

KAV 6389

Temp. State Dept. No. 04-48

SAINT KITTS AND NEVIS

Employment of dependents of official government employees

Agreement relating the employment of dependents of official government employees. Effected by exchange of notes at Bridgetown and Basseterre February 26 and April 14, 2003. Entered into force April 14, 2003.

No. 0325

The Embassy of the United States of America in Barbados presents its compliments to the Ministry of Foreign Affairs of Saint Kitts and Nevis and has the honor to propose that our governments conclude a bilateral work agreement for dependents of officials serving in our respective countries.

The Embassy of the United States of America proposes to the Ministry of Foreign Affairs of Saint Kitts and Nevis that, on a reciprocal basis, dependents of United States employees accredited to the Government of Saint Kitts and Nevis, and dependents of employees of the Saint Kitts and Nevis government assigned to official duty in the United States be authorized to be employed in the receiving state. For the purposes of this agreement,

"dependents" shall mean:

- 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.

DIPLOMATIC NOTE

For the purposes of this agreement, official employees shall mean diplomatic agents, consular officers, and members of the support staffs assigned to, or in the case of U.S. Personnel, accredited as members of diplomatic missions, 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 Saint Kitts and Nevis in Washington to the Office of Protocol in the Department of State, or by the Embassy of Saint Kitts and Nevis to the United Nations to the United States Mission to the United Nations (USUN). After the processing of the official request, the Saint Kitts and Nevis Embassy will be informed that the dependent may accept employment.

In the case of dependents of employees who seek employment in Saint Kitts and Nevis, the request shall be made by the U.S. Embassy in Barbados, to the Saint Kitts and Nevis Ministry of Foreign Affairs. After the processing of the official request, the U.S. Embassy will be informed that the dependent may accept employment.

The United States Government and the Government of Saint Kitts and Nevis confirm their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country 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 and 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 state.

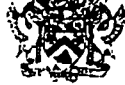
Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The Embassy of the United States further proposes that, if these provisions are acceptable to the government of Saint Kitts and Nevis, this note and the Government of Saint Kitts and Nevis' 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 United States of America avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.



Embassy of the United States of America,
Bridgetown, February 26, 2003.



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REF No FA/U19/004

Note No. 296/2003

The Ministry of Foreign Affairs and Education of Saint Kitts and Nevis presents its compliments to the Embassy of the United States Embassy in Bridgetown, Barbados and has the honour to refer to the former's Note No. 197/2003 advising of Government's approval of the latter's proposal for a bilateral work agreement for dependents of diplomatic staff.

The Ministry has the further honour to inform that this current note serves to correct the statement made in the abovementioned correspondence regarding the signing of an agreement and requests that the esteemed Embassy disregard Note No. 197/2003.

Please be advised therefore that the Government of St. Kitts and Nevis accepts the provisions outlined in the Embassy's Note No. 0325 and concurs with the stipulation that the exchange of notes constitutes an agreement between our Governments which shall enter into force on the date of this note.

The Ministry of Foreign Affairs and Education of Saint Kitts and Nevis avails itself of this opportunity to renew to the United States Embassy in Bridgetown, Barbados the assurance of its highest consideration.

Basseterre

14 April, 2003



