



# OAS

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**AGREEMENT BETWEEN**  
**THE GOVERNMENT OF THE REPUBLIC OF SURINAME**  
**AND THE GENERAL SECRETARIAT OF THE**  
**ORGANIZATION OF AMERICAN STATES**  
**ON THE PRIVILEGES AND IMMUNITIES OF OBSERVERS OF THE**  
**GENERAL ELECTIONS TO BE HELD IN SURINAME ON MAY 25, 2020**

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GENERAL ELECTIONS TO BE HELD IN SURINAME ON MAY 25, 2020**

The Parties to this Agreement, the General Secretariat of the Organization of American States (hereinafter referred to as the "GS/OAS") and the Government of Suriname (hereinafter referred to as the "Government"),


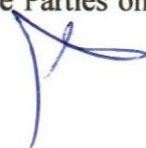
**WHEREAS:**

On June 19, 2019, the Government of the Republic of Suriname invited the Secretary General of the Organization of American States (hereinafter referred to as the "OAS" or the "Organization") to send an OAS Electoral Observation Mission (hereinafter sometimes referred to as the "Mission" or the "OAS Mission") to observe the General Elections to be held on May 25, 2020, in Suriname;

The Secretary General of the OAS, informed the Government in a note dated June 28, 2019 that he accepted the invitation to establish an OAS Mission for the General Elections, subject to obtaining the necessary resources to finance its establishment in Suriname;

The Mission will be comprised of officials of the GS/OAS and other persons contracted by the GS/OAS to participate in the Mission; and

The basic privileges and immunities enjoyed by the OAS, the GS/OAS, and its staff in Suriname are set out in the OAS Charter, whose instrument of ratification was deposited by the Government on June 8<sup>th</sup>, 1977 and in the Agreement between the Government and the GS/OAS on the functioning of the Office of the GS/OAS in Suriname and the Recognition of its Privileges and Immunities signed by the Parties on the 19<sup>th</sup> day of February, 1998;



NOW, THEREFORE THE GOVERNMENT AND THE GS/OAS HAVE AGREED AS FOLLOWS:

CHAPTER I:  
PRIVILEGES AND IMMUNITIES OF THE OAS MISSION

ARTICLE I

The privileges and immunities of the OAS Mission for the General Election to be held on May 25, 2020 in the Republic of Suriname shall be those accorded to the OAS, to its organs, and to its staff and property, pursuant to the provisions of Articles 133, 134, 135, and 136 of the OAS Charter, whose instrument of ratification was deposited by the Government on June 8<sup>th</sup>, 1977.

ARTICLE II

The property and effects of the OAS Mission, located in any part of the territory of Suriname and in possession of any person, shall enjoy immunity against any type of judicial proceeding; save in those specific cases for which said immunity is expressly waived in writing by the Secretary General of the OAS. However, it is understood that said waiver of immunity by the Secretary General of the OAS shall not have the effect of subjecting any such property and effects to any type of measure of execution.

ARTICLE III

The premises occupied by the OAS Mission shall be inviolable. Moreover, the property and effects of the OAS Mission, in any part of the territory of Suriname and in possession of any person or entity, shall enjoy immunity against search and seizure, confiscation, expropriation and against any form of intervention, be it executive, administrative, judicial or legislative.





## ARTICLE IV

The files of the OAS Mission and all of the documents pertaining thereto or in the possession of any person or entity shall be inviolable wherever they are located.

## ARTICLE V

The OAS Mission shall be:

- a) Exempt from any internal taxation, it being understood, however, that they may not claim any type of tax exemption that is in fact remuneration for public services;
- b) Exempt from any type of customs duty, prohibition and restriction in respect of articles and publications that they may import or export for their official use. It is understood, however, that the articles they import duty-free may be sold within Suriname only in accordance with conditions expressly agreed upon by the GS/OAS with the Government; and
- c) Exempt from ordinances, regulations or moratoria of any kind. Moreover, they may have currency of any type, carry their accounts in any foreign currency and transfer their funds in foreign currency.

## CHAPTER II

### MEMBERS OF THE OAS OBSERVER MISSION

## ARTICLE VI

The Members of the OAS Mission (hereinafter the Observers) shall be those persons who have been duly designated by the OAS Secretary General and accredited with the authorities of Suriname.



## ARTICLE VII

For the period during which the Observers exercise their functions and during their trips to and from Suriname, they shall enjoy the following privileges and immunities:

a) Immunity from personal detention or arrest as well as immunity from any type of legal proceeding in respect of their actions and statements be they oral or written, done in the performance of their functions;

b) Upon arrival in Suriname the observers will be in quarantine for the necessary 24 hours in their rooms in the Mission's Hotel. The observers will be tested every four days while in Suriname;

c) The inviolability of all papers and documents;

d) The right to communicate with the GS/OAS via radio, telephone, telegraph, email, satellite or other means, and to receive documents and correspondence through messengers or in sealed pouches, enjoying for that purpose the same privileges and immunities accorded to diplomatic mail, messages, and pouches;

e) The right to utilize for their movements throughout the national territory, any means of transportation, be it by air, by water or over land;

f) Exemption in respect of their persons and that of their spouses and children, from any type of immigration restriction and registration of aliens and any type of national service in Suriname;

g) The same privileges accorded to the representatives of foreign governments on official mission in respect to foreign-currency restrictions;

h) The same immunities and privileges in respect of their personal baggage as are accorded to diplomatic envoys; and

i) Such other privileges, immunities and facilities as are compatible with the foregoing, and enjoyed by diplomatic envoys, with the exception that they shall not enjoy any exemption from customs duties on imported merchandise (that is not part of their personal effects) or sales taxes or consumer taxes.



