BILATERAL EMPLOYMENT AGREEMENT BETWEEN THE MINISTRY OF FOREIGN AFFAIRS OF THE FEDERAL REPUBLIC OF NIGERIA

AND

THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA

The Ministry of Foreign Affairs of the Federal Republic of Nigeria and the Department of State of the United States of America (hereinafter called "the Contracting Parties");

PURSUANT to Diplomatic Note No. 328 of November 13, 2001, from the Embassy of the United States of America, Abuja, Nigeria proposing that the two governments conclude a Bilateral Work Agreement for dependents of diplomatic and consular personnel of the United States Government assigned to official duty in Nigeria and the Government of Nigeria assigned to official duty in the United States of America;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Definitions

1. For the purpose of this Agreement, the following terms shall have the meanings hereunder assigned:

(a) "Dependents" means 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.

(b) "Employee Assigned to Official Duty" means Diplomatic Agents, Consular Officers, and Members of the S\upport Staff Assigned to Diplomatic Missions, Consular Offices, and Missions to International Organizatilons.

ARTICLE 2

Obligations by Nigeria and United States

The Ministry of Foreign Affairs of the Federal Republic of Nigeria and the United States Department of State will on a reciprocal basis, authorize dependents of Nigerian employees assigned to official duty in the United States and dependents of employees of the United States assigned to official duty in Nigeria to accept employment in the receiving country.

ARTICLE 3

Procedure for Authorization fo Employment

1. Request for authorization of dependents seeking employment in the United States of America must be made to the Office of Protocol, United States Department of States, Washington D.C. Upon verification, the Nigerian Mission will be informed by the Government of the United States Department of State that the dependent may accept employment.

2. Request for authorization by dependents seeking employment in Nigeria must be by a Diplomatic Note to the Protocol Department of Ministry of Foreign Affair, Abuja, Nigeria. Upon confirmation that the person is a dependent of a United States employee assigned to official duty in Nigeria and prompt processing of the official request, the United States Mission shall be informed through the Ministry of Foreign Affairs that the dependent may seek and accept employment.

ARTICLE 4

Limitation of Privileges and Immunities

1. Dependents of employees assigned to official duty in Nigeria and in the United States of America who obtain employment under this Agreement who possess immunities from the jurisdiction of the receiving state in accordance with Article 31 of the Vienna Convention on Diplomatic Relations of 1961 or other applicable international agreement between the United States and Nigeria do not have immunity from civil and administrative jurisdiction with respect to an action relating to such employment.

2. Such dependents are also liable for payment of income and social security taxes on remuneration received as a result of employment in the receiving state.

3. Such dependents shall however continue to enjoy all other privileges and immunities to which they are entitled.

ARTICLE 5

Termination

1. This Agreement may be suspended or terminated by either party if that party determines that due to changed conditions the continuation of such an employment Agreement is superfluous or adverse.

2. In such circumstance, the Agreement shall terminate ninety (90) Days after the receipt of a written notification to that effect from either party.

ARTICLE 6

Entry into Force

This Agreement shall enter into force upon signature.

(IN WITNESS WHEREOF), the respective representatives, duly authorized for the purpose, have signed this Agreement at Abuja, Nigeria, in duplicate on the 12th MAY day of 2005.

2005

Amb. T.A.B. Shodipo
FOR THE MINISTRY OF FOREIGN AFFAIRS OF THE FEDERAL REPUBLIC OF NIGERIA:

Amb. John Campbel
FOR THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA: