

HEADQUARTERS AGREEMENT
BETWEEN THE KINGDOM OF BELGIUM
AND

THE COOPERATION COUNCIL OF THE ARAB STATES OF THE GULF

THE KINGDOM OF BELGIUM

and

THE COOPERATION COUNCIL OF THE ARAB STATES OF THE GULF,
hereinafter referred to as the GCC.

Considering the Charter of the Cooperation Council of the Arab States of the Gulf signed in Abu Dhabi City, United Arab Emirates, on 25 May 1981,

Having regard to the decision of the GCC to establish a delegation of the GCC in Brussels,

Desirous to conclude an agreement specifying the privileges and immunities necessary for the performance of the functions of the GCC in Belgium,

Have agreed as follows :

CHAPTER I

Privileges and immunities of the GCC

Article 1

The GCC shall have the most extensive legal capacity accorded to legal persons. Its property and assets used exclusively in the exercise of its official functions, shall enjoy immunity from jurisdiction, save where the GCC expressly waive such immunity in a particular case. A separate waiver shall be necessary for each measure of enforcement.

Article 2

The premises used exclusively for the exercise of the GCC's functions shall be inviolable.

The consent of the GCC shall be required for access to its premises.

However, this consent shall be deemed to have been given in the event of fire or other incident requiring immediate protective action.

Belgium shall take all appropriate steps to protect the premises of the GCC from intrusion or damage, and to prevent the peace of the GCC from being disturbed or its dignity impaired.

Article 3

Save when required for the purpose of investigating an accident caused by a motor vehicle belonging to the GCC or operated on its behalf, or in respect of a traffic offence or an accident involving such a vehicle, the property and assets of the GCC shall not be the subject of any requisition, confiscation, sequestration or any other form of seizure or constraint, even for purposes of national defence or public utility.

If an expropriation becomes necessary for the same purposes, all appropriate measures shall be taken in order to prevent the functioning of the GCC from being hindered and immediate and adequate compensation shall be paid to it.

Belgium shall give its assistance for the installation or reinstallation of the GCC.

Article 4

The archives of the GCC and, in general, all documents belonging to the GCC or held by it or by one of its officials shall be inviolable, wherever they are.

Article 5

1. The GCC may hold any currency and have accounts in any currency. to the extent necessary for carrying out the operations falling within its objectives.
2. Belgium undertakes to grant to the GCC the necessary authorizations for carrying out, in accordance with the procedures laid down by national laws and applicable international agreements, any movements of funds necessitated by the establishment and operation of the GCC, including the issuing and servicing of loans if such issuing has been authorized by Belgium.

Article 6

The GCC, its assets, income and other property intended for official use shall be exempt from any direct taxation.

NO direct tax exemption shall be granted on GCC income arising out of industrial or commercial activity engaged in by the GCC or by one of its members on behalf of the GCC or on behalf of one of its Member States.

Article 7

When the GCC purchase large quantities of immovable or movable property or order the performance of services on a large scale which are strictly necessary for the exercise of its official activities and the price of which includes indirect duties or sales taxes, appropriate measures shall be taken, whenever possible, to remit or refund the amount of such duties and taxes.

Article 8

Without prejudice to the obligations arising for Belgium from Community law and to the application of legal or statutory prohibitive or restrictive provisions governing public order or security, health or morality, the GCC may import any goods and publications intended for its official use.

Article 9

Goods imported, purchased or exported by the GCC itself or on its behalf for its official uses shall be exempt from all indirect national, regional, community or local taxes.

Article 10

Official publications addressed to the GCC or sent abroad by it shall be exempt from all indirect national, regional, community or local taxes.

Article 11

Property belonging to the GCC may not be disposed of in Belgium, except under conditions laid down by Belgian laws and regulations.

Article 12

The GCC shall not request exemption in respect of taxes, charges and duties which represent mere payment for public utility services.

Article 13

Belgium shall guarantee the GCC's freedom of communication for its official purposes.
The official correspondence of the GCC shall be inviolable.

