

**2. Agreement on the Status of the North Atlantic Treaty
Organization, National Representatives and International Staff
20 September 1951
(Excerpts)**

(...)

The States signatory to the present Agreement,
Considering that for the exercise of their functions and the fulfillment of their purposes it is necessary that the North Atlantic Treaty Organization, its international staff and the representatives of Member States attending meetings thereof should have the Status set out hereunder, Have agreed as follows:

**Part I
General**

Article I

In the present Agreement,

- a. "the Organization" means the North Atlantic Treaty Organization consisting of the Council and its subsidiary bodies;
- b. "the Council" means the Council established under Article IX of the North Atlantic Treaty and the Council Deputies;
- c. "subsidiary bodies" means any organ, committee or service established by the Council or under its authority, except those to which, in accordance with Article II, this Agreement does not apply;
- d. "Chairman of the Council Deputies" includes, in his absence, the Vice-Chairman acting for him.

Article II

The present Agreement shall not apply to any military headquarters established in pursuance of the North Atlantic Treaty nor, unless the Council decides otherwise, to any other military bodies.

Article III

The Organization and Member States shall co-operate at all times to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the immunities and privileges set out in the present Agreement. If any Member State considers that there has been an abuse of any immunity or privilege conferred by this Agreement, consultations shall be held between that State and the Organization, or between the States concerned, to determine whether any such abuse has occurred, and, if so, to attempt to ensure that no repetition occurs. Notwithstanding the foregoing or any other provisions of this Agreement, a Member State which considers that any person has abused his privilege of residence or any other privilege or immunity granted to him under this Agreement may require him to leave its territory.

Part II The Organization

Article IV

The Organization shall possess juridical personality, it shall have the capacity to conclude contracts, to acquire and dispose of movable and immovable property and to institute legal proceedings.
(...)

Article XI

1. No censorship shall be applied to the official correspondence and other official communications of the Organization.
2. The Organization shall have the right to use codes and to despatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.
3. Nothing in this Article shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a Member State and the Council acting on behalf of the Organization.

Part III Representatives Of Member States

Article XII

Every person designated by a Member State as its principal permanent representative to the Organization in the territory of another Member State, and such members of his official staff resident in that territory as may be

agreed between the State which has designated them and the Organization and between the Organization and the State in which they will be resident, shall enjoy the immunities and privileges accorded to diplomatic representatives and their official staff of comparable rank.
(...)

Article XV

Privileges and immunities are accorded to the representatives of Member States and their staffs not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the North Atlantic Treaty. Consequently, a Member State not only has the right but is under a duty to waive the immunity of its representatives and members of their staffs in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the purposes for which the immunity is accorded.
(...)

Part IV

International Staff and Experts on Missions for the Organization

Article XVII

The categories of officials of the Organization to which Articles XVIII to XX apply shall be agreed between the Chairman of the Council Deputies and each of the Member States concerned. The Chairman of the Council Deputies shall communicate to the Member States the names of the officials included in these categories.

Article XVIII

Officials of the Organization agreed upon under Article XVII shall:

- a. be immune from legal process in respect of words spoken or written and of acts done by them in their official capacity and within the limits of their authority;
- b. be granted, together with their spouses and members of their immediate families residing with and dependent on them, the same immunities from immigration restrictions and aliens' registration as is accorded to diplomatic personnel of comparable rank;
- c. be accorded the same facilities in respect of currency or exchange restrictions as are accorded to diplomatic personnel of comparable rank;
- d. be given, together with their spouses and members of their immediate families residing with and dependent on them, the same repatriation

- facilities in time of international crisis as are accorded to diplomatic personnel of comparable rank;
- e. have the right to import free of duty their furniture and effects at the time of first arrival to take up their post in the country in question, and, on the termination of their functions in that country, to re-export such furniture and effects free of duty, subject in either case to such conditions as the Government of the country in which the right is being exercised may deem necessary;
 - f. have the right to import temporarily free of duty their private motor vehicles for their own personal use and subsequently to re-export such vehicles free of duty, subject in either case to such conditions as the Government of the country concerned may deem necessary.

Article XIX

Officials of the Organization agreed under Article XVII shall be exempt from taxation on the salaries and emoluments paid to them by the Organization in their capacity as such officials. Any Member State may, however, conclude an arrangement with the Council acting on behalf of the Organization whereby such Member State will employ and assign to the Organization all of its nationals (except, if such Member State so desires, any not ordinarily resident within its territory) who are to serve on the international staff of the Organization and pay the salaries and emoluments of such persons from its own funds at a scale fixed by it. The salaries and emoluments so paid may be taxed by such Member State but shall be exempt from taxation by any other Member State. If such an arrangement is entered into by any Member State and is subsequently modified or terminated, Member States shall no longer be bound under the first sentence of this Article to exempt from taxation the salaries and emoluments paid to their nationals.

In addition to the immunities and privileges specified in Articles XVIII and XIX, the Executive Secretary of the Organization, the Co-ordinator of North Atlantic Defence Production, and such other permanent officials of similar rank as may be agreed between the Chairman of the Council Deputies and the Governments of Member States, shall be accorded the privileges and immunities normally accorded to diplomatic personnel of comparable rank.
(...)

Article XXII

Privileges and immunities are granted to officials and experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Chairman of the Council Deputies shall have the right and the duty to waive the immunity of any official or expert in any case where, in

his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.
(...)

Part V Settlement of Disputes

Article XXIV

The Council shall make provision for appropriate modes of settlement of:

- a. disputes arising out of contracts or other disputes of a private character to which the Organization is a party;
- b. disputes involving any official or expert of the Organization to whom Part IV of this Agreement applies who by reason of his official position enjoys immunity; if immunity has not been waived in accordance with the provisions of Article XXII.

Part VI Supplementary Agreements

Article XXV

The Council acting on behalf of the Organization may conclude with any Member State or States supplementary agreements modifying the provisions of the present Agreement, so far as that State or those States are concerned.

Part VII Final Provisions

Article XXVI

1. The present Agreement shall be open for signature by Member States of the Organization and shall be subject to ratification. Instruments of ratification shall be deposited with the Government of the United States of America, which will notify all signatory States of each such deposit.
2. As soon as six signatory States have deposited their instruments of ratification, the present Agreement shall come into force in respect of those States.
It shall come into force in respect of each other signatory State on the date of the deposit of its instrument of ratification.

Article XXVII

The present Agreement may be denounced by any Contracting State by giving written notification of denunciation to the Government of the United States of America, which will notify all signatory States of each such notification.

The denunciation shall take effect one year after the receipt of the notification by the Government of the United States of America.

In witness whereof the undersigned plenipotentiaries have signed the present Agreement.

Done Ottawa this twentieth day of September, 1951, in French and in English, both texts being equally authoritative, in a single copy which shall be deposited in the archives of the Government of the United States of America which will transmit a certified copy to each of the signatory States.
