

# EMPLOYMENT

Agreement Between the  
UNITED STATES OF AMERICA  
and ZIMBABWE

Effected by Exchange of Notes  
Dated at Harare February 7, 1991  
and March 7, 1992



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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# **ZIMBABWE**

## **Employment**

*Agreement effected by exchange of notes  
Dated at Harare February 7, 1991 and March 7, 1992;  
Entered into force March 7, 1992.*

*The American Embassy to the Zimbabwean Ministry of Foreign Affairs*

No. 42

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Zimbabwe and has the honor to refer to discussions held recently with Permanent Secretary Jokonya and Deputy Chief of Protocol Mashaire concerning a bilateral work agreement. Based on subsequent discussions with the Department of State, the Embassy of the United States of America proposes to the Ministry of Foreign Affairs of the Republic of Zimbabwe that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Zimbabwe and dependents of employees of the Zimbabwean Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this agreement, "Dependents" shall include: 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, it is understood that employees assigned to official duty includes diplomatic agents, consular officers, and members of the support staffs assigned to diplomatic mission, consular offices and international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Zimbabwe in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Zimbabwean Government, the Zimbabwean Embassy will be informed by the Government of the United States that the dependent has permission to accept employment.

In the case of dependents of employees who seek employment in Zimbabwe, an official request must be made by the United States Embassy in Harare to the Zimbabwean Ministry of Foreign Affairs, which, after verification, shall then inform the United States Embassy that the dependent may accept employment.

The U.S. Government and the Government of Zimbabwe wish to clarify their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations or in

accordance with the Convention on the Privileges and Immunities of the United Nations,<sup>1</sup> 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 liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Embassy of the United States of America further proposes that, if these understandings are acceptable to the Government of Zimbabwe, this note and the Government of Zimbabwe's 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 written notification from either government to the other of intention to terminate.

Embassy of the United States of America  
Harare, February 7, 1991

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<sup>1</sup> TIAS 7502, 6900; 23 UST 3227; 21 UST 1418.

*The Zimbabwean Ministry of Foreign Affairs to the American Embassy*

B/155/B

ZIMBABWE

The Ministry of Foreign Affairs of the Republic of Zimbabwe presents its compliments to the Embassy of the United States of America and has the honour to refer to the reciprocal arrangement on the employment of dependents of members of diplomatic missions.

The two governments agree that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Zimbabwe and dependents of employees of the Zimbabwe Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this Agreement: "Dependents" shall include: 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, it is understood that employees assigned to official duty includes diplomatic agents, consular officers, and members of the support staff assigned to diplomatic mission, consular offices and international organisations.

In the case of dependents who seek employment in Zimbabwe, an official request must be made by the Embassy of the United States of America in Harare to the Protocol Division of the Ministry of Foreign Affairs. Upon verification that the person is a dependent of an official employee of the United States will be informed by the Government of Zimbabwe that the dependent has permission to accept employment subject to the applicable regulations of the receiving State.

The U.S. Government and the Government of Zimbabwe wish to clarify their understanding that dependents who obtain employment under this Agreement and who have immunity from jurisdiction of the Receiving State in accordance with the Vienna Convention on Diplomatic Relations or in accordance with 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 liable for payment of income and social security taxes on any Remuneration Received as a result of employment of the Receiving State.

The Ministry of Foreign Affairs of the Republic of Zimbabwe finds the above proposals acceptable and agrees that this Note and the Note from the Embassy of the United States making such proposals shall constitute an agreement between our two governments which shall enter into force on the date of receipt of this Note. This agreement shall remain in force until ninety (90) days after the date of written notification from either government to the other of intention to terminate.

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

HARARE

7 March, 1992

