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# The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

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## PART I : SECTION (I) — GENERAL

### Government Notifications

#### THE DIPLOMATIC PRIVILEGES ACT, No. 09 OF 1996

##### Order under Section 4

BY virtue of the powers vested in me by Section 4 of the Diplomatic Privileges Act, No. 9 of 1996, I, M. U. M. Ali Sabry, Minister of Foreign Affairs, do, by this Order, declare that the provisions of the aforesaid Act shall apply in respect of the Host Country Agreement between the Government of the Democratic Socialist Republic of Sri Lanka and the International Centre for Research in Agroforestry (ICRAF), to the extent necessary to give effect to the terms of Articles IV, V, VI, IX, X, XI, XII, XIII, XIV, XV and XVI of the Agreement on the Privileges and Immunities of the International Centre for Research in Agroforestry (ICRAF), signed on 14th September, 2022 the relevant articles of the Agreement are recited in the Schedule hereto.

M. U. M. ALI SABRY, P.C. M.P.,  
Minister of Foreign Affairs.

Colombo,  
25th August, 2023.



## **SCHEDULE**

### **HOST COUNTRY AGREEMENT BETWEEN THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AND THE INTERNATIONAL CENTRE FOR RESEARCH IN AGROFORESTRY (ICRAF)**

#### **ARTICLE IV**

##### **Undertakings of the Government with regard to the Centre**

1. ICRAF, its assets, income and other property shall be exempt from all direct taxes.
2. ICRAF shall be exempt from customs duty, Value Added Tax (VAT) and any other taxes or fiscal charges on all materials, equipment, articles, vehicles, machinery, publications and supplies imported or exported by ICRAF for its official use, provided the said goods are purchased, imported or exported prior to clearance through customs. Such goods, imported free of duties and taxes, shall not be transferred or disposed of within the Country unless appropriate duties and taxes are paid, or the said goods sold or transferred to similarly privileged persons or organisations or re-exported.
3. ICRAF will be exempt from taxation on materials and equipment contracted or purchased locally for its official use.

#### **ARTICLE V**

##### **Undertakings of The Government with Regard to The Centre's Scientific and Administrative Staff**

1. The Government shall grant ICRAF's technical and administrative staff and their dependants, privileges and immunities not less favourable than those granted to the staff of comparable rank of other international organisations in the Democratic Socialist Republic of Sri Lanka. Without limitation to the foregoing, the Government undertakes:
  - a. to grant exemption from income tax or social security contributions on income or emoluments received by them from ICRAF;
  - b. to exempt them from the payment of customs duty, sales tax and Value Added Tax (VAT) on their new or used personal and household effects and motor vehicles imported by them within the first six months of their first arrival in the Country or such other period as may be approved by the Government on each particular case provided that such personal and household effects imported free of duties and taxes shall not be transferred or sold within the Country unless appropriate duties and taxes are paid or the effects are transferred or sold to similarly privileged persons or organisations or are re-exported subject to the Protocol Guidelines of the Democratic Socialist Republic of Sri Lanka;
  - c. to grant them and their dependants' exemption from national service obligations, alien registration, and immigration restrictions and to provide them and their dependants with re-entry permits at no charge and subsequent renewals thereof;
  - d. to extend to them and their dependants such repatriation facilities in times of international crisis as are extended by the Government to staff of other international organisations;
  - e. to permit them or their dependants to bring into the Democratic Socialist Republic of Sri Lanka a reasonable amount of foreign currency for personal use and to withdraw and repatriate such amount from the Democratic Socialist Republic of Sri Lanka under external account facilities, in accordance with the prevailing foreign exchange regulations of the Democratic Socialist Republic of Sri Lanka, as applicable to other international organisations;

- f. to permit them the freedom of travel, movement and communication necessary for the carrying out of the Centre's objectives;
  - g. to facilitate the clearance through customs of their new or used personal and household effects and to issue them with identity cards;
  - h. to grant such persons (ICRAF's technical and administrative staff) immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity; such immunity will continue notwithstanding that the person concerned may have ceased to be an official of ICRAF;
2. The Government shall grant non-resident consultants and other professionals engaged by ICRAF the privileges and immunities set forth in paragraphs I (a), I (d), I (e), I (f), I (g) above.
3. The provisions of this Article shall not apply to ICRAF staff who are citizens of the Democratic Socialist Republic of Sri Lanka.

