PERMANENT MISSION OF THE KINGDOM OF BHUTAN
TO THE UNITED NATIONS
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The Permanent Mission of the Kingdom of Bhutan presents its compliments to the Department of State of the United States of America and has the honor to refer to the latter's note dated 22 September 2004 proposing that the Government of the United States of America and the Royal Government of Bhutan conclude a bilateral work agreement for dependents of officials serving in our respective countries.

The Permanent Mission of Bhutan is pleased to convey the concurrence of the Royal Government of Bhutan to the aforementioned proposal and provisions contained therein in the note under reference.

The Permanent Mission of the Kingdom of Bhutan avails itself of the opportunity to renew to the Department of State of the United States of America the assurances of its highest consideration.

PERMANENT MISSION OF BHUTAN TO THE U.N. · NEW YORK ·

New York, 23 September 2004

Department of State
Government of the United States of America
Washington, D.C.

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The Department of State of the United States of America presents to the Royal Government of Bhutan that the undersigned governments conclude a bilateral work agreement for dependents of officials serving in our respective countries.

The Department of State proposes that, on a reciprocal basis, dependents of the employees of the United States Government assigned to official duty in India (until such time as a U.S. Embassy is established in Thimphu, following which the agreement would apply solely to dependents of employees assigned to Bhutan) and, dependents of employees of the Royal Government of Bhutan assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this agreement, "dependents" shall mean: spouses; unmarried dependent children under 21 years of age; unmarried dependent children under 25 years of age who are in full-time attendance as students at a post-secondary educational institution; and unmarried children who are physically or mentally disabled.

For the purposes of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in the United States, the Permanent Mission of the Kingdom of Bhutan to the United Nations must make an official request to the United States Mission to the United Nations (USUN). After

processing the official request, the Bhutanese Mission will be informed by the Government of the United States that the dependent may accept employment. If at a future date, the two Governments establish formal diplomatic relations, then the Embassy of the Royal Government of Bhutan will make the request to the Office of Protocol of the Department of State.

In the case of dependents who seek employment in Bhutan, the United States Embassy in India shall make the request to the Bhutanese Ministry of Foreign Affairs. After the processing of the official request, the United States Embassy will be informed that the dependent may accept employment. If at a future date, the two Governments establish formal diplomatic relations, the Embassy of the United States of America accredited to Bhutan will make an official request to the Ministry of Foreign Affairs.

The United States Government and the Royal Government of Bhutan wish to confirm their understanding that dependents who obtain employment under this agreement and who have immunity from jurisdiction of the receiving state in accordance with the Vienna Convention on Diplomatic Relations or the Convention on the Privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also responsible for payment of income and social security taxes on any remuneration received as a result of employment in the receiving country. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The Department of State further proposes that, if these provisions are acceptable to the Royal Government of Bhutan, this note and the Royal

Government of Bhutan's reply concurring therein shall constitute an agreement between the two Governments which shall enter into force on the date of that reply note and shall remain in force until ninety days after the date of written notification from either Government to the other of the intention to terminate.

Department of State, September 22, 2004
Washington,

Copies to:

U.S. Mission to the United Nations, New York
U.S. Embassy, New Delhi, India
Permanent Mission of the Kingdom of Bhutan to the United Nations, New York
Embassy of the Royal Government of Bhutan, New Delhi