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**Decree No. (8) of 1983 approving the Convention regarding the Headquarters between the Government of the State of Bahrain and the Regional Organization for the Protection of Marine Environment**

We, Isa bin Salman Al Khalifa - Emir of the State of Bahrain.

Having reviewed the Constitution;

And the Convention regarding the Headquarters between the Government of the State of Bahrain and the Regional Organization for the Protection of Marine Environment;

Upon the submission of the Minister of Health;

And after the approval of the Council of Ministers;

**Hereby Decree the following:**

**Article One**

The Convention regarding the Headquarters between the Government of the State of Bahrain and the Regional Organization for the Protection of Marine Environment which was signed in city of Manama on Wednesday 15 Shawwal 1402 A.H., corresponding to 4 August 1982 and attached to this Decree, was approved.

**Article Two**

The Ministers -each within his jurisdiction- shall implement this Decree and it shall come into force upon its publication in the Official Gazette.

**Emir of the State of Bahrain**

**Isa bin Salman Al Khalifa**

**Prime Minister**

**Khalifa bin Salman Al Khalifa**

**Minister of Health**

**Jawad Salem Al Arayed**

Issued at Riffa Palace

On: 2 Muharram 1404 A.H. Corresponding to: 9 October 1983

**The Convention regarding the Headquarters between the Government of the State of Bahrain and the Regional Organization for the Protection of Marine Environment**

In pursuance of a precise definition of the scope of immunities and privileges enjoyed by the Maritime Emergency Mutual Assistance Centre under international custom regarding international organizations and in implementation of the provisions of the final document of the Kuwait Regional Conference of Plenipotentiaries for the Protection and Development of the Marine Environment and Coastal Areas.

Having reviewed the provisions of Article (16) of the Kuwait Regional Convention for Cooperation in Protecting the Marine Environment from Pollution regarding the establishment of a Regional Organization for the Protection of the Marine Environment.

And Article (3) of the Protocol regarding Regional Cooperation in Combating Oil Pollution and Other Harmful Substances in Emergency Cases.

It was agreed between the government of the State of Bahrain - as the headquarters State for the Maritime Emergency Mutual Assistance Centre - and the Regional Organization for the Protection of the Marine Environment on the following:

**Article - 1 -**

The expressions used in this Convention shall have the following meaning:

**Government:** The Government of the State of Bahrain as the headquarters State.

**Centre:** The Maritime Emergency Mutual Assistance Centre.

Headquarters Building: All buildings, parts of buildings and lands annexed thereto occupied by the Centre, whether owned, leased or occupied in any other capacity.

**Plenipotentiaries of States**: The Presidents and Vice-Presidents of the Council and all Plenipotentiaries of Member States parties to the Convention, including alternate representatives, counsellors and secretaries of delegations, to attend meetings of the principal or subsidiary bodies.

Family: The husband or wife, minor children and their dependent family members, including their ascendants, descendants and private servants.

Centre Funds: All assets, funds, balances, deposits and bank accounts managed by the Centre in order to achieve its objectives.

**Article - 2 -**

The inviolability of the building of the Centre headquarters shall be inviolable, and no employee or person assuming any public authority shall be permitted to enter it to carry out a task related to his position except with the clear written permission of the Director of the Centre and under the conditions agreed upon by him, provided that the Centre shall not allow the use of its premises as a shelter to which any person is sheltered.

**Article - 3 -**

The Centre's records and documents shall be inviolable at all times and wherever they are.

**Article - 4 -**

The government shall grant the Centre all facilities so that it can perform its powers and achieve its objectives.

**Article - 5 -**

The Centre shall have the right to raise its logo on its buildings, and shall have the right to print this logo on all its means of transportation belonging to it.

**Article - 6 -**

(a)     The funds of the Centre and the means of transport and communications used by it, wherever they are and whoever possesses them, shall not be subject to seizure, requisition or similar compulsory measures.

(b)     It shall not be permissible to waive this immunity except by an explicit decision that the Director of the Centre shall inform it in writing to the relevant government body.