## ARTICLE VI

### **Undertakings of the Government with regard to the Director General, Deputy Director General and Designated ICRAF Officials**

1. The Government shall grant to the Director General and any other official acting on his/ her behalf during his/ her absence from the Democratic Socialist Republic of Sri Lanka the privileges and immunities, exemptions and facilities accorded to officials of the comparable ranks of other international and intergovernmental organizations. The same shall be accorded in respect of his/ her spouse and minor children.
2. The Government shall grant to the Deputy Director(s) General and any other officials so designated by the Director General the privileges and immunities, exemptions and facilities accorded to the members of comparable ranks of other international and intergovernmental organizations. The same shall be accorded in respect of their spouses and minor children. To this effect, the Director General shall provide a list of the names of these designated officials and shall advise the Government of any changes to this list.

## ARTICLE IX

### **Importation, Exportation, Transportation and Use of Materials and Equipment**

1. ICRAF may, subject to Sri Lanka Atomic Energy Act No. 40 of 2014, Rules No. 1 of 2015 published in *Extraordinary Gazette* dated 21.07.2015 and General Safety Requirements (GSR) part 3 issued by International Atomic Energy Agency, and other relevant laws and regulations of the Democratic Socialist Republic of Sri Lanka import and export all such materials, equipment, articles, vehicles, machinery, including all scientific and biological materials, publications and supplies as ICRAF shall deem to be required for its operations, including any operations that may be developed in the future.
2. Without prejudice to the provisions of paragraph 1 above, ICRAF may pursuant to getting necessary clearance from the relevant authorities in Sri Lanka:
  - a. carry out experimental work in designated or reserved zones of the national territory;
  - b. import, export, transport and use radioactive material or biological or biochemical substance that it may need to carry out its activities, whether for its own purposes or in the framework of regional and international programmes of co-operation.
3. In carrying out the activities referred to in paragraph 2(b) above, ICRAF shall:

- a. comply with the laws and regulations of the Democratic Socialist Republic of Sri Lanka governing the protection of nature and the environment and those pertaining to national security;
- b. comply with the laws and regulations in force concerning quarantine and inspection with respect to biological and genetic material, in order to prevent the introduction or export of diseases and pests in or out of the country; and
- c. generally, take all reasonable precautions, including those set out in the International Safety Standards and Specifications, to ensure the safety of these substances and materials.

## ARTICLE X

### The Facilities of ICRAF in the Democratic Socialist Republic of Sri Lanka

1. The facilities of ICRAF shall include the land and the administrative premises that ICRAF occupies or will occupy to carry out its activities. ICRAF will be authorised to place its emblem on its buildings, facilities and equipments.
2. If ICRAF need additional land to carry out its programmes the Government may consider facilitating ICRAF acquiring such land.

## ARTICLE XI

### Inviolability of the Facilities

1. The premises of ICRAF shall be inviolable.
2. All records, correspondence, documents and other materials of ICRAF shall be inviolable.
3. ICRAF shall have the power to make regulations applicable within its facilities in order to establish therein all necessary conditions for its operation, subject to the laws and regulations of the Democratic Socialist Republic of Sri Lanka.
4. Without prejudice to the provisions of this Agreement, ICRAF shall prevent its facilities from becoming a refuge for persons avoiding arrest under the laws of the Democratic Socialist Republic of Sri Lanka or who are required by the Government for extradition to another country or for persons who are endeavouring to avoid service of the legal process.

## ARTICLE XII

### Immunity from Legal Process

1. ICRAF, its property, assets and other facilities, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as, in any particular instance, it has waived its immunity.

