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**International Fund for Agricultural Development
and
Ghana**

Headquarters Agreement between the Republic of Ghana and the International Fund for Agricultural Development on the establishment of IFAD country office. Accra, 1 September 2010

Entry into force: *1 September 2010 by signature, in accordance with article XIV*

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**Fonds international de développement agricole
et
Ghana**

Accord de siège entre la République du Ghana et le Fonds international de développement agricole relatif à l'établissement d'un bureau de pays du FIDA. Accra, 1^{er} septembre 2010

Entrée en vigueur : *1^{er} septembre 2010 par signature, conformément à l'article XIV*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**HEADQUARTERS AGREEMENT BETWEEN THE REPUBLIC OF
GHANA 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 Ghana to support its operation, including supervision of projects: consolidate its cooperation and linkages; be close to its partners and programmes; and manage knowledge: and the Republic of Ghana agrees to permit the establishment of such an office.

WHEREAS the Republic of Ghana acceded on 9th September 1958 to the Convention on the Privileges and Immunities of the Specialized Agencies.

WHEREAS the Republic of Ghana signed on 19th October 1977 and ratified on 5th December 1977 the Agreement Establishing IFAD.

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

Article 1

DEFINITIONS

For the purpose of this Agreement:

- (a) "Government" means the Republic of Ghana;
- (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 Republic of Ghana;
- (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 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, 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 except when expressly so done.
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 Republic of Ghana.
5. The authorities, officials and agents of the Republic of Ghana shall not enter the Office in an official capacity except at the request, invitation, or with the authorization 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 Republic of Ghana 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.

7. The residences of IFAD's officials who are not citizens or permanent residents of the Republic of Ghana 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 unduly 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 Specialized Agencies.

ARTICLE VI

TAX EXEMPTION

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

a) All direct taxes on goods directly imported or purchased locally by the organization for its official use in the Republic of Ghana, 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;