

KAV 3682
TIAS No.
Temp. State Dept. No. 93-191

CZECHOSLOVAKIA

Employment of dependents of official government employees

Agreement relating to the employment of dependents of official government employees. Effected by exchange of notes at Prague Feb. 18 and Oct. 1, 1993. Entered into force Oct. 1, 1993.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 40

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Czech Republic and, with reference to Note No. 113.355/92 (December 31, 1992) of the Ministry of Foreign Affairs of the Czech and Slovak Federal Republic, has the honor to propose to the Ministry that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in the Czech Republic and dependents of employees of the Government of the Czech Republic assigned to official duty in the United States 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 purposes of this agreement, it is understood that employees assigned to official duty include diplomatic agents, consular officers, and members of the support staffs assigned to the diplomatic mission, consular offices and missions to international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of the Czech Republic 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 Czech Republic, the Embassy of the Czech Republic will be informed by the Government of the United States that the

dependent has permission to accept employment.

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

The United States Government and the Government of the Czech Republic 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, 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 further proposes that, if these understandings are acceptable to the Government of the Czech Republic, this note and the Government of the Czech Republic'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. Termination of this agreement after 90 days written notice would not affect existing employment authorizations that are in conformance with applicable domestic law on dependent employment.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Czech Republic the assurances of its highest consideration.

Embassy of the United States of America

Prague, February 18, 1993

DEPARTMENT OF STATE
OFFICE OF LANGUAGE SERVICES

Translating Division

LS No. 142785
JS
Czech

Ministry of Foreign Affairs
of the Czech Republic
No. 101.692/93-MPO

The Ministry of Foreign Affairs of the Czech Republic presents its compliments to the Embassy of the United States of America in Prague and has the honor to confirm receipt of its note no. 40 of February 18, 1993, which proposes the conclusion of an Agreement between the Government of the Czech Republic and the Government of the United States of America on the Employment of Dependents of Personnel of Diplomatic Missions and Consular Offices, and which reads as follows:

[The Czech translation of note no. 40 of February 18, 1993, of the U.S. Embassy in Prague agrees in all substantive respects with the original English text of said note.]

The Ministry of Foreign Affairs of the Czech Republic has the honor to advise that the Government of the Czech Republic agrees with the proposal of the U.S. Government. Accordingly, note no. 40 of February 18, 1993, of the U.S. Embassy in Prague and this reply thereto shall constitute the "Agreement between the Government of the Czech Republic and the Government of the

United States of America on the Employment of Dependents of
Personnel of the Diplomatic Missions and Consular Offices of
the Two Countries," which shall enter into force as of today.

The Ministry of Foreign Affairs of the Czech Republic
avails itself of this opportunity to renew to the Embassy of
the United States of America in Prague the assurances of its
high consideration. [illegible handwritten word here in the
Czech text - tr. note]

Prague
October 1, 1993

/Stamp of the Ministry of Foreign Affairs
of the Czech Republic/