## ARTICLE VIII

The provisions contained in the preceding article do not apply to nationals of Suriname working as local contract staff in the OAS Mission, except in respect of official acts performed or statements issued in the exercise of their functions.

## ARTICLE IX

The OAS Mission may establish and operate in the territory of Suriname an independent radio communication system to provide an on-going communications link between the observers and the vehicles used by the members of the OAS Mission with Mission offices and regional headquarters, such as the central office in Paramaribo and between the latter and the headquarters of the GS/OAS in Washington, D.C., United States of America. To this end the Government shall provide all the technical and administrative support necessary for this to be achieved.

## CHAPTER III

### AIRSPACE AND AIRPORT

## ARTICLE X

The Government shall ensure the opening of the Surinamese airspace and the Johan Adolf Pengel International Airport in Paramaribo to the OAS Mission should these be closed at the time of the arrival of the OAS Mission to Suriname or at the time of its departure, with no additional costs accruing to the SG/OAS, the OAS Mission or their carrier for this purpose.

## CHAPTER IV

### COOPERATION WITH THE AUTHORITIES

## ARTICLE XI

The Observers shall cooperate with the relevant authorities of Suriname to prevent any occurrence of abuse in respect of the specified privileges and immunities.



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Similarly, the relevant authorities shall do whatever is possible to provide the cooperation requested of them by the Observers.

#### ARTICLE XII

Without prejudice to the immunities and privileges accorded, the Observers shall respect the laws and regulations existing in Suriname.

#### ARTICLE XIII

The Parties shall take any measures necessary to procure an amicable arrangement in the proper settlement of:

- a) Any disputes that may arise in contracts or other questions of private law; and
- b) Any disputes to which the OAS Mission and/or any of its Observers may be parties with respect to matters in which they enjoy immunity.

#### CHAPTER V

#### NATURE OF PRIVILEGES AND IMMUNITIES

#### ARTICLE XIV

The privileges and immunities are granted to the Observers in order to safeguard their independence in the exercise of their functions of observing the General Elections of Suriname, and not for personal gain or to perform activities of a political nature within the territory of Suriname.

The Secretary General of the OAS may waive the privileges and immunities of any of the Observers in the event that he determines, in his sole discretion, that the exercise of those privileges and immunities may obstruct the course of justice and so long as the Secretary General determines that such waiver does not prejudice the interests of the OAS or of the GS/OAS.

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## CHAPTER VI IDENTIFICATION

### ARTICLE XV

The Government recognizes the "Official Travel Document" issued by the GS/OAS as a valid and sufficient document for purposes of travel by the Observers who possess this document.

The Government shall issue to each Member of the OAS Observer Mission a visa to enter the country and to remain therein until the end of the OAS Observer Mission. The Government shall provide each of the Observers with an identity document, which shall include the person's full name, position or rank, and a photograph. The Observers will not be obligated to hand over said document but to show it whenever the authorities of Suriname so require.

## CHAPTER VII GENERAL PROVISIONS

### ARTICLE XVI

The Government agrees to extend the privileges and immunities of the present Agreement to Observers of the OAS Mission designated by the GS/OAS, who have been accredited by the authorities of Suriname.

### ARTICLE XVII

This Agreement may be amended by mutual consent in writing by the duly authorized representatives of the Parties.

### ARTICLE XVIII

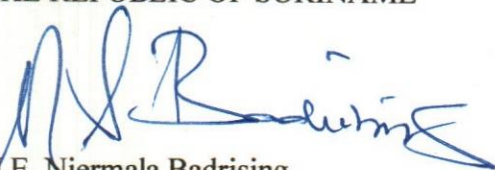
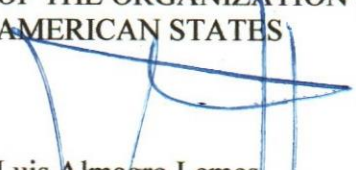
This Agreement shall enter into force on the date of its signature and shall cease to have effect once their Observers have completed their work with respect to the entire





electoral process, in accordance with the terms of the invitation issued by the Government.

IN WITNESS WHEREOF, the undersigned, duly authorized, do hereby sign this Agreement, in duplicate, on the date and locations indicated below.

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| <p>FOR THE GOVERNMENT OF<br/>THE REPUBLIC OF SURINAME</p>  <p>H.E. Niermala Badrising<br/>Permanent Representative<br/>Permanent Mission of Suriname<br/>To the Organization of American States<br/>Washington DC, USA</p> <p>Date: May 14, 2020</p> | <p>FOR THE GENERAL SECRETARIAT<br/>OF THE ORGANIZATION OF<br/>AMERICAN STATES</p>  <p>Luis Almagro Lemes<br/>Secretary General<br/>Organization of American States<br/>Washington DC, USA</p> <p>Date: May 14, 2020</p> |
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