

No. 55804*

**Turkey
and
Developing Eight Countries Organization for Economic
Cooperation**

Headquarters Agreement between the Government of the Republic of Turkey and the Secretariat of the Developing Eight Countries. Ankara, 20 February 2009

Entry into force: *17 February 2011 by notification, in accordance with article 11*

Authentic texts: *English and Turkish*

Registration with the Secretariat of the United Nations: *Turkey, 1 April 2019*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Turquie
et
Organisation de coopération économique du groupe des huit pays
en développement**

Accord de siège entre le Gouvernement de la République turque et le Secrétariat du Groupe des huit pays en développement. Ankara, 20 février 2009

Entrée en vigueur : *17 février 2011 par notification, conformément à l'article 11*

Textes authentiques : *anglais et turc*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Turquie, 1^{er} avril 2019*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**HEADQUARTERS AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND
THE SECRETARIAT OF THE DEVELOPING EIGHT COUNTRIES**

PREAMBLE

The Government of the Republic of Turkey and the Secretariat of the Developing-Eight (D-8) Countries,

Taking into consideration the provisions of the Istanbul Declaration of the 1st Summit of the D-8 which took place in Istanbul on 15 June 1997,

Taking into consideration the provisions of the Declarations of the 5th and the 6th Summits of the D-8 which took place in Bali and Kuala Lumpur respectively,

Noting also the provisions of the report of the 9th Session of the Council of the D-8 Foreign Ministers which was held in Bali on 11 May 2006,

Whereas the Government of the Republic of Turkey agrees to ensure the availability of all the necessary facilities to enable the Headquarters of the D-8 located in Istanbul, the Republic of Turkey, to perform fully and effectively its functions and to fulfill its purposes in cooperation and harmony with the Government and the people of Turkey,

Whereas the Government of the Republic of Turkey and the Secretariat of the D-8 act in a spirit of friendly cooperation,

have agreed as follows:

Article I - Definitions

For the purposes of this Agreement:

- a. "the Government" means the Government of the Republic of Turkey.
- b. "D-8" means the Developing-Eight Countries.
- c. "Secretariat" means the Secretariat of the D-8.
- d. "Secretary General" means the Secretary General of the D-8 Secretariat.
- e. "Member Countries" means the Countries which are mentioned in the Istanbul Declaration.
- f. "Headquarters of the D-8" means the Seat of the D-8, including the Secretariat Premises.
- g. "Representatives of Member Countries" means permanent representatives, delegates, alternate delegates, advisors and technical experts and secretaries of the national delegations, participating in the work of the D-8 and its organs.
- h. "D-8 Directorial and Professional Staff" means Secretary General, Directors, Assistant Directors, Economists and Program Officers.

- i. "D-8 Administrative and Technical Staff" means the members of the staff of the D-8 Secretariat employed in administrative and technical services.
- j. "D-8 Service Staff" means the members of the staff of the D-8 Secretariat in domestic service of the Secretariat.
- k. "D-8 Property" means all the property, including funds and other properties that belong to, are owned and/or supervised by the Secretariat of the D-8 for the official functioning of the D-8.
- l. "Premises" means the building or the parts of buildings ancillary thereto, used only for purposes of the D-8, irrespective of ownership.
- m. "Archives" means all records, correspondence documents, publications, manuscripts, photographs, films, recordings, computer data files and software belonging to or held by the Secretariat.

Article 2 - Objective

The objective of this Agreement is to determine the legal status of the Headquarters of the D-8 and to allow the Secretariat of the D-8 to carry out its duties and functions efficiently.

Article 3 - Legal Personality and Legal Capacity

The Secretariat of the D-8 shall possess juridical personality. It shall have the capacity

- a. to contract;
- b. to acquire and dispose of movable and immovable property; and
- c. to institute legal proceedings.

Article 4 - Application

The Agreement shall be applicable to the Secretariat, the Representatives of Member Countries, the D-8 Staff and the D-8 Headquarters.

Article 5 - The Headquarters of the D-8

1. The Headquarters of the D-8 is located in Istanbul, the Republic of Turkey.
2. The Government of the Republic of Turkey will continue to provide necessary office facilities for the use of the Secretariat. The utility charges will continue to be borne by the Secretariat.
3. The Premises of the Secretariat shall be used for the sole purpose of attaining the objectives of the D-8 as stipulated in the documents pointed out in the preamble.
4. The Government recognizes the right of the D-8 to adopt its own rules in accordance with the D-8 procedures applicable in the Secretariat Premises.
5. The Government shall take all appropriate steps to protect the Premises of the Secretariat against any intrusion or damage and to prevent any disturbance of the peace of the Secretariat.