**Article - 7 -**

The Centre, within the limits of necessity required by the works provided for in the final document of the Kuwait Regional Conference of Plenipotentiaries for the Protection and Development of the Marine Environment and Coastal Areas and in accordance with its provisions,  as well as within the limits of the objectives and duties of the Centre provided for in Article (3) of the Protocol regarding Regional Cooperation in Combating Oil Pollution and Other Harmful Substances in Emergency Cases, shall have full freedom to carry out the following actions, without being subject to any financial restrictions, legal regulations or debt payment agreement whatsoever:

(a)  Possession of money in various currencies and operating its accounts in any currency.

(b)  The right to convert and transfer its money and deposits from the State of Bahrain to any other country, as well as converting its money from any currency to other currency. In exercising the rights provided for in this Article, the Centre shall take into account any observations submitted by the government, to the extent that such observations do not impede the interests of the Centre.

**Article - 8 -**

The Centre, its movable and immovable property, income and other property shall be exempt from the following burdens:

(a) All direct taxes, and this exemption shall not include fees that are collected for the use of public utilities or for public services.

(b)   Customs duties, prohibitions and restrictions imposed on the export and import of materials exported or imported by the Centre for its official use for its objectives, as well as those imposed on the export and import of its publications, with the exception of storage and transport fees and other expenses incurred in exchange for public services. Materials imported under this exemption shall not be sold in the State of Bahrain prior to the lapse of two years from the date of their importation.

(c)  The provisions of this Article shall also apply to any property or sums obtained by the Centre from its official business or managed in a manner that facilitates the performance of its powers and the achievement of its objectives.

**Article - 9 -**

For the purposes of official transportation, the Centre in the State of Bahrain shall have the treatment provided by the government to any international organization or other government, including its diplomatic missions, in relation to preference, salaries and fees on postal services, telegrams, telephones, the transmission of images by radio and similar means of transportation, as well as in relation to salaries applied to the press in regard to sending information to newspapers, radio and television.

**Article - 10 -**

The headquarters State shall allow the Centre to use the public media for its programs related to spreading environmental awareness programs and shall give it the necessary facilitations within the limits of the regulations in force with government bodies operating in the same field.

**Article - 11 -**

The government shall enable the employees of the Centre to freedom of movement and passage in the territory of the State of Bahrain, taking into account the provisions of the regulations and instructions regarding prohibited or restricted areas for reasons related to national security.

**Article - 12 -**

(a)  It shall not be permissible to impose censorship on the Centre’s official correspondence and communications. It shall have the right to use symbols in its correspondence and communications. It shall also have the right to use all necessary means of communication, including the use of diplomatic bags.

(b)  The Centre shall not install or use a radio transmission station except with the consent of the government.

(c)    It shall not be permissible to open or seize the Centre’s diplomatic bag, except that if the government authorities have serious reasons to believe that the bag contains things other than those mentioned in Paragraph (d) of this Article, those authorities shall be permitted to request that the bag be opened in the presence and with the knowledge of the representative of the Centre. If the aforementioned refuses to do so, the bag shall be returned to its source.

(d) The ties that make up the Centre’s diplomatic bag shall bear visible external marks indicating its nature, and the bag shall include only documents and objects sent for official use.

(e)  The holder of the Centre’s diplomatic bag shall have an official document proving the capacity and number of bands that make up the diplomatic bag. The courier of the bag shall not be subjected to any kind of arrest or detention.

**Article - 13 -**

Plenipotentiaries of Member States to the meetings of the Centre, while exercising their duties relating to the Centre and travelling to and from the location of the meeting, shall enjoy the following privileges and immunities:

(a)  Immunity in respect of their arrest or detention or the seizure of their personal effects and judicial immunity in respect of words spoken or written and acts done by them in their official capacity as Plenipotentiaries of Member States. This judicial immunity shall remain until after the termination of their representative capacity in their said capacity.

(b) The inviolability of all instruments and documents.

