

AGREEMENT
BETWEEN
THE KINGDOM OF BELGIUM
AND
THE REPUBLIC OF UGANDA
CONCERNING THE GAINFUL OCCUPATION OF FAMILY MEMBERS
OF THE PERSONNEL OF THE DIPLOMATIC MISSIONS
AND CONSULAR POSTS ON A RECIPROCAL BASIS





THE REPUBLIC OF UGANDA

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THE KINGDOM OF BELGIUM, represented by:

**The Federal Government,
The Flemish Government,
The Government of the Walloon Region,
The Government of the Brussels-Capital Region,
The Government of the German-speaking Community,**

AND

THE REPUBLIC OF UGANDA,

DESIRING to conclude an agreement which aims to facilitate the gainful occupation of certain family members of personnel of diplomatic missions (including missions to international organisations) from the sending State or of consular posts of the latter on the territory of the receiving State,

AGREE AS FOLLOWS:



THE REPUBLIC OF UGANDA

ARTICLE 1

Scope of the Agreement

On a reciprocal basis, family members of members of a diplomatic mission, a mission to an international organisation with a seat in the receiving state, or a consular post are authorised to engage in gainful occupation in the receiving State. This includes:

- a) the spouse, recognised as such by the receiving State's authorities, of a member of the mission; or
- b) unmarried dependent children of up to 18 years of age of a member of the mission.

ARTICLE 2

Definition of terms

For the purpose of this Agreement:

- (a) "Member of the mission" means the head of the mission or a member of the staff of the mission as defined in Article 1 of the Vienna Conventions on Diplomatic (1961) and Consular Relations (1963);
- (b) "Gainful occupation" means every form of remunerative activity, whether self-employed or as an employee.

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ARTICLE 3

Key principles

1. Authorisation to engage in a gainful occupation is given by the authorities of the receiving State in accordance with the laws and regulations in force in this State and subject to the provisions of this Agreement. Such authorisation does not extend to the nationals of the receiving State or permanent residents in its territory.
2. Unless the receiving State decides otherwise, authorisation shall not be given to those family members who, having engaged in a gainful occupation, cease to form part of the household of the member of the mission.
3. The authorisation shall apply during the period in which the member of the mission is assigned to the diplomatic mission or consular post of the sending State in the territory of the receiving State until the conclusion of the term of the assignment (or within 60 days following this event).

ARTICLE 4

Procedures

1. All requests for authorisation to engage in a gainful occupation shall be sent, on behalf of the family member, by the Embassy of the sending State to the Protocol Section in the Ministry of Foreign Affairs of the Republic of Uganda or to the Protocol Division of the Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation of the Kingdom of Belgium accordingly. The request shall be accompanied by the necessary documentation concerning the relationship the family member has with an accredited member of the mission, the full identity of the family member, and the nature of the remunerative activity for which the authorisation is requested.

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2. Upon verification that the person is a family member of a member of the mission, and processing of the official request, the government of the receiving State (the Permanent Secretary of the Ministry of Foreign Affairs in the case of Uganda) shall inform the embassy of the sending State that the family member is eligible for gainful occupation.
3. The procedures followed shall be applied in a way that enables the family member to engage in a gainful occupation as soon as possible. All requirements relating to work permits and any other similar formalities shall be favourably applied.
4. Authorisation for the family member to engage in a gainful occupation shall not imply exemption from any legal or other requirements relating to personal characteristics, professional or other qualifications that the individual concerned must demonstrate in engaging in a gainful occupation.

ARTICLE 5

Civil and administrative privileges and immunities

In cases where the family member enjoys immunity from the civil and administrative jurisdiction of the receiving State, in accordance with the provisions of the Vienna Conventions on diplomatic and consular relations or of any other applicable international instrument, such immunity shall not apply in respect of any act carried out in the course of the gainful occupation and falling within the civil or administrative law of the receiving State. The sending State shall waive immunity from execution of any sentence in relation to these matters.

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ARTICLE 6

Criminal Immunity

In cases where the family member enjoys immunity from the criminal jurisdiction of the receiving State, in accordance with the provisions of the aforementioned Vienna Conventions or of any other applicable international instrument:

- a) the sending State shall waive the immunity from criminal jurisdiction enjoyed by the beneficiary of the authorisation with regard to the receiving State in respect of any act or omission arising from the gainful occupation, except in special instances where the sending State considers that such a waiver could be contrary to its own interests;
- b) such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from execution of the sentence, for which a specific waiver shall be required. In the case of such a request, the sending State shall give serious consideration to the request of the receiving State.

ARTICLE 7

Taxation and social security regimes

In accordance with the provisions of the aforementioned Vienna Conventions or of any other applicable international instrument, the family member shall be subject to the taxation and social security regimes of the receiving State for all matters connected with their gainful occupation in that State.



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ARTICLE 8

Amendment

This Agreement may be amended at any time by a written agreement between the Parties. Any such agreement shall enter into force in a manner provided for in Article 10.

ARTICLE 9

Duration and termination

This Agreement shall remain in force for an indefinite period, either Party being able to terminate it at any time by giving six months' notice in writing to the other Party.

ARTICLE 10

Entry into Force

This Agreement shall enter into force on the first day of the second month following the date of exchange of the last notification of the completion of the necessary constitutional and legal procedures.

ARTICLE 11

Settlement of disputes

Any dispute between the parties arising from the application and interpretation of this Agreement shall be settled through diplomatic channels by mutual consent.



THE REPUBLIC OF UGANDA

IN WITNESS WHEREOF, the undersigned representatives, duly authorised by their respective Governments, have signed this Agreement.

DONE at **KAMPALA**, on the 8th day of the month of December of the year 2022, in two original copies, each in the English, French, and Dutch languages. In case of any divergence of interpretation, the English text shall prevail.

**FOR THE KINGDOM OF
BELGIUM:**

**THE FEDERAL GOVERNMENT,
THE FLEMISH GOVERNMENT,
THE GOVERNMENT OF THE
WALLOON REGION,
THE GOVERNMENT OF THE
BRUSSELS-CAPITAL REGION,
THE GOVERNMENT OF THE
GERMAN-SPEAKING
COMMUNITY,**

.....
Rudi Vestræten
AMBASSADOR OF BELGIUM

**FOR THE REPUBLIC OF
UGANDA:**

.....
Hon. Odongo Jeje Abubakhar
MINISTER OF FOREIGN
AFFAIRS