Article 6 - Permanent Representation

Each Member Country may appoint a Permanent Representative and establish a Permanent Mission to the D-8 Secretariat. In addition to the privileges and immunities accorded to the Representatives of Member Countries in Article 7, paragraphs 5, 7, 8 and 9, the Permanent Missions and Representatives shall enjoy all exemptions, privileges and immunities specified in this Agreement.

Article 7 - Privileges and Immunities

1. The Headquarters and archives of the Secretariat shall be inviolable and shall be under the authority of the D-8 Secretary General. Its property and assets shall be immune from search, requisition, confiscation or any other form of seizure by any executive or legislative action.
2. Access into the D-8 Premises will be granted only by the Secretary General of the D-8.
3. The privileges and immunities accorded in this Agreement are not for the personal benefit of the individuals themselves, but to ensure the functioning of the Secretariat. Therefore, the Secretariat shall take all measures to secure that all members enjoying such privileges and immunities respect the laws and regulations in Turkey; and the Secretary General not only has the right but is under duty to waive the immunity of the members where it would impede the course of justice.
4. The Secretariat shall accept the jurisdiction of the Turkish Courts, related to its relations of private law.
5. Besides the official Value Added Tax exemption provided for official purchases of goods and services of the Secretariat, delivery of goods and services to Representatives of Member Countries, the Directorial and Professional Staff defined in Article 1 paragraph (g) and (h), who are neither Turkish nationals nor foreigners who are permanent residents in Turkey, shall be exempted from Value Added Tax.
6. Emoluments and salaries paid by the Secretariat to its personnel are exempted from taxation.
7. Representatives of Member Countries, the Directorial and Professional Staff, the Administrative and Technical Staff defined in Article 1 paragraph (g), (h) and (i), who are neither Turkish nationals nor foreigners who are permanent residents in Turkey, shall have the right to import their household effects free of duty within the first six months of taking up their post, in accordance with the relevant Turkish legislation.
8. The Secretariat shall have the right to import motor vehicles free of duty including excise taxes, custom duties, etc. for its official use, in accordance with the relevant Turkish regulations.

9. Representatives of Member Countries and the Directorial and Professional Staff defined in Article 1 paragraph (g) and (h), who are neither Turkish nationals nor foreigners who are permanent residents in Turkey, shall have the right to import one motor vehicle free of duty including excise taxes, custom duties, etc. for their personal use, in accordance with the relevant Turkish regulations.
10. The Secretary General, Directors and Assistant Directors, who are neither Turkish nationals nor foreigners who are permanent residents in Turkey, shall enjoy similar immunities accorded to diplomatic agents mentioned in the 1961 Vienna Convention on Diplomatic Relations.

Article 8 – Notification and Identification

1. The Secretary General will notify to the Government names and designations of all categories of the D-8 Staff and their families, and changes made thereto.
2. Identity cards for the D-8 Staff and their dependents, who are neither Turkish nationals nor foreigners who are permanent residents in Turkey, shall be issued by the Ministry of Foreign Affairs of the Republic of Turkey, in accordance with the 1961 Vienna Convention on Diplomatic Relations and relevant Turkish regulations.

Article 9 - Entry, Residence and Departure

1. The Government shall take all the necessary measures to facilitate the entry into, departure from and residence in the Republic of Turkey of the following persons:
 - a. Representatives of Member Countries;
 - b. Members of the D-8 Staff and their family members;
 - c. Experts participating in the D-8 meetings and other activities;
 - d. Official guests.
2. Visa applications of the Representatives of Member Countries, the D-8 Staff and their families shall be processed in a timely manner and their visas shall be issued free of charge.
3. The following persons shall be admitted to the Republic of Turkey on the ground of family reunification and be granted an identity card, provided they live under the same roof as the principal holder of the identity card:
 - The spouse of the principal holder of the identity card;
 - Unmarried dependent children under the age of 21;
 - Wholly dependent mother and father.

Article 10 - Access to the Labor Market

In accordance with the Turkish legislation and under the conditions set by the Ministry of Foreign Affairs of the Republic of Turkey, family members (spouse and unmarried dependent children under the age of 21) of D-8 Staff defined in Article 1 paragraph (d), (g)