## ARTICLE XIII

### Communications and Publications

1. ICRAF's official communications shall be entitled to the same treatment enjoyed by other international organizations, which have representation in the Democratic Socialist Republic of Sri Lanka.
2. ICRAF shall be authorised to install or use radio and telecommunication facilities, subject to the approval of the competent authorities of the Democratic Socialist Republic of Sri Lanka and under the conditions prescribed by them for other international organisations of similar nature.

3. ICRAF shall be free to publish such documents and reports in the territory of Democratic Socialist Republic of Sri Lanka as it shall find appropriate in the exercise of its official and scientific functions. It is, nevertheless, understood that ICRAF shall comply with the laws and regulations of the Democratic Socialist Republic of Sri Lanka regarding intellectual property, as well as those international agreements on intellectual property to which the Government of the Democratic Socialist Republic of Sri Lanka is a party.

#### **ARTICLE XIV**

##### **Financial Provisions**

Subject to the laws and regulations on Foreign Exchange of the Democratic Socialist Republic of Sri Lanka;

1. ICRAF may reserve and hold funds or currency of any kind and operate bank and similar accounts in any currency.
2. ICRAF may freely transfer its funds or currencies from one country to another or within the Democratic Socialist Republic of Sri Lanka and convert any currency held by it into any other currency and undertake any other foreign exchange operation in furtherance of its objectives.

#### **ARTICLE XV**

##### **Waiver of Immunities**

The immunities and privileges accorded under this Agreement are granted in the interests of ICRAF and not for the personal benefit of the persons involved. The Director General or his/ her representative shall have the duty to waive the immunity of any such persons in cases where, in his/ her opinion, such immunity would impede the course of justice and can be waived without prejudice to the interests of ICRAF.

#### **ARTICLE XVI**

##### **Abuse of Privileges**

1. ICRAF, its Director General and designated representative's resident in the Democratic Socialist Republic of Sri Lanka shall co-operate at all times with the Government to facilitate the proper administration of justice and the observance of the laws of the Democratic Socialist Republic of Sri Lanka and avoid the abuse of immunities and privileges accorded to ICRAF under this Agreement.
2. If the Government considers there has been an abuse of a privilege or immunity conferred by this agreement consultations shall be held between the Government and ICRAF to determine whether any such abuse has taken place and to attempt to ensure that no repetition occurs. If it is proved that there has been abuse of a privilege or immunity, the Director General shall recourse to the procedure stated in Article XV.

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#### **THE DIPLOMATIC PRIVILEGES ACT, No. 9 OF 1996**

##### **Order under Section 4**

BY virtue of the powers vested in me by section 4 of the Diplomatic Privileges Act, No.9 of 1996, I, M. U. M. Ali Sabry , Minister of Foreign Affairs , do, by this Order, declare that the provisions of the aforesaid Act shall apply in respect of the International Atomic Energy Agency to the extent necessary to give effect to the terms of Articles II,III,IV,V,VI and VII of

the Agreement on the Privileges and Immunities of the International Atomic Energy Agency to which Sri Lanka has been a member since 1957, the relevant Articles of the Agreement are recited in the Schedule hereto, subject to the reservations with regard to said Articles stipulated in Annex I hereto.

M. U. M. ALI SABRY, P.C. M.P.,  
Minister of Foreign Affairs.

Colombo,  
25th August, 2023.

## SCHEDULE

### AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

#### Article II JURIDICAL PERSONALITY

##### *Section 2*

The Agency shall possess juridical personality. It shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property and (c) to institute legal proceedings.

#### Article III PROPERTY, FUNDS AND ASSETS

##### *Section 3*

The Agency, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

##### *Section 4*

The premises of the Agency shall be inviolable. The property and assets of the Agency, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

##### *Section 5*

The archives of the Agency, and in general all documents belonging to it or held by it, shall be inviolable, wherever located.

##### *Section 6*

Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) The Agency may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) The Agency may freely transfer its funds, gold or currency from one country to another or within any country and convert any currency held by it into any other currency.

##### *Section 7*

The Agency, shall, in exercising its rights under section 6, pay due regard to any representations made by the Government of any State party to this Agreement in so far as it is considered that effect can be given to such representations without detriment to the interests of the Agency.

