

EMPLOYMENT

**Agreement Between the
UNITED STATES OF AMERICA
and CAPE VERDE**

Effected by Exchange of Notes at
Praia February 15 and 18, 2005



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CAPE VERDE

Employment

*Agreement effected by exchange of notes
at Praia February 15 and 18, 2005;
Entered into force June 14, 2005.*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 024

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Cape Verde and has the honor to propose an exchange of Notes between our two Governments to allow for employment of dependents of officials serving in our two countries, as follows:

- A. On a reciprocal basis, dependents of employees of the United States Government assigned to official duty in the Republic of Cape Verde and dependents of employees of the Government of the Republic of Cape Verde assigned to official duty in the United States shall be authorized to be employed in the receiving country.
- B. For the purposes 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.
- C. 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.

- D. In general, for dependents who seek employment in the United States, an official request must be made by the Embassy of the Republic of Cape Verde to the Office of Protocol in the Department of States. For dependents of employees of missions to the United Nations seeking employment, an official request must be made by the Republic of Cape Verde's Mission to the United Nations to the United States Mission to the United Nations. Upon verification that the person is a dependent of an official employee of the Government of the Republic of Cape Verde, and processing of the official request, the Republic of Cape Verde's Embassy or Mission to the United Nations will be informed by the Government of the United States that the dependent may accept employment.
- E. In the case of dependents of employees who seek employment in the Republic of Cape Verde, an official request must be made by the United States Embassy in the Republic of Cape Verde to the Ministry of Foreign Affairs, which after verification that the person is a dependent of a United States employee assigned to official duty in the Republic of Cape Verde, shall then inform the United States Embassy that the dependent may accept employment.
- F. The United States Government and the Government of the Republic of Cape Verde confirm that the immunities of dependents who obtain employment under this agreement are governed either by the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations, as relevant. Dependents are responsible for payment of income and social

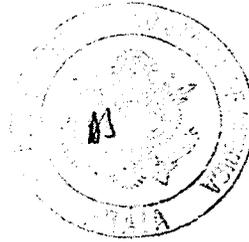
security taxes on any remuneration received as a result of employment in the receiving state.

G. The Government of the United States further proposes that, if these provisions are acceptable to the Government of the Republic of Cape Verde, this note and the Government of the Republic of Cape Verde's reply concurring therein shall constitute an agreement between our two Governments which shall enter into force following notification by the parties that their respective national juridical requirements have been complied with. 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 of the Republic of Cape Verde the assurances of its highest consideration.

Embassy of the United States of America

Praia, Cape Verde, February 15, 2005





Republic of Cape Verde

Ministry of Foreign Affairs, Cooperation and Communities

Ref: 47/CI-A/2005

The Ministry of Foreign Affairs of the Republic of Cape Verde presents its compliments to the Embassy of the United States of America in Cape Verde and has the honor to acknowledge receipt of the Embassy's Note n° 024 related to the agreement relating to the employment of official dependents of Government employees the content of which is the following:

- A. "On a reciprocal basis, dependents of employees of the United States Government assigned to official duty in the Republic of Cape Verde and dependents of employees of the Government of the Republic of Cape Verde assigned to official duty in the United States shall be authorized to be employed in the receiving country.
- B. For the purposes 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.

TO:

Embassy of United States of America

PRAIA

C. P. n°60 - Tel: (238) 261 57 32 / 261 57 27 - Fax: (238) 261 39 52
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Republic of Cape Verde

Ministry of Foreign Affairs, Cooperation and Communities

- C. 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.
- D. In general, for dependents who seek employment in the United States, an official request must be made by the Embassy of the Republic of Cape Verde to the Office of Protocol in the Department of States. For dependents of employees of missions to the United Nations seeking employment, an official request must be made by the Republic of Cape Verde's Mission to the United Nations to the United States Mission to the United Nations. Upon verification that the person is a dependent of an official employee of the Government of the Republic of Cape Verde, and processing of the official request, the Republic of Cape Verde's Embassy or Mission to the United Nations will be informed by the Government of the United States that the dependent may accept employment.
- E. In the case of dependents of employees who seek employment in the Republic of Cape Verde, an official request must be made by the United States Embassy in the Republic of Cape Verde to the Ministry of Foreign Affairs, which after verification that the person is a dependent of a United States employee assigned to official duty in the Republic of Cape Verde, shall then inform the United States Embassy that the dependent may accept employment.

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Republic of Cape Verde

Ministry of Foreign Affairs, Cooperation and Communities

- F. The United States Government and the Government of the Republic of Cape Verde confirm that the immunities of dependents who obtain employment under this agreement are governed either by the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations, as relevant. Dependents are responsible for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.
- G. The Government of the United States further proposes that, if these provisions are acceptable to the Government of the Republic of Cape Verde, this note and the Government of the Republic of Cape Verde's reply concurring therein shall constitute an agreement between our two Governments which shall enter into force following notification by the parties that their respective national juridical requirements have been complied with. 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. "

It further, has the honor to confirm that the content of the above referred note is acceptable to the Government of the Republic of Cape Verde, and that the Embassy's note and the current note constitute an Agreement between the two Governments in accordance with the terms of the above proposal.



Republic of Cape Verde

Ministry of Foreign Affairs, Cooperation and Communities

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

Praia, Cape Verde, February 18, 2005

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