

SCHEDULE 13

Article 2

INTERNATIONAL ORGANIZATION FOR MIGRATION

*General*

1. In this Schedule—

“the Organisation” means the International Organization for Migration (of which the United Kingdom is a Member);

“the 1961 Convention Articles” means the Articles (being certain Articles of the Vienna Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964.

*The Organisation*

2. The Organisation shall enjoy immunity from suit and legal process except in so far as in any particular case it has expressly waived such immunity.

3. The Organisation shall have the like inviolability of official archives and premises as, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives and premises of a diplomatic mission.

4.—(1) The Organisation shall have exemption from prohibitions and restrictions on importation or exportation of goods by the Organisation for its official use except where the prohibitions or restrictions arise from European Community law.

(2) Sub-paragraph (1) shall not apply as respects the matters reserved by virtue of Section C5 (import and export control) of Part II of Schedule 5 to the Scotland Act 1998.

*Representatives*

5.—(1) Except in so far as in any particular case such immunity or privilege is waived by the Member State which they represent, representatives of a Member State at the meetings of the Organisation shall enjoy, while exercising their functions (and in the course of their journeys to and from the place of meeting)—

(a) immunity from suit and legal process (even after the termination of their mission) in respect of things done or omitted to be done in the course of the performance of official duties; and

(b) the like immunity from personal arrest or detention as is accorded to the head of a diplomatic mission.

(2) The immunity accorded by sub-paragraph (1)(a) shall not apply in the case of a motor traffic offence committed by a representative or in the case of damage caused by a motor vehicle belonging to or driven by a representative.

(3) This paragraph shall not operate so as to confer any immunity or privilege on—

(a) persons as the representatives of Her Majesty’s Government in the United Kingdom or as a member of the official staff of such representatives; or

(b) any person who is a British citizen, a British overseas territories citizen, a British Overseas citizen, a British National (Overseas) or who is permanent resident of the United Kingdom.

*High and other officials*

6.—(1) Except in so far as in any particular case such immunity or privilege is waived by the Director-General of the Organisation, the Head of the London Office of the Organisation shall enjoy—

- (a) the like immunity from suit and legal process as is accorded to or in respect of the head of a diplomatic mission;
- (b) the like inviolability of residence as is accorded to or in respect of the head of a diplomatic mission; and
- (c) the like exemption or relief from local taxes (as described in the exception in Section A1 of Part II of Schedule 5 to the Scotland Act 1998) as is accorded to or in respect of the head of a diplomatic mission.

(2) This paragraph shall not apply to any person who is a British citizen, a British overseas territories citizen, a British Overseas citizen, a British National (Overseas) or who is a permanent resident of the United Kingdom.

7.—(1) Except in so far as in any particular case such immunity is waived by the Director-General of the Organisation, officers of the Organisation shall enjoy immunity from suit and legal process (even after the termination of their functions) in respect of things done or omitted to be done in the course of the performance of official duties.

(2) The immunity accorded by sub-paragraph (1) shall not apply in the case of a motor traffic offence committed by an officer of the Organisation or in the case of damage caused by a motor vehicle belonging to or driven by such an officer.