#### *Section 8*

The Agency, its assets, income and other property shall be:

- (a) Exempt from all direct taxes; it is understood, however, that the Agency will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Agency for its official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;
- (c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of its publications.

#### *Section 9*

While the Agency will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the Agency is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Agreement will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

### Article IV FACILITIES IN RESPECT OF COMMUNICATIONS

#### *Section 10*

The Agency shall enjoy, in the territory of each State party to this Agreement and as far as may be compatible with any international conventions, regulations and arrangements to which that State is a party, for its official communications, treatment not less favourable than that accorded by the Government of such a State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes for posts and telecommunications, and press rates for information to the press and radio.

#### *Section 11*

No censorship shall be applied to the official correspondence and other official communications of the Agency.

The Agency shall have the right to use codes and to dispatch and receive correspondence and other official communications by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this Section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Agreement and the Agency.

### Article V REPRESENTATIVES OF MEMBERS

#### *Section 12*

Representatives of Member States at meetings convened by the Agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) Inviolability for all papers and documents;

- (c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

### *Section 13*

In order to secure for the representatives of Members of the Agency at meetings convened by the Agency complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

### *Section 14*

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members of the Agency at meetings convened by the Agency are present in a Member State for the discharge of their duties shall not be considered as periods of residence.

### *Section 15*

Privileges and immunities are accorded to the representatives of Members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the Agency. Consequently, a Member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the Member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

### *Section 16*

The provisions of sections 12, 13 and 14 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

## Article VI OFFICIALS

### *Section 17*

The Agency shall from time to time make known to the Governments of all States parties to this Agreement the names of the officials to whom the provisions of this Article and of Article IX apply.

### *Section 18*

a. Officials of the Agency shall:

- (i) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;



- (ii) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the Agency and on the same conditions as are enjoyed by officials of the United Nations;
  - (iii) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
  - (iv) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
  - (v) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
  - (vi) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.
- b. Officials of the Agency shall, while exercising the functions of an inspector under Article XII of the Statute of the Agency or those of a project examiner under Article XI thereof, and while travelling in their official capacity enroute to and from the performance of these functions, enjoy all the additional privileges and immunities set forth in Article VII of this Agreement so far as is necessary for the effective exercise of such functions.

#### Section 19

The officials of the Agency shall be exempt from national service obligations, provided that, in relation to the States of which they are nationals, such exemption shall be confined to officials of the Agency whose names have, by reason of their duties, been placed upon a list compiled by the Director General of the Agency and approved by the State concerned.

Should other officials of the Agency be called up for national service, the State concerned shall, at the request of the Agency, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

#### Section 20

In addition to the privileges and immunities specified in sections 18 and 19 above, the Director General of the Agency, including any official acting on his behalf during his absence from duty, shall be accorded on behalf of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys on behalf of themselves, their spouses and minor children, in accordance with international law. The same privileges and immunities, exemptions and facilities shall also be accorded to a Deputy Director General or official of equivalent rank of the Agency.

#### Section 21

Privileges and immunities are granted to officials in the interest of the Agency only and not for personal benefit of the individuals themselves. The Agency shall have the right and the duty to waive the immunity of any officials in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Agency.

#### Section 22

The Agency shall co-operate at all times with the appropriate authorities of Member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connexion with the privileges, immunities and facilities mentioned in this Article.

Article VII  
EXPERTS ON MISSIONS FOR THE AGENCY

*Section 23*

Experts (other than officials coming within the scope of Article VI) serving on committees of the Agency or performing missions for the Agency, including missions as inspectors under Article XII of the Statute of the Agency and as project examiners under Article XI thereof, shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Agency;
- (c) Inviolability for all papers and documents;
- (d) For the purposes of their communications with the Agency, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) The same facilities in respect of currency and exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

*Section 24*

Nothing in sub-paragraphs (c) and (d) of section 23 shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Agreement and the Agency.