CHAPTER II

Representatives taking part in the work of the CCC

Article 14

The representatives of the States party to the CCC Charter participating in the work of the CCC, their advisers and technical experts as well as the officials of the CCC residing and having their place of business abroad, shall enjoy the customary privileges, immunities and facilities during the performance of their duties.

CHAPTER III

Staff Regulations

Article 15

The Head of the CCC Delegation in Belgium and his Deputy shall enjoy diplomatic privileges and immunities.

Article 16

1. All GCC officials shall enjoy :

- (a) exemption from all taxes on salaries, emoluments and allowances paid to them by the GCC, as from the day on which such income is subject to a tax in favour of the GCC, provided that the internal tax system is accorded by Belgium.

Belgium shall reserve the right to take the said salaries emoluments and allowances into account when assessing the amount of tax to be applied to the beneficiaries' taxable incomes from other sources;

- (b) the usual facilities granted to officials of international organisations in respect of monetary or exchange regulations.

2. The officials of the GCC who do not enjoy the privileges and immunities of Article 15, shall enjoy :

- (a) immunity from jurisdiction in respect of acts done in their official capacity, including words spoken or written; such immunity shall continue after the termination of their duties;
- (b) inviolability in respect of all their official papers and documents.

3. The officials of the GCC, together with the members of their families forming part of their household, shall not be subject to provisions restricting immigration, or to the registration formalities applied to aliens.
4. The GCC shall notify the Ministry of Foreign Affairs of the arrival and departure of its officials. The GCC shall also notify the information set out hereafter, regarding its officials :
 1. name and forename
 2. place and date of birth
 3. sex
 4. nationality
 5. principal residence (Commune, street, No.)
 6. civil status
 7. composition of household.

any changes as to this information shall be notified monthly. The officials and the members of their families forming part of their household, shall be entitled to a special identity card.

Article 17

The provisions of Article 16(1)(a) shall apply neither to pensions and annuities> paid by the GCC to its former officials or to parties entitled in Belgium nor to salaries, emoluments and indemnities paid by the GCC to its local employees.

Article 18

Officials of the GCC who are not engaged in any gainful occupation in Belgium other than that involved in their duties at the GCC, as well as members of their family forming part of their household and who, are not engaged in any gainful private occupation in Belgium, shall not be subject to Belgian legislation governing the employment of foreign labour and the exercise, by foreigners, of independent professional activities.

Article 19

1. Officials of the GCC who are not engaged in any gainful occupation in Belgium other than that involved in their official duties shall join the social security scheme that apply to the officials of the Headquarters of the GCC, according to the regulations of this scheme.
2. The GCC shall ensure that those officials who are not covered by the social security scheme provided by the GCC itself adhere to the Belgian social security scheme.

- . 3. The GCC undertake to guarantee to those officials exercising their duties in Belgium and who have adhered to the social security scheme of the GCC, equal benefits to those provided for by the Belgian scheme of social security.
4. Belgium may obtain from the GCC the reimbursement of the costs incurred in respect of any assistance of a social character it may be bound to provide to those officials of the GCC adhering to the social security scheme for officials of the Headquarters of the GCC.

Article 20

1. Without prejudice to the obligations arising for Belgium from the provisions of the Treaty establishing the European Economic Community and to the application of the legal provisions and regulations, the officials of the GCC shall enjoy the right, during a period of twelve months following their first taking up their duties in Belgium, to import or purchase free of value added tax (VAT) in Belgium, furniture and a car for designed for their personal use.
2. The Minister of Finance of the Government of Belgium shall determine the limits and conditions under which this Article applies.

Article 21

Belgium shall not be bound to grant to its own nationals or permanent residents the advantages, privileges and immunities arising from this Agreement, save those referred to in Article 16.1.(a).

Howev~~er~~ they, shall enjoy immunity from jurisdiction in respect of acts done by their official capacity including their words spoken and written.