(c)  The right to use symbols in their messages and to receive their correspondence by means of a special messenger or sealed bags.

(d)  Granting them and their families the right to obtain residency and return visas.

(e)  Facilities to be granted to delegates of foreign States on temporary official mission in respect of currency and currency exchange regimes.

(f) Immunities and facilities granted to delegates and diplomats in respect of their personal effects.

(g) The provisions of this Article shall not prevent a Plenipotentiary from enjoying additional privileges and immunities if justified by his own position.

(h) The provisions of the preceding Paragraphs of this Article shall not apply to Plenipotentiaries of the State of Bahrain in the Centre’s meetings.

(i) Privileges and immunities shall not be granted to representatives of Member States for their own benefit but in order to ensure that they enjoy their full freedom and independence in the performance of their duties relating to the Centre.

Consequently, every Member State of the Organization shall have the right and even the obligation to lift the immunity of its representative in any case where it sees that the immunity would impede the course of justice, and where it can be lifted without prejudice to the purpose for which the immunity is accorded.

**Article - 14 -**

The Centre’s employees shall enjoy the following privileges and immunities:

(a)  Judicial immunity in all words, writings or acts issued by them in their official capacity, and this immunity shall remain until after the demise of their official capacity.

(b)  Exemption from tax on the salaries and remuneration they receive from the Centre.

(c)  Granting them and their families the right to obtain the necessary residency and return visas.

(d)  The same facilities that are accorded to employees of similar rank who are members of diplomatic missions accredited to the State of Bahrain in respect of parts facilities.

(e) The same facilities granted to diplomatic envoys in time of international crises and in connection with the return to their homeland for them and their families.

(f)   Exemption within one year from the date of receipt of the work from customs duties for furniture and belongings imported on the occasion of their first settlement in the State of Bahrain.

**Article - 15 -**

The employees of the Centre shall have the immunities and privileges granted to them from the date of communicating their names and functions to the Ministry of Foreign Affairs. These immunities and privileges shall expire from the date of informing the Ministry of the termination of their employment in the Centre, provided that if the employee is not a Bahraini national and is not a permanent resident, he shall continue to have the immunities and privileges granted to him until the expiry of a period not exceeding thirty days to leave the territory of the State.

**Article - 16 -**

Immunities And privileges shall be granted to employees to enable them to exercise their functions freely and independently, and not for their own interests. The Director of the Centre shall have the right and the duty to lift the immunity of any employee in any case where, in his opinion, the immunity would impede the course of justice and that it can be lifted without harming the interests of the Centre.

**Article - 17 -**

The Centre shall cooperate at all times with the competent authorities in the State of Bahrain to facilitate the proper administration of justice, ensure the observance of local laws and regulations, and prevent any abuse in the use of the immunities, privileges and facilities stipulated in this Convention.

**Article - 18 -**

Any activity exercised within the scope of his official duties by any of the persons who enjoy immunities and privileges in accordance with this Convention shall not be considered a reason for preventing him from entering the territory of the State of Bahrain or for demanding his departure, provided that if these persons abuse the privileges of residence or practice in the State of Bahrain an activity contrary to the interest of this State and outside the limits of his official capacity, these privileges and immunities shall not exempt him from the right of the government to deport him, provided that the approval of the Minister of Foreign Affairs shall be obtained after consultation with the Director of the Centre.

**Article - 19 -**

The provisions of this Convention shall be applied and interpreted in accordance with international custom regarding the immunities and privileges of international organizations and their employees.

This Convention was executed in the city of Manama on Wednesday 4 August 1982, corresponding to the fifteenth of Shawwal 1402 H. in two original copies in the Arabic language each of which is fully authentic and shall become effective from the date of notification of the organizing government of its fulfilment of the necessary constitutional procedures to put it into effect.

**For The Government of the State of Bahrain**

**Minister of Health**

**Jawad Salem Al Arayed**

**For the Regional Organization for the Protection of Marine Environment**

**Executive Secretary**

**Dr. Abdulrahman Abdullah Al Awadhi**