*Section 25*

Privileges and immunities are granted to the experts of the Agency in the interests of the Agency and not for personal benefit of the individuals themselves. The Agency shall have the right and the duty to waive the immunity of any expert in any case when in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Agency.

**Annex I**

- i. The Government of the Democratic Socialist Republic of Sri Lanka, hereby declares that the capacity of the International Atomic Energy Agency to acquire and dispose of immovable property under Article II, Section 2(b) shall be exercised with due regard to national laws and regulations.
- ii. The Government of the Democratic Socialist Republic of Sri Lanka declares that Application of Privileges and immunities provided in Section 18 (ii), (iii), (iv), and (v) shall not be extended to the officials of the IAEA who are Sri Lankan nationals serving in Sri Lanka.
- iii. Application of Privileges and immunities provided in Section 23 (a), 23 (b) except immunity granted in respect of words spoken or written or acts done in the performance of their official functions, 23 (c) except immunity granted to official papers and documents; and 23 (e) shall not be extended to the officials of the IAEA who are Sri Lankan nationals serving in Sri Lanka.
- iv. Notwithstanding Sections 20 and 32, the Government of the Democratic Socialist Republic of Sri Lanka reserves the right to apply the national legislation, national policies concerning duties and excise taxes.
- v. The Provisions relating to the holding of funds, gold or currency of any kind and of accounts in any currency and to the transfer and convertibility of such currency in Sri Lankan territory under Section 6 shall be subject to the relevant national legal provisions in force in the Government of the Democratic Socialist Republic of Sri Lanka.

## **THE DIPLOMATIC PRIVILEGES ACT, No. 9 OF 1996**

### **Order under Section 4**

BY virtue of the powers vested in me by Section 4 of the Diplomatic Privileges Act, No. 9 of 1996, I, M. U. M. Ali Sabry, Minister of Foreign Affairs, do, by this Order, declare that the provisions of the aforesaid Act shall apply in respect of the Agreement between the Government of the Democratic Socialist Republic of Sri Lanka and the Global Green Growth Institute (GGGI) Regarding the Legal Status and Privileges and Immunities of the Global Green Growth Institute, to the extent necessary to give effect to the terms of Articles 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Agreement on the Privileges and Immunities of the Global Green Growth Institute (GGGI), signed on 07th February, 2023 the relevant articles of the Agreement are recited in the Schedule hereto.

M. U. M. ALI SABRY, P.C. M.P.,  
Minister of Foreign Affairs.

Colombo,  
25th August, 2023.

### **SCHEDULE**

#### **AGREEMENT BETWEEN THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AND THE GLOBAL GREEN GROWTH INSTITUTE REGARDING THE LEGAL STATUS AND PRIVILEGES AND IMMUNITIES OF THE GLOBAL GREEN GROWTH INSTITUTE (GGGI)**

##### **Article 2**

##### **Legal personality and Capacities**

- (1) GGGI is an international organization with international legal personality.
- (2) GGGI shall have juridical personality and the legal capacity to (i) to contract, (ii) to acquire and dispose of immovable and movable property and (iii) to institute legal proceedings.
- (3) GGGI shall have the independence and freedom of action belonging to an international organization.

##### **Article 3**

##### **Property and Assets**

- (1) GGGI and its property and assets, wherever located and by whomsoever held shall enjoy immunity from every form of legal process, except in so far as in a particular case it has expressly waived its immunity. It is however understood that no waiver of immunity shall extend to any measure of execution, unless explicitly stated otherwise.
- (2) The property and assets of GGGI wherever located and by whomsoever held shall be immune from search, requisition, confiscation, expropriation or any other form of interference, whether by executive, administrative, judicial or legislative action.
- (3) The Archives of GGGI shall be inviolable, wherever located.
- (4) To the extent necessary to carry out the purpose and functions of the GGGI effectively, and subject to the provisions of this Agreement and the laws and regulations of the Democratic Socialist Republic of Sri Lanka, all property and assets of GGGI shall be free from restrictions, regulations, controls and moratoria of any nature.

