

SCHEDULE 6

Article 2

UNESCO

General

1. In this Schedule—

“the Organisation” means the United Nations Educational, Scientific and Cultural Organisation (UNESCO) of which the United Kingdom and other sovereign Powers are members;

“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⁽¹⁾.

The Organisation

2. Except in so far as in any particular case it has expressly waived its immunity, the Organisation shall have immunity from suit and legal process (no waiver of immunity shall be deemed to extend to any measure of execution).

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. The Organisation shall have the like relief from non domestic rates as, in accordance with Article 23 of the 1961 Convention Articles, is accorded in respect of the premises of a diplomatic mission.

5.—(1) The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods imported or exported by the Organisation, and in the case of any publications of the Organisation imported or exported by it.

(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

6.—(1) Except in so far as in any particular case such immunity or privilege is waived by the Government of the Member which they represent, representatives of a Member of the Organisation at the meetings of any organ, committee or other subordinate body of the Organisation (including any sub committee or similar body) shall enjoy—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in their official capacity;
- (b) while exercising their functions (and during their journeys to and from the place of meeting), the like inviolability for all papers and documents as is accorded to a diplomatic agent; and
- (c) while exercising their functions (and during their journeys to and from the place of meeting), the like immunity from personal arrest or detention and from seizure of their personal baggage as is accorded to a diplomatic agent.

(2) Where the incidence of any form of local taxes (as described in the exception in Section A1 of Part II of Schedule 5 to the Scotland Act 1998) depends on residence, a representative shall not be

(1) 1964 c. 81.

deemed to be resident in the United Kingdom during any period when the representative is present in the United Kingdom for the discharge of the representative's duties.

(3) Except in so far as in any particular case any privilege or immunity is waived by the Executive Board of the Organisation the following persons shall enjoy the same immunities and privileges as provided for in sub paragraphs (1) and (2)–

- (a) the President of the Conference; and
- (b) members of the Executive Board, their substitutes and advisers.

(4) Part IV of Schedule 1 to the 1968 Act shall not operate so as to confer any immunity or privilege on–

- (a) the official staff of a representative other than alternates, technical experts and secretaries of delegations;
- (b) the family of a representative or of a member of the official staff of a representative; or
- (c) the official staff or family of any person to whom sub-paragraph (3) applies.

(5) Neither the preceding sub paragraphs nor Part IV of Schedule 1 to the 1968 Act shall operate so as to confer any immunity or privilege on–

- (a) persons as the representatives or as members of the official staff of such representatives, of Her Majesty's Government in the United Kingdom; or
- (b) any person who is a British citizen, a British overseas territories citizen, a British Overseas citizen or a British National (Overseas).

High and other officials

7.—(1) Except in so far as in any particular case such immunity is waived by or on behalf of the Organisation, the Director-General, the Deputy Director-General and any official acting on behalf of the Director-General during an absence from duty 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 or a British National (Overseas) or who is a permanent resident of the United Kingdom.

(3) Part IV of Schedule 1 to the 1968 Act shall not operate so as to confer any immunity or privilege on the family of any officer to whom this paragraph applies other than a spouse (or civil partner) and any child (under 18 years of age).

8. Except in so far as in any particular case such immunity is waived by or on behalf of the Organisation, officers of the Organisation (excluding persons recruited locally and assigned to hourly rates of pay) shall enjoy immunity from suit and legal process in respect of things done or omitted to be done by them in their official capacity.

Experts

9.—(1) Except in so far as in any particular case such immunity or privilege is waived by or on behalf of the Organisation, experts (other than officers of the Organisation) serving on committees of, or performing missions for, the Organisation shall enjoy—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in the exercise of their functions;
- (b) during the period of their service on committees or missions (including the time spent on journeys in connection with service on such committees or missions)—
 - (i) the like immunity from personal arrest or detention and from seizure of their personal baggage as is accorded to a diplomatic agent; and
 - (ii) the like inviolability for all papers and documents as is accorded to a diplomatic agent.