

**SUPPLEMENTARY AGREEMENT TO THE GENERAL AGREEMENT ON
PRIVILEGES AND IMMUNITIES OF THE COUNCIL OF EUROPE SIGNED IN
PARIS ON 2 SEPTEMBER 1949, CONCLUDED BETWEEN THE FEDERAL
GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE COUNCIL OF
EUROPE REGARDING THE COUNCIL OF EUROPE LIAISON OFFICE IN VIENNA**

The Federal Government of the Republic of Austria and the Council of Europe,

CONSIDERING that the Committee of Ministers adopted on 7 July 2010 at the 1090th meeting of the Ministers' Deputies Resolution CM/Res (2010) 5 establishing a Council of Europe Office in charge of liaison with international organisations and institutions in Vienna (hereinafter "the Liaison Office");

CONSIDERING that the Liaison Office is an establishment of the Council of Europe and that therefore the General Agreement on Privileges and Immunities of the Council of Europe of 2 September 1949 (hereinafter referred to as "the General Agreement"), to which the Republic of Austria acceded on 9 May 1957, applies to the Liaison Office;

CONSIDERING that it is desirable to conclude a supplementary agreement,

HAVE agreed as follows:

Article 1

As an establishment of the Council of Europe, the Liaison Office benefits from the privileges and immunities granted by the General Agreement to the Council of Europe.

Article 2

In addition to the privileges enjoyed by the Liaison Office according to Article 7 of the General Agreement, the Liaison Office shall be accorded the following privileges:

- a. Indirect taxes which are included in the price of goods and services supplied to the Liaison Office in connection with its official functions and which are not simply charges for public service shall be refunded to the Liaison Office insofar as Austrian law makes provision to that effect for foreign diplomatic missions.
- b. Transactions to which the Liaison Office is a party in the exercise of its official functions, and all documents recording such transactions, shall be exempt from all taxes, recording fees and documentary taxes which are not simply charges for public service.
- c. The Liaison Office shall be exempt from the obligation to pay employer's contributions to the Family Burden Equalization Fund.

d. The Liaison Office shall be exempt from any compulsory contribution to any social insurance scheme in the Republic of Austria in relation to members of the staff falling under Article 3 paragraph 1 lit. g.

Article 3

(1) In addition to the privileges and immunities they enjoy as officials of the Council of Europe according to Articles 17, 18 and 19 of the General Agreement, the members of the staff of the Liaison Office shall be accorded within and with respect to the Republic of Austria the following privileges and immunities:

a. Immunity from inspection of official baggage and, if the staff member falls under paragraph 3, immunity from inspection of personal baggage.

b. Exemption from taxation on all income and property of staff members and members of their families forming part of their households, insofar as such income derives from sources, or insofar as such property is located, outside the Republic of Austria.

c. Exemption from inheritance and gift taxes, except with respect to immovable property located in the Republic of Austria, insofar as the obligation to pay such taxes arises solely from the fact that the staff members and members of their families forming part of their households take up or maintain their usual domicile in the Republic of Austria.

d. The right to import for personal use, free of duty and other levies, and exempt from economic prohibitions and restrictions on imports:

i) their furniture and effects at the time of first taking up their post in Austria in one or more separate shipments, and within six months thereafter the necessary additions to the same;

ii) one automobile every four years.

e. Should visas be required for members of the staff, their spouses, registered partners or relatives dependant on them forming part of their households, they will be granted free of charge.

f. Freedom to acquire or maintain foreign securities, foreign currency accounts and other movable property, and upon termination of their employment with the Liaison Office, the right to transfer out, without interference, their funds in the same currency and up to the same amounts as they had brought into the Republic of Austria.

g. Exemption from the application of Austrian social insurance laws provided the staff members belong to a social security scheme provided for by the Council of Europe.

(2) In addition to the privileges and immunities they enjoy as officials of the Council of Europe according to Articles 17, 18 and 19 of the General Agreement,

Austrian nationals or persons permanently resident in Austria shall be accorded only the privileges and immunities specified in lit. a and g of paragraph 1.

(3) In addition to the privileges and immunities mentioned in paragraph 1, the Head of the Liaison Office, provided he or she is not an Austrian national or a permanent resident of the Republic of Austria, shall enjoy the privileges and immunities accorded to members of the diplomatic staff in accordance with the Vienna Convention on Diplomatic Relations.

(4) Members of the staff of the Liaison Office and the members of their families forming part of their households, to whom this agreement applies, shall not be entitled to payments out of the Family Burden Equalization Fund. This shall not apply if these persons are Austrian nationals, persons of other nationality granted equivalent status by European Union legislation, or stateless persons with permanent residence in Austria.

Article 4

The present Agreement shall enter into force on the first day of the month following the month in which the parties have notified each other of the completion of the procedures required, for each of them, to be bound by it.

Done at Strasbourg, on the 18th day of February 2011, in two originals in English and German, both texts being equally authentic.

For the
Federal Government of the
Republic of Austria:

Thomas Hajnoczi m.p.

*Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Austria to the Council of Europe*

For the
Council of Europe:

Thorbjørn Jagland m.p.

Secretary General