#### Article 4

##### Exemption from Taxation and Custom Duties

- (1) GGGI, its assets, income, and other property shall be:
  - (a) exempt from all direct taxes except those which are, in fact, no more than charges for specific services rendered;
  - (b) exempt from prohibitions and restrictions on imports and exports in respect of articles imported or exported by GGGI for its official use and in the case of any publications of GGGI imported or exported by it. It is understood, however, that articles imported under such exemption will not be sold in the territory of the Democratic Socialist Republic of Sri Lanka except under conditions agreed to with the Government; and
  - (c) exempt from customs duties on the importation of goods imported by GGGI for its official use, or on the importation of publications of the organization subject to compliance with such consultations as the Government may prescribe.
- (2) GGGI will be exempt from taxation on material purchased locally for official use. Such relief to be subject to compliance with such conditions as may be imposed by the Government in accordance with the arrangements.
- (3) GGGI its Officials and Experts shall not be subject to regulations on labor and social security in the Democratic Socialist Republic of Sri Lanka.
- (4) GGGI shall be exempt from payment, withholding, or collection of any tax or duty other than public utility charges. Officials shall be exempt from all forms of taxation on or in respect of salaries, allowances, and emoluments paid to them by GGGI.

#### Article 5

##### Communications

- (1) Official communications of GGGI shall be accorded by the Democratic Socialist Republic of Sri Lanka treatment accorded to any other international organization.
- (2) All communications to, from and through the territory of the Democratic Socialist Republic of Sri Lanka by whatever means or in whatever form transmitted shall be immune from censorship and any other form of interpretation or interference with their privacy. This does not preclude the adoption of appropriate security precautions to be determined after consultation between the Government and GGGI.
- (3) GGGI shall have the right in the Democratic Socialist Republic of Sri Lanka to use codes and to dispatch and receive correspondence and other communications either by courier or in sealed bags which shall have immunities and privileges not less favourable than those accorded to couriers and bags of similar international organizations. The bags must bear visibly GGGI emblems and shall contain only documents or articles intended for official use, and the courier shall be provided with a courier certificate issued by GGGI.

#### Article 6

##### Freedom of Assembly, Meetings and Conferences

- (1) GGGI with concurrence of the Government may convene meetings in the Democratic Socialist Republic of Sri Lanka.
- (2) GGGI and its Officials shall enjoy freedom of meeting, discussion and decision within the Democratic Socialist Republic of Sri Lanka subject to the laws and regulations in Sri Lanka.

- (3) Visas and entry permits of all persons invited and accredited for meetings organized by GGGI, where required, shall be dealt with as speedily as possible in accordance with applicable laws.

## Article 7

### Flag, Emblem and Markings

GGGI shall have the right to display its flag and/or other identifiers on its premises and vehicles.

## Article 8

### Privileges and Immunities of Representatives of GGGI Members, Officials, Experts and Other Persons Constituting the Assembly Council and Advisory Committee of GGGI

- (1) Representatives of GGGI, Members, Officials, Experts and other persons constituting the Assembly, Council, and Advisory Committee shall, while exercising their functions and during their journeys to and from the place of meetings convened by GGGI, enjoy the following privileges and immunities subject to laws and regulations in Sri Lanka:
- (a) Shall be immune from legal process with respect to acts performed by them in their official capacity, except when GGGI waives the immunity,
- (b) Where they are not local citizens or nationals, shall be accorded the same treatment with respect to immigration requirements, alien registration requirements and national service obligations, and the same facilities as regards exchange regulations, as are accorded by Sri Lanka to persons of comparable ranks of other international organizations; and
- (c) Shall be granted the same treatment in respect of travelling facilities as is accorded by Sri Lanka to persons of comparable ranks of other international organizations.
- (2) The Government shall grant to Director-General, the Deputy Directors General, and the Assistant Director-Generals and other officials of GGGI the privileges and immunities, exemptions and facilities accorded to the members of comparable ranks of other international organizations. The same shall be accorded in respect of their spouses and minor children. To this effect, GGGI shall regularly make known to the Government the names of persons to whom paragraphs of this Article apply.
- (3) Privileges and immunities contained in this Article are not applicable to citizens of the Democratic Socialist Republic of Sri Lanka.
- (4) GGGI shall cooperate with the appropriate authorities of the Government to facilitate the proper administration of justice and prevent the occurrence of any abuses in connection with the privileges, immunities, and facilities mentioned in this Article.
- (5) Immunity from legal process shall not apply to the above persons in the case of motor traffic offences committed by them or in case of damage caused by a motor vehicle belonging to or driven by them.

