

KAV 3009
TIAS No.
Temp. State Dept. No. 92-196

CHAD
Employment, Dependents of Official Government
Employees

Agreement relating to the employment of dependents of official government employees. Effected by exchange of notes at N'Djamena Apr. 19 and June 8, 1991 and April 10 and June 23, 1992. Entered into force June 23, 1992.

DEPARTMENT OF STATE
OFFICE OF LANGUAGE SERVICES

Translating Division

LS No. 139239
ML/JF
French

Embassy of the United States of America

Note No. 043

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Chad and has the honor to propose to the Government of Chad, on a reciprocal basis, that dependents of employees of the Government of the United States assigned to official duty in Chad and dependents of employees of the Government of Chad assigned to official duty in the United States be authorized to work in the host country.

Under this agreement, the term dependents means:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 years of age who are full-time students at a post-secondary educational institution;
and

Embassy of the United States of America.

Unmarried children with a physical or mental disability.

Under this agreement, it is understood that the term "employees assigned to official duty" means diplomatic agents, consular officers, and members of the support staff assigned to diplomatic missions, consular offices, and international organizations.

With respect to dependents who seek employment in the United States, an official request must be sent by the Embassy of Chad at Washington to the Office of Protocol at the Department of State. Upon verification that the person is a dependent of an official employee of the Chadian Government, said Government will be informed by the United States Government that the dependent is authorized to accept the employment.

With respect to dependents who seek employment in Chad, the request must be sent by the United States Embassy at N'Djamena to the Ministry of Foreign Affairs of Chad which, upon verification, must then inform the United States Embassy that the dependent may accept the employment.

The Governments of the United States and Chad wish to clarify their understanding that dependents who obtain employment under this agreement and who enjoy immunity from the

jurisdiction of the host country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations, or in accordance with the privileges and immunities of the United Nations, or any other applicable international agreement, shall not enjoy immunity from civil and administrative jurisdiction in matters arising from such employment.

Such dependents shall also be liable for the payment of income and social security taxes on any remuneration they receive for employment in the host country.

Moreover, the Department of State proposes that if these provisions are acceptable to the Government of Chad, this note, together with the response of the Government of Chad accepting said provisions, constitute an agreement between the two parties and enter into force on the date indicated above. The agreement shall remain in effect 90 days following written notification by one government to the other of its intention to terminate it.

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

N'Djaména, April 19, 1991

[Initialed]

[Ministry stamp]

DEPARTMENT OF STATE
OFFICE OF LANGUAGE SERVICES

Translating Division

LS No. 135949
JF
French

Republic of Chad
Ministry of Foreign Affairs
Office of the State Secretariat

No. 2061/MAE/DG

The Ministry of Foreign Affairs of the Republic of Chad presents its compliments to the Embassy of the United States of America in Chad and, pursuant to its note verbale No. 043 dated April 19, 1991, has the honor to inform it that the Chadian Government concurs that dependents of employees of the United States diplomatic mission in Chad and dependents of the Chadian diplomatic mission in the United States be authorized to work in the receiving country, in accordance with the proposal contained in the aforementioned note.

The Chadian Government further proposes to the Government of the United States of America that dependents of local personnel working in the missions of either of the two countries be allowed to enjoy the same opportunities.

[Complimentary close]

N'Djaména, June 8, 1991

[Initialed]

[Ministry stamp]

Embassy of the United States of America,
N'Djaména

EMBASSY OF THE
UNITED STATES OF AMERICA

Note No. 73

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Chad and has the honor to refer to your Diplomatic Note dated June 8, 1991 in which the Government of Chad proposes "that dependents of local personnel working in the Missions of either of the two countries be allowed to enjoy the same opportunities." The Government of Chad is assured that, under a bilateral agreement, it is the practice of the United States of America to authorize permission to work to dependents of locally hired personnel or third country nationals who fall within the categories defined in the model text. The text reads "dependents of employees . . . assigned to official duty. Employees assigned to official duty include diplomatic agents, consular officer, and members of the support staffs assigned to the diplomatic mission, consular offices and missions to international organizations."

The Embassy underscores that, under this formulation in the proposed bilateral work agreement, third country nationals and local hires (who are presumably not nationals of or green-card holders in the United States) would be covered, and their dependents would be afforded the opportunity to work.

The Embassy of the United States of America hopes that this explanation satisfies the concerns of the Ministry of Foreign Affairs and proposes that the two countries enter into an exchange of notes which shall constitute a bilateral work agreement. The Embassy of the United States of America shall be pleased to submit a note containing the text of the agreement.

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

Embassy of the United States of America

N'Djamena



DEPARTMENT OF STATE
OFFICE OF LANGUAGE SERVICES

Translating Division

LS No. 139018
JF
French

Republic of Chad

Ministry of Foreign Affairs
State Secretariat
Bureau of Legal Affairs, Documents, and Files

No. 2771/MAE/SE/DG/0515.DAJDA

The Ministry of Foreign Affairs of the Republic of Chad presents its compliments to the Embassy of the United States of America and, with reference to its notes verbales Nos. 043 and 73 dated April 19, 1991 and April 10, 1992, has the honor to inform it that the Government of the Republic of Chad accepts the provisions of the agreement contained in note verbale No. 043, proposed by the Government of the United States of America, whereby dependents of United States Government employees assigned to official duty in Chad and dependents of Chadian employees assigned to official duty in the United States shall be authorized to work in the host country.

Embassy of the United States
of America,
N'Djamena.

139018
certified by the Office of Language
Services of the Department of State
and that it is a correct translation
to the best of my knowledge and belief.
Dated: August 5, 1992 *Piero Ludovico*
Chief, Translating Division

Under this agreement, the term "dependent" means spouses; unmarried dependent children under 21 years of age; unmarried dependent children under 23 years of age who are full-time students at a post-secondary educational institution; and unmarried children with a physical or mental disability.

Under this agreement, it is understood that the term "employees assigned to official duty" means diplomatic agents, consular officers, and members of the support staff assigned to diplomatic missions, consular offices, and international organizations.

With respect to dependents who seek employment in the United States, an official request must be sent by the Embassy of Chad at Washington to the Office of Protocol at the Department of State. Upon verification that the person is a dependent of an official employee of the Chadian Government, the Government of Chad will be informed by the United States Government that the dependent is authorized to accept the employment.

With respect to dependents who seek employment in Chad, the request must be sent by the United States Embassy at N'Djamena to the Ministry of Foreign Affairs of Chad which, upon verification, must then inform the United States Embassy that the dependent may accept the employment.

The Governments of the United States and Chad wish to clarify their understanding that dependents who obtain employment under this agreement and who enjoy immunity from the jurisdiction of the host country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations, or in accordance with the privileges and immunities of the United Nations, or any other applicable international agreement, shall not enjoy immunity from civil and administrative jurisdiction in matters arising from such employment.

Such dependents shall also be liable for the payment of income and social security taxes on any remuneration they receive for employment in the host country.

This note, together with the notes exchanged between the American and Chadian Governments, particularly note No. 043 of April 19, 1991, constitutes an agreement between the two parties and shall enter into force on the date indicated above.

The agreement shall remain in effect 90 days following written notification by one government to the other of its intention to terminate it.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its very high consideration:

June 23, 1992

[Initialed]

[Ministry stamp]

