

KAV 5526

Temp. State Dept. No. 99-111

TURKMENISTAN

Employment of dependents of official government employees

Agreement relating to the employment of dependents of official government employees. Exchange of notes at Ashgabat July 15 and 20, 1999. Entered into force July 20, 1999.



**TÜRKMENISTANYŇ  
DAŞARY IŞLER  
MINISTRIGI**

05/16/29

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

For the purposes of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in Turkmenistan, an official request must be made by the United States Embassy in Ashgabat to the Ministry of Foreign Affairs of Turkmenistan. After the processing of the official request, the United States Embassy will be informed that the dependent may accept employment.

**EMBASSY  
OF THE UNITED STATES OF AMERICA  
Ashgabat**

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Turkmenistan in Washington to the Office of Protocol in the Department of State. After the processing of the official request, the Embassy of Turkmenistan will be informed that the dependent may accept employment.

The Government of Turkmenistan and the United States Government wish to confirm their understanding that 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 or the Convention on the Privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or 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 Ministry of Foreign Affairs of Turkmenistan further proposes that, if these provisions are acceptable to the Government of the United States of America, this note and the Embassy's reply concurring therein shall constitute an agreement between the two governments which shall enter into force on the date of that reply note and 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 Ministry of Foreign Affairs of Turkmenistan avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

*Ashgabat, July 15, 1999*

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Turkmenistan and acknowledges receipt of the Ministry's Note No.05/1629 dated July 15, 1999. The Embassy wishes to inform the Ministry that the Government of the United States of America concurs that dependents of members of Turkmen diplomatic and consular posts and missions to international organizations in the United States and members of the United States diplomatic and consular posts and missions to international organizations in Turkmenistan be authorized to work in the receiving country, in accordance with the proposal contained in the aforementioned note, which reads as follows:

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

For the purposes of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in Turkmenistan, an official request must be made by the United States Embassy in Ashgabat to the Ministry of Foreign Affairs of Turkmenistan. After the processing of the official request, the United States Embassy will be informed that the dependent may accept employment.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Turkmenistan in Washington to the Office of Protocol in the Department of State. After the processing of the official request, the Embassy of Turkmenistan will be informed that the dependent may accept employment.

The Government of Turkmenistan and the United States Government wish to confirm their understanding that 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 or the Convention on the Privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or 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 Ministry of Foreign Affairs of Turkmenistan further proposes that, if these provisions are acceptable to the government of the United States of America, this note and the Embassy's reply concurring therein shall constitute an agreement between the two governments which shall enter into force on the date of that reply note and 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 is pleased to confirm that the Embassy's note and this note in reply constitute an agreement between the two governments which shall enter into force on today's date and 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 Turkmenistan in Washington, D.C. may now submit dependent employment requests to the Office of Protocol of the Department of State in accordance with the procedures set forth by the Office of Protocol and with applicable regulations of the United States Immigration and Naturalization Service.

The Embassy takes this opportunity to renew to the Ministry of Foreign Affairs the assurance of its highest consideration.

Embassy of the United States of America  
Ashgabat, July 20, 1999