## Article 9

### Office Premises

- (3) Except as otherwise provided in this Agreement the laws of the Democratic Socialist Republic of Sri Lanka shall apply within the Office and the Courts of Democratic Socialist Republic of Sri Lanka shall have jurisdiction over acts done in the Office.

- (4) The Office premises shall be inviolable and shall be under the control and authority of GGGI. No authorities of the Democratic Socialist Republic of Sri Lanka shall enter the Office premises to perform any duties therein without the consent of and under conditions agreed to by GGGI. GGGI and the Government shall agree under what circumstances and in what manner the authorities of the Democratic Socialist Republic of Sri Lanka may enter the Office premises without prior consent of GGGI in connection with fire prevention, sanitary regulations or emergencies.
- (5) GGGI shall have the right to install and operate in the Democratic Socialist Republic of Sri Lanka point-to-point telecommunication facilities and other communication and transmission facilities as may be necessary to facilitate communications with the Office both from within and outside the Democratic Socialist Republic of Sri Lanka pursuant to obtaining necessary approvals from the relevant authorities of the Government of Sri Lanka.
- (6) GGGI shall have the power to make rules and regulations operative within the Office premises for the full and independent exercise of its operations and performance of its functions. In the event of conflict between such GGGI rules and regulations and the laws of the Democratic Socialist Republic of Sri Lanka, Government laws, rules and regulations shall prevail.
- (7) GGGI shall have the right to convene meetings within the Office premises, subject to the laws and regulations of Sri Lanka.
- (8) The Office premises shall be used in a manner compatible with GGGI's purposes and functions. GGGI shall prevent the Office premises from becoming a refuge for fugitives from justice or for persons subjected to extradition or persons avoiding service of legal process or a judicial proceeding.
- (9) GGGI shall co-operate at all times with the appropriate authorities of the Democratic Socialist Republic of Sri Lanka to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Agreement.

## Article 10

### Transit and Residence

- (1) The Government shall take all measures required to facilitate the entry into, departure from and freedom of movement in the Democratic Socialist Republic of Sri Lanka and with regard to persons assigned to the Office, residence in the Democratic Socialist Republic of Sri Lanka of the following persons without restriction and irrespective of nationality subject to the laws and regulations of Sri Lanka:
  - (a) Representatives of GGGI members and other persons constituting the Assembly, the Council and Advisory Committee while exercising their functions and during their journeys to and from the place of meetings convened by GGGI;
  - (b) Officials of GGGI;
  - (c) Experts;
  - (d) the spouse and dependent children and members of the household staff of Officials and Experts of GGGI assigned to the Office; and
  - (e) Other persons invited by GGGI on official business. GGGI shall communicate the names of such persons to the Government, prior to the arrival of such officials.

## Article 11

### Waiver of Privileges and Immunities

- (1) The privileges and immunities granted by this Agreement to persons are conferred in the interest of GGGI and not for the personal benefit of the individuals themselves. It is the duty of all persons enjoying such privileges and immunities to observe in all other respects the laws and regulations of the Democratic Socialist Republic of Sri Lanka. The following authorities have the right and the duty to waive immunities of the following persons in a particular case where in their opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of GGGI:
- (a) the Members of GGGI with respect to their representatives on the Assembly and Council;
  - (b) the Assembly with respect to the Director-General of GGGI;
  - (c) the Council with respect to the experts or non-state actors who serve as members of the Council or Advisory Committee; and
  - (d) the Director-General of GGGI with respect to Officials of GGGI (other than him/herself), Experts and GGGI itself.
- (2) In all cases a waiver must be expressly made in writing.

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