

KAV 5439

Temp. State Dept. No. 99-36

SENEGAL

Employment of dependents of Staff members of diplomatic and consular missions

Agreement relating to employment of dependents of staff members of diplomatic and consular missions. Signed at Dakar April 28, 1998. Entered into force April 28, 1998.

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL

AND

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

*RELATIVE TO EMPLOYMENT OF DEPENDENTS OF STAFF MEMBERS
OF DIPLOMATIC AND CONSULAR MISSIONS*

1. Authorization to Engage in Paid or Voluntary Work

- a) Family members belonging to the household of a member of a diplomatic mission or consular post of a sending state will be authorized, on the basis of reciprocity, to engage in paid or voluntary work in the receiving state, following the legal provisions in the host state.
- b) For purposes of this Agreement
- (i) A member of a diplomatic or consular post is agreed to be either a member of its diplomatic staff or a member of its administrative and technical staff, and designates any of the sending state's employees who are assigned to a diplomatic, or a consular post, or a mission of an international organization, and who are not citizens of the receiving state.
- (ii) "A member of the family" of a member of a diplomatic mission or a consular post is agreed to be:
- a male or female spouse
 - an unmarried dependent child under 21 years of age
 - an unmarried dependent child under 23 years of age who is in full-time attendance as student at a post-secondary educational institution, and
 - an unmarried child who is physically or mentally disabled

2. Proceedings

- (a) The sending state's Embassy will send a request to authorize commitment in a paid or voluntary work on behalf of the candidate family member to the Ministry of Foreign Affairs of the host state.
- (b) The proceedings will be applied so as to allow the candidate family member to commit himself/herself in paid or voluntary work as quickly as possible, and any request to a work permit or other similar formality will be promptly handled.

3. Civil and Administrative Privileges and Immunities

In the case of family members enjoying the host state's civil and administrative jurisdiction and according to the Vienna Convention on Diplomatic Relations of April 18, 1961, or any other relevant international instrument, this immunity will not be applicable for any action perpetrated while performing this paid or voluntary work governed under the host state's civil and administrative laws.

4. Criminal Immunity

In the case of family members enjoying immunity vis-a-vis the host state's criminal jurisdiction and according to the Vienna Convention on Diplomatic Relations or any other international relevant instrument:

The sending state will give serious consideration to lifting the involved family member's immunity vis-a-vis the host state's criminal jurisdiction for anything regarding an action perpetrated while performing this paid or voluntary work.

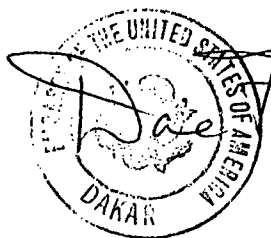
5. Fiscal and Social Security Systems

According to the Vienna Convention on Diplomatic Relations of April 18, 1961, or any other relevant international instrument, family members involved will be bound by the host state's fiscal and social security systems for all matters regarding their paid or voluntary work in the host state.

6. Term and Cancellation

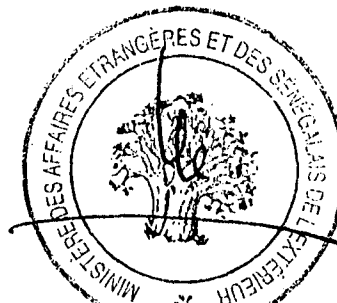
This agreement will remain in force for an indefinite period of time. Each state may terminate it at anytime by notifying the other state in writing, 90 (ninety) days in advance.

Done in Dakar, on April 28, 1998, in two (2) original copies in French and English. The two (2) copies are equally authentic.



Dane F. Smith, Jr.
Ambassador

A handwritten signature in black ink, appearing to read "Dane F. Smith, Jr.", written over the seal.



Moustapha Niassé
Minister of Foreign Affairs

