

EMPLOYMENT

Agreement Between the
UNITED STATES OF AMERICA
and BOSNIA-HERZEGOVINA

Effectuated by Exchange of Notes
Dated at Washington March 7 and 15, 1995



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

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BOSNIA-HERZEGOVINA

Employment

*Agreement effected by exchange of notes
Dated at Washington March 7 and 15, 1995;
Entered into force March 15, 1995.*

The Embassy of Bosnia and Herzegovina to the Department of State

Embassy of the Republic
of Bosnia and Herzegovina
Washington, DC

No.02-43/95

The Embassy of the Republic of Bosnia and Herzegovina presents its compliments to the United States Department of State Family Liaison Office and proposes that, on a reciprocal basis, dependents of employees of the Government of the Republic of Bosnia and Herzegovina assigned to official duty in the United States of America and dependents of employees of the United States Government assigned to official duty in the Republic of Bosnia and Herzegovina be authorized to be employed in the receiving country.

For the purpose of this agreement,

“Dependents” shall include:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 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 purpose of this agreement, it is understood that employees assigned to official duty includes diplomatic agents, consular officers, and members of the support staffs assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in the Republic of Bosnia and Herzegovina, an official request must be made by the United States Embassy in Sarajevo to the Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina, which, after verification, shall then inform the United States Embassy that the dependent may accept employment.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of the Republic of Bosnia and Herzegovina in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Government of the Republic of Bosnia and Herzegovina, the Embassy of the Republic of Bosnia and Herzegovina will be informed by the Government of the United States that the dependent has permission to accept employment.

TIAS 12614

The Government of the Republic of Bosnia and Herzegovina and the United States Government wish to clarify their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations or in accordance with the Convention on the Privileges and Immunities of the United Nations,¹ or any other applicable international agreement, have no immunity from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Embassy of the Republic of Bosnia and Herzegovina further proposes that, if these understandings are acceptable to the United States Government, this note and the United States Government's reply concurring therein shall constitute an agreement between our two governments which shall enter into force on the date of that reply note. This agreement shall remain in force until ninety days after the date of the written notification from either government to the other of intention to terminate.

The Embassy of the Republic of Bosnia and Herzegovina takes this opportunity to express to the United States Department of State Family Liaison Office the assurances of its highest consideration.

Washington, DC, March 7, 1995

United States Department of State
Family Liaison Office
Washington, DC

¹ TIAS 7502, 6900; 23 UST 3227; 21 UST 1418.

The Department of State to the Embassy of Bosnia and Herzegovina

The Department of State acknowledges receipt of the note dated March 7, 1995, from the Embassy of the Republic of Bosnia and Herzegovina and wishes to inform the Embassy that the Government of the United States of America concurs that dependents of members of the Republic of Bosnia and Herzegovina diplomatic and consular posts and missions to international organizations in the United States and dependents of members of United States diplomatic and consular posts and missions to international organizations in the Republic of Bosnia and Herzegovina, be authorized to work in the receiving country, in accordance with the proposal contained in the aforementioned note which reads as follows:

[For text of the note from Bosnia and Herzegovina, see pp. 2-3.]

The Department of State is pleased to confirm that the Embassy's note and this note in reply constitutes an agreement which shall enter into force on today's date. The Embassy of the Republic of Bosnia and Herzegovina may now submit dependent employment requests to the Office of Protocol in accordance with the procedure set forth in the attached circular diplomatic note dated April 10, 1991,¹ and applicable INS regulations.

Kendall B. Montgomery

Enclosure:

As stated.

Department of State,

Washington, March 15, 1995

¹ Not printed.