a diplomatic mission or consular post. New York, 22 September 2009

Entry into force: *11 February 2010 by notification, in accordance with article 8*

Authentic texts: *English, Hebrew and Latvian*

Registration with the Secretariat of the United Nations: *Latvia, 15 October 2010*

**Lettonie
et
Israël**

Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de l'État d'Israël relatif à l'exercice d'un emploi rémunéré par les membres de la famille d'un membre d'une mission diplomatique ou d'un poste consulaire. New York, 22 septembre 2009

Entrée en vigueur : *11 février 2010 par notification, conformément à l'article 8*

Textes authentiques : *anglais, hébreu et letton*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 15 octobre 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LATVIA
AND
THE GOVERNMENT OF THE STATE OF ISRAEL
ON GAINFUL OCCUPATION FOR FAMILY MEMBERS OF A
MEMBER OF A DIPLOMATIC MISSION OR CONSULAR POST**

The Government of the Republic of Latvia and the Government of the State of Israel (hereinafter referred to as the "Parties");

Realizing that the family members of a diplomatic agent forming part of his household, in particular spouses, may wish to work in the State where the member of a diplomatic mission or consular post is assigned to duty;

Desirous of facilitating the engagement of such family members in a gainful occupation in the receiving State;

Have reached the following Agreement:

Article 1 - Definitions

For the purpose of this Agreement:

1. "A member of a diplomatic mission or consular post" means any employee of the sending State who is not a national or permanent resident of the receiving State and who is assigned to official duty in the receiving State in a diplomatic mission or consular post.
2. "A family member" of a diplomatic mission or consular post means:
 - a. spouse or de-facto spouse, in accordance with the applicable legislation of the sending State;
 - b. unmarried dependent children under the age of 21 years or unmarried dependent children under the age of 25 years pursuing full-time courses leading to a substantial qualification at universities or higher education centres recognized by each State, and
 - c. unmarried children who are physically or mentally disabled.

Article 2 - Authorization to engage in gainful occupation

1. The family member forming part of the household of a member of a diplomatic mission or consular post of the sending State appointed to carry out an official mission in the receiving State shall be authorized to engage in a gainful occupation in the receiving State in accordance with the provisions of the applicable legislation of the receiving State and the provisions of this Agreement.
2. The receiving State shall retain the right to withhold authorization for employment in certain areas, *inter alia*:
 - a. if the employer is the receiving State, including its semi-autonomous agencies, foundations, state-owned and mixed public-private corporations;
 - b. if the activity affects national security.
3. Any authorization to engage in gainful occupation in the receiving State shall be valid only during the tenure of the member of a diplomatic mission or consular post in the receiving State.

Article 3 - Procedures

1. The engagement of a family member in gainful occupation in the receiving State shall be governed by the provisions of this Agreement and shall be subject to prior authorization of the relevant authorities through a request sent on behalf of the family member by the Embassy of the sending State to the Protocol Department of the Ministry of Foreign Affairs of the receiving State, specifying the position applied for, the details of the potential employer and any other information requested by the appropriate authority in accordance with its procedures and forms. The relevant authorities of the receiving State, after checking whether the person in question fits the categories defined in this Agreement and taking into account applicable internal provisions, shall officially inform the Embassy of the sending State, through the Protocol Department of the Ministry of Foreign Affairs of the receiving State, that the person is authorized to engage in the requested position, according to the applicable legislation of the receiving State.
2. Should the family member seek to change his/her employers any time after receiving a work permit, a further request for authorization must be sought.
3. Authorization for a family member or of the potential employer to engage in a gainful occupation will not imply exemption from any

requirements, procedures or fees which may ordinarily apply to any employment, whether relating to personal characteristics, professional or trade qualifications or otherwise. In the case of professions requiring special qualifications, the family member shall not be exempted from fulfilling the applicable requirements. The provisions of the Agreement shall not be interpreted as implying the recognition, by the other contracting Party, of an educational or professional degree.

Article 4 - Civil or administrative privileges and immunities

In the case of family member who enjoy immunity from the civil or administrative jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 such immunity shall not apply in respect of any act or omission carried out in the course of the gainful occupation and falling within the civil or administrative jurisdiction of the receiving State. Such a waiver of immunity from civil or administrative jurisdiction shall not be construed as extending to immunity from execution of the sentences, for which a specific waiver will be required.

Article 5 - Criminal immunity

In the case of family member who enjoy immunity from the criminal jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963:

- a. The provisions concerning immunity from criminal jurisdiction of the receiving State shall continue to apply in respect of any act or omission carried out in the course of the gainful occupation.
- b. However, in the case of serious offences carried out in the course of the gainful occupation, upon the request in writing of the receiving State, the sending State shall seriously consider waiving the immunity of the family member concerned from the criminal jurisdiction of the receiving State.
- c. Such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from execution of the sentences, for which a specific waiver will be required.

Article 6- Fiscal and social security regimes

In accordance with the Vienna Convention on Diplomatic Relations, 1961 and in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 family member shall be subject to the fiscal and social security regimes of the receiving State for matters connected with their gainful occupation in that State.

Article 7- Settlement of disputes

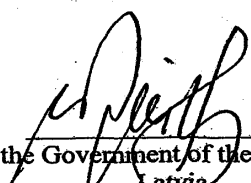
Any dispute regarding the interpretation or application of this Agreement shall be settled through mutual consultations.

Article 8- Entry into Force

1. This Agreement shall enter into force on the date of the receipt of the last notification through diplomatic channels by which the Parties notify each other that their internal legal requirements for the entering into force of the Agreement have been fulfilled.
2. This Agreement shall remain in force for an indefinite period of time.
3. This Agreement may be amended by mutual, written consent of the Parties. Any amendment of the Agreement shall follow the same procedure as its entry into force.
4. Either Party may terminate this Agreement at any time providing six month prior notice in writing through diplomatic channels.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Agreement.

Done in New York, on the 22nd day of September, 2009, which corresponds to the 4th of Tishrey 5770 in two original copies, each in the Latvian, Hebrew, and English languages, all texts being equally authentic. In case of divergence concerning the interpretation of this Agreement, the English text shall prevail.


For the Government of the Republic of
Latvia


For the Government of the State of
Israel