

KAV 6507

Temp. State Dept. No. 04-139

EAST TIMOR

Employment of dependents of government employees

Agreement relating to the employment of dependents of official government employees. Effected by exchange of notes at Dili July 31 and August 8 2002. Entered into force August 8, 2002.

No. 14/2002

The Embassy of the United States in East Timor presents its compliments to the Ministry of Foreign Affairs and Cooperation of the Democratic Republic of East Timor and has the honor to propose that our governments conclude a bilateral work agreement for dependents of officials serving in our respective countries.

The Embassy of the United States of America proposes to the government of the Democratic Republic of East Timor that, on a reciprocal basis, dependents of employees of the United States government assigned to official duty at a United States mission in the Democratic Republic of East Timor and dependents of employees of the government of East Timor assigned to official duty at an East Timor mission in the United States be authorized to be employed in the receiving country.

For the purpose 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, it is understood that employees assigned to official duty means diplomatic agents, consular officers, and members of the support staffs assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of the Democratic Republic of East Timor in Washington, D.C. to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the government of East Timor,

and processing of the official request, the East Timor Embassy will be informed by the government of the United States that the dependent may accept employment.

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

The United States government and the government of East Timor confirm 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 any other applicable international agreement between the United States and East Timor, enjoy 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. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The government of the United States further proposes that, if these provisions are acceptable to the government of East Timor, this note and the government of East Timor'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 the written notification from either government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs and Cooperation the assurances of its highest consideration.

July 31, 2002
Ministry of Foreign Affairs and Cooperation
Dili, East Timor





**DEMOCRATIC REPUBLIC OF EAST TIMOR
MINISTRY OF FOREIGN AFFAIRS AND COOPERATION**

Nº MNEC/289/02

The Ministry of Foreign Affairs and Cooperation of the Democratic Republic of East Timor presents its compliments to the Embassy of United States of America in East Timor and acknowledges receipt of the Embassy's note No. 14/2002, dated 31 July 2002, which reads as follow:

"The Embassy of the United States in East Timor presents its compliments to the Ministry of Foreign Affairs and Cooperation of the Democratic Republic of East Timor and has the honor to propose that our governments conclude a bilateral work agreement for dependents of officials serving in our respective countries.

The Embassy of the United States of America proposes to the government of the Democratic Republic of East Timor that, on a reciprocal basis, dependents of employees of the United States government assigned to official duty at a United States mission in the Democratic Republic of East Timor and dependents of employees of the government of East Timor assigned to official duty at an East Timor mission in the United States be authorized to be employed in the receiving country.

For the purpose of this agreement,

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For the purposes of this agreement, it is understood that employees assigned to official duty means diplomatic agents, consular officers, and members of the support staffs assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of the Democratic Republic of East Timor in Washington, D.C. to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the government of East Timor, and processing of the official request, the East Timor Embassy will be informed by the government of the United States that the dependent may accept employment.

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

The United States government and the government of East Timor confirm 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 any other applicable international agreement between the United States and East Timor, enjoy 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. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The government of the United States further proposes that, if these provision are acceptable to the government of East Timor, this note and the government of East Timor'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 the written notification from either government to the other of intention to terminate.”

The Ministry of Foreign Affairs and Cooperation of the Democratic Republic of East Timor has the honor to confirm that the proposals set forth in the Embassy’s note are acceptable to the government of the Democratic Republic of East Timor and that the Embassy’s note and this note in reply shall constitute an agreement between the two governments which shall enter into force on this date.

Dili, 08 August 2002

A handwritten signature in black ink, appearing to read 'José Ramos Horta', written in a cursive style.

JOSE RAMOS-HORTA

Senior Minister for Foreign Affairs and Cooperation