CHAPTER IV

General provisions

Article 22

The privileges and immunities are granted to the officials of the GCC solely in the interest of the GCC and not for their personal advantage. The Secretary-General of the GCC shall have the right and duty to waive immunity in all cases where such immunity may hinder the course of justice and where such waiver is possible without prejudicing the interests of the GCC.

Article 23

Belgium shall reserve the right to take all appropriate measures in the interest of its own security.

Article 24

The persons referred to in article 16 shall not enjoy any immunity from jurisdiction in respect of road traffic offences or of damage caused by a motor vehicle.

Article 25

The GCC and the officials of the GCC in Belgium shall comply with all obligations imposed by Belgian laws and regulations concerning third party liability for the use of any motor vehicle.

Article 26

The officials of the GCC shall co-operate at all times with the competent Belgian authorities in order to facilitate the proper administration of justice, to ensure that police regulations are complied with and to prevent any abuse which could arise out of the privileges, immunities and facilities provided for in this Agreement.

Article 27

By 1 March of each year the GCC shall forward to all beneficiaries a sheet specifying, in addition to their name and address, the amount of the salaries, emoluments, allowances, pensions or annuities which it has paid to them during the previous year.

This sheet shall also indicate the amount of tax levied to the benefit of the GCC on the salaries, emoluments and allowances liable to such tax.

A duplicate of this sheet shall be directly forwarded by the GCC, before the above-mentioned date, to the competent Belgian fiscal administration.

Article 28

The GCC, its officials and its local employees shall be bound to respect Belgian laws and regulations.

Article 29

Belgium shall not, on account of the GCC's activities on its territory, assume any international responsibility for the acts or omissions of the GCC or for those of its officials in the exercise of their duties.

Article 30

1. Any difference of opinion concerning the application or interpretation of this Agreement which cannot be settled by direct negotiations between the Parties may be submitted by one of the Parties to an arbitration tribunal composed of three members.
2. The Belgian Government and the GCC shall each appoint one member of the tribunal.
3. The members thus appointed shall choose their President.
4. In the case of disagreement between the members with regard to the choice of the President, the latter shall be appointed by the President of the International Court of Justice, at the request of the members of the tribunal.
5. The proceedings are instituted before the tribunal through application by one of the Parties.
6. The Tribunal shall determine its own procedure.

CHAPTER V

Final provisions

Article 31

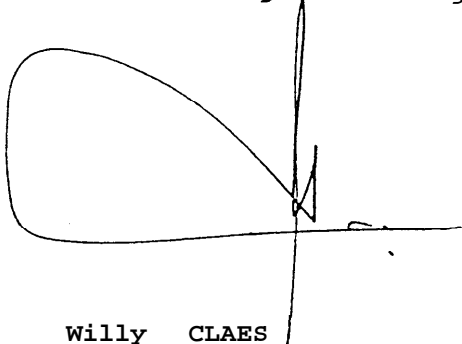
Each Party shall notify the other Party that it has complied with the procedures required by its legislation for the entry into force of this Agreement.

The Agreement shall remain in force either during the period of validity of the Charter of the GCC or until the expiry of a period of one year from the date on which one of the Parties informs the other Party of its intention to terminate it.

In witness whereof, the respective Plenipotentiaries have signed this Agreement.

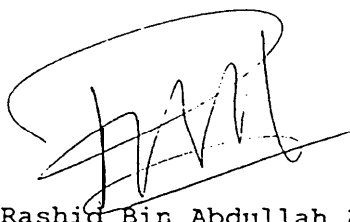
Done in Brussels on 11 may 1993, in duplicate, in French English and arabic languages, the three texts being equally authentic.

For the Kingdom of Belgium :

A stylized signature consisting of a large, rounded loop on the left and a vertical line on the right, with a horizontal line crossing both.

Willy CLAES
Minister of Foreign Affairs

For the Gulf Cooperation
Council :

A signature with a large, sweeping loop at the top and several vertical strokes below it.

Rashid Bin Abdullah AL-NAIMI
Minister of Foreign Affairs of
United Arab Emirates &
Chairman of the Ministerial
Council

