

## EMPLOYMENT

Agreement Between the  
UNITED STATES OF AMERICA  
and FINLAND

Effected by Exchange of Notes  
Signed at Helsinki March 1 and 12, 1996



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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## **FINLAND**

### **Employment**

*Agreement effected by exchange of notes  
Signed at Helsinki March 1 and 12, 1996;  
Entered into force April 11, 1996.*

*The Director General for Legal Affairs, Ministry for Foreign Affairs of  
Finland to the American Ambassador*

MINISTRY FOR FOREIGN AFFAIRS  
OF FINLAND

Helsinki, 1st March, 1996

No. 11089

Your Excellency,

I have the honour to refer to the discussions between our officials and wish to propose an Agreement between the Government of the United States of America and the Government of the Republic of Finland, on the employment of dependents of employees of the sending State assigned to official duty in the receiving State, on the following terms:

1. The two Governments agree that, on the basis of reciprocity, dependents of employees of the sending State assigned to official duty in the receiving State as members of a diplomatic mission or consular post, or members of a mission to an international organization, will be authorized to accept employment in the receiving State.
2. For the purposes of this Agreement it is understood that:
  - i) employees assigned to an official duty include diplomatic agents, consular officers and members of the support staff assigned to diplomatic missions, consular offices and missions to international organizations;
  - ii) "dependent" means a) spouse; b) unmarried dependent child under 21 years of age, or under 23 if in full-time attendance at a post-secondary educational institution; or c) unmarried dependent child who is physically or mentally disabled;
  - iii) "designated authority" means, in respect of the Republic of Finland, the Ministry for Foreign Affairs, and in respect of the United States of America, the Department of State or the Immigration and Naturalization Service, as appropriate.

**His Excellency  
Ambassador Derek N. Shearer  
Embassy of the  
United States of America  
H e l s i n k i**

TIAS 12734

3. No restriction will be placed on the type of employment that may be undertaken. However, it is understood that in professions where professional qualifications are required, it will be necessary for the dependent to meet those qualifications. Further, authorization to accept employment may be denied where, for security reasons, only nationals of the receiving State may be employed.
4. Before a dependent may accept employment in the receiving State, the Embassy of the sending State will make an official request to the designated authority. Upon verification of the absence of legal impediments, the designated authority will promptly and officially inform the Embassy that the person is authorized to accept employment.
5. The authorization for employment under this Agreement is deemed to be terminated without prior notification upon the termination of the assignment of the employee in the receiving State. Employment taken up in accordance with this Agreement will not entitle the dependent to continue to reside in the receiving State, nor will it entitle the said dependent to remain in such employment or to enter into other employment in the receiving State after the permission has been terminated.
6. Dependents who obtain employment under this Agreement and who have immunity from the jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, signed on 18 April 1961,<sup>1</sup> or under any other applicable international agreement, do not enjoy immunity from civil and administrative jurisdiction with respect to any matter arising out of such employment.
7. In the event that a dependent who has immunity from criminal jurisdiction in accordance with the above mentioned Vienna Convention or any other applicable international agreement, is accused of a criminal offence committed in relation to the employment under this Agreement, the sending State will give serious consideration to any written request by the designated authority for the waiving of such immunity.
8. Dependents obtaining employment under this Agreement are subject to the fiscal and social security regimes of the receiving State for all matters connected with their employment in that State.
9. This Agreement shall remain in force until either Government has notified the other Government of its decision to terminate it. This notification is to be given in writing ninety (90) days prior to the termination.

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<sup>1</sup> TIAS 7502; 23 UST 3227.

If the foregoing is acceptable to the Government of the United States of America, I have the honour to propose to the Embassy of the United States, that this letter and the Embassy's reply thereto shall constitute an Agreement between our two Governments. The Agreement shall then enter into force on the thirtieth (30th) day after the date of the reply.<sup>1</sup>

Accept, Your Excellency, the renewed assurances of my highest consideration.

Holger Rotkirch  
Director General for Legal Affairs

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<sup>1</sup> Apr. 11, 1996.

*The American Embassy to the Ministry for Foreign Affairs of Finland*EMBASSY OF THE  
UNITED STATES OF AMERICA

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The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs of the Government of Finland and referring to the Ministry for Foreign Affairs's Diplomatic Note No. 11089, dated March 1, 1996 wishes to concur in an Agreement between the Government of the Republic of Finland and the Government of the United States of America, on the employment of dependents of employees of the sending State assigned to official duty in the receiving State, on the following terms:

1. The two Governments agree that, on the basis of reciprocity, dependents of employees of the sending State assigned to official duty in the receiving State as members of a diplomatic mission or consular post, or members of a mission to an international organization, will be authorized to accept employment in the receiving State.
2. For the purpose of this Agreement it is understood that:
  - i) employees assigned to an official duty include diplomatic agents, consular officers and members of the support staff assigned to diplomatic missions, consular offices and missions to international organizations;
  - ii) "dependent" means a) spouse; b) unmarried dependent child under 21 years of age, or under 23 if in full time attendance at a post-secondary educational institution; or c) unmarried dependent child who is physically or mentally disabled;
  - iii) "designated authority" means, in respect of the Republic of Finland, the Ministry for Foreign Affairs, and in respect of the United States of America, the Department of State or the Immigration and Naturalization Service, as appropriate.
3. No restriction will be placed on the type of employment that may be undertaken. However, it is understood that in professions where professional qualifications are required, it will be necessary for the dependent to meet those qualifications. Further, authorization to accept employment may be denied where, for security reasons, only nationals of the receiving State may be employed.

4. Before a dependent may accept employment in the receiving State, the Embassy of the sending State will make an official request to the designated authority. Upon verification of the absence of legal impediments, the designated authority will promptly and officially inform the Embassy that the person is authorized to accept employment.
5. The authorization for employment under this Agreement is deemed to be terminated without prior notification upon the termination of the assignment of the employee in the receiving State. Employment taken up in accordance with this Agreement will not entitle the dependent to continue to reside in the receiving State, nor will it entitle the said dependent to remain in such employment or to enter into other employment in the receiving State after the permission has been terminated.
6. Dependents who obtain employment under this Agreement and who have immunity from the jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, signed on 18 April 1961, or under any other applicable international agreement, do not enjoy immunity from civil and administrative jurisdiction with respect to any matter arising out of such employment.
7. In the event that a dependent who has immunity from criminal jurisdiction in accordance with the above mentioned Vienna Convention or any other applicable international agreement, is accused of a criminal offense committed in relation to the employment under this Agreement, the sending State will give serious consideration to any written request by the designated authority for the waiving of such immunity.
8. Dependents obtaining employment under this Agreement are subject to the fiscal and security regimes of the receiving State for all matters connected with their employment in that State.
9. This agreement shall remain in force until either Government has notified the other Government of its decision to terminate it. This notification is to be given in writing ninety (90) days prior to the termination.



The Embassy understands that this Agreement shall enter into force 30 days from this date or on April 20, 1996.

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

Embassy of the United States of America

Helsinki, March 12, 1996

Derek N. Shearer  
U.S. Ambassador

