

No. 55192*

**Sweden
and
International Institute for Democracy and Electoral Assistance**

Agreement between the Government of Sweden and the International Institute for Democracy and Electoral Assistance concerning the immunity and privileges of the International Institute for Democracy and Electoral Assistance and its officials. Stockholm, 14 March 2012

Entry into force: *1 July 2012 by notification, in accordance with article XIV*

Authentic text: *English*

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**Suède
et
Institut international pour la démocratie et l'assistance électorale**

Accord entre le Gouvernement de la Suède et l'Institut international pour la démocratie et l'assistance électorale concernant l'immunité et les privilèges de l'Institut international pour la démocratie et l'assistance électorale et de ses fonctionnaires. Stockholm, 14 mars 2012

Entrée en vigueur : *1^{er} juillet 2012 par notification, conformément à l'article XIV*

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AGREEMENT BETWEEN

THE GOVERNMENT OF SWEDEN

AND

**THE INTERNATIONAL INSTITUTE
FOR DEMOCRACY AND ELECTORAL
ASSISTANCE**

**CONCERNING THE IMMUNITY AND
PRIVILEGES OF THE
INTERNATIONAL INSTITUTE FOR
DEMOCRACY AND ELECTORAL
ASSISTANCE AND ITS OFFICIALS**

The Government of Sweden and the International Institute for Democracy and Electoral Assistance

NOTING that the International Institute for Democracy and Electoral Assistance was established as an international intergovernmental organization at a conference held in Stockholm on 27 February 1995;

NOTING that Statutes of the Organization as amended were adopted at an Extraordinary Council meeting of the Institute on 24 January 2006;

NOTING that according to Article X of the Statutes of the Organization, the status, privileges and immunities of the Organization and of its Officials in the host country shall be specified in a Headquarters Agreement;

FURTHER NOTING that the two Parties have entered into a Headquarters Agreement on the 10 and 16 October 1995 and have agreed to amend that Agreement;

DESIRING to lay down modified conditions concerning the immunity and privileges of the Institute and its officials,

HAVING thus agreed to enter into a new Agreement to replace the Agreement of 10 and 16 October 1995,

have agreed as follows:

Article I

Definitions

Whenever used in this Agreement, the following words and expressions shall have the meaning assigned to them hereunder.

- a) "*Government*" means the Government of Sweden;
- b) "*Organisation*" means the International Institute for Democracy and Electoral Assistance;
- c) "*Secretary-General*" means the Secretary-General of the Organisation and, during his or her absence, any other official specially designated to act on his or her behalf;
- d) "*Officials*" means persons employed by the Organisation for its regular tasks who are not paid hourly rates;
- e) "*Experts*" means persons, other than Officials of the Organisation, appointed for one or several specific tasks by the Organisation;
- f) "*Emoluments*" means all sums in respect of employment by the Organisation paid to, vested in or accruing to an Official or Expert in any form whatsoever;

g) "*Taxes being charges for public services*" means such taxes which are paid in connection with the provision by a state or municipal authority of a particular service in direct relation to providing such a service;

h) "*Family members or Members of Family*" means:

- i) the spouse of the person concerned;
- ii) the partner of the same sex, if the two persons have officially registered their
- iii) relationship;
- iv) a person comparable to a spouse, i.e. a person who continuously shares a household
- v) and cohabits in a relationship resembling marriage with the person concerned; the sex
- vi) of the cohabitant is of no relevance;
- vii) children of the person in question and of his/her spouse or a person as
- viii) defined in point ii and iii, who are under the age of 18 years or dependent on his/her
- ix) care.

Article II

Legal status

The Organisation shall possess full legal personality in accordance with article I.3 of its Statutes.

Article III

Property, funds and assets

1. The Organisation, its property and assets shall enjoy immunity from any form of legal proceedings. The property and assets held by the Organisation in order to fulfil its objectives shall be exempt from requisition, confiscation, expropriation and any other form of interference by an executive, administrative or judicial authority. The Secretary-General has the right to waive this immunity in any particular case.

2. The Organisation, its property and assets, income and revenues, shall be exempt from

a) all direct taxes; the Organisation shall not, however, demand exemption from Taxes being charges for public services,

b) indirect taxes on goods purchased or services performed for the benefit of the activities of the Organisation, to the extent that Swedish law permits for international organisations in Sweden,

c) payroll taxes, social security contributions and wage taxes for Officials of the Organisation;

d) customs and import charges.

3. The Organisation may possess funds and currencies of all kinds and may have accounts in any currency whatsoever.

4. The Organisation shall not be subject to any legal provisions concerning import and export restrictions with regard to goods imported or exported by the Organisation for official use. Goods thus brought into Sweden may not be disposed of here except on conditions approved by the Government.

Article IV

Premises and services

1. The Government shall assist the Organisation in obtaining appropriate premises for its office and annually reimburse the Organisation for the office rent.
2. The premises of the Organisation as well as the living quarters of the Secretary-General and of three Directors of the Organisation, insofar as these officials are not Swedish citizens or residents of Sweden when appointed, shall be inviolable and shall be exempt from house search. Swedish authorities may not gain access to the same without the consent of the Secretary-General. Such consent may, however, be deemed to have been given in the event of an outbreak of fire or some other severe accident necessitating immediate measures.
3. The Swedish authorities concerned shall take appropriate measures for the safety and protection of the premises and personnel of the Organisation.
4. The archives of the Organisation, in common with all other documents, manuscripts, information for computer storage and retrieval, recordings, photographs and films belonging to the Organisation, whether any or all such items are in physical or digital form or in any other electronic format, shall be inviolable.
5. The Swedish authorities concerned shall take appropriate measures to ensure that the Organisation obtains access to necessary public services and that these services are provided on reasonable terms. With regard to telephone, radio/telegraph, telex, all other electronic means of communication and postal services, the Organisation shall enjoy the same privileges as are usually accorded to diplomatic representations.

Article V

Visa formalities and border control

1. The Government undertakes to issue visas to Sweden without visa charges, in accordance with the Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), to the following persons for as long as they have business at the Organisation:
 - a) Members of the Council and the Board of Advisers,
 - b) Persons appointed by Member States to represent them on official business of the Organisation,