



## International Organization for Educational Development – IOED

Mission for the Educational Development and Economic Cooperation

“The Particular and Extraterritorial Status” based upon the International Vienna Convention on Diplomatic and Consular Relations.

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### **INTERNATIONAL ORGANIZATION FOR EDUCATIONAL DEVELOPMENT – IOED DIPLOMATIC OFFICIALS MANUAL**

#### **SPECIALIZED INSTITUTIONS PRIVILEGES AND IMMUNITIES CONVENTION**

Approved by the United Nations General Assembly on November 21st, 1947

ANNEXES FINAL AND REVISED PROVISIONS

#### **Introduction:**

To increase the visibility of the IOED rights, this Present Manual has been developed to introduce including the Members of the Organization, as well as to the General Public, the Conventional and Extra conventional Sources of the IOED rights.

#### **Conventional Source of the IOED Rights:**

The IOED Status has been developed in compliance with the international standards, this formal status that goes with Treaties (Headquarter Agreements) concluded with the States, the Foreign Affairs Ministries of different countries of which are their custodians, There is no reference made to any State Law, but rather like under the International requirements, this status refers to the Preamble contained in the first page of the Status, to the International Conventions and Treaties bylaws disclosed below:

**The 18 April 1961 Vienna Convention on the Diplomatic and Consular Relations completed by the one of 24th April 1963 on the Consular Relations, and the one of 23rd May 1969 on the International Treaties Law which all derive from:**

- 1. The 21st November 1947 Convention on the Specialized Institutions Privileges and Immunities,**
- 2. The 1986 European Convention or the Private International Law Code that grants to all foreign persons the same capacity,**
- 3. The 1929 Geneva Convention and its additional 1977 Protocols,**
- 4. The 1969 Vienna Convention regulating the International Law of Treaties.**

This Status recognizes to the IOED, expressly as well by its Constitutive Deed as in the Headquarter Agreements concluded with the States to ensure its regular operation on their territories, all the rights recognized to the United Nations Specialized Institutions, and this, first of all, due to the fact that in the status constitution matter, each organization has the obligation to act in accordance with the right to which its status refers on one hand, and also on the other hand, due to the fact that the IOED activities are governed by the International Conventions and Treaties (Headquarter Agreements) concluded with the States in accordance with the United Nations Charter, including by its Articles 55 and 56 stipulating that:

- With a view to the creation of conditions of stability and well-being which are necessary for the peaceful and friendly relations among nations based on respect, Each State has the right for self-determination (principle of Sovereignty of the States) such as stipulated by the Article 55 Paragraph 1 of the Charter,

And further indicates in Article 56 that:

**All members pledge themselves to take joint and separate actions with the Organization for the achievement of the purposes set forth in Article 55.**

**I would also like to quote for your understanding that the Vienna Convention Provisions related to the 1969 Law of Treaties and enforced on January 27, 1980 signed by all the States that stipulates in the Second Part, Section 1 Article 6, that Every State has the Capacity to enter into any Treaty.**

By now, you have it all clarified for your understanding concerning the Headquarter Agreements signed between the States and the Organizations, which proves that only the Sovereign States, as Autonomous Entities (Public Powers) having the Exclusivity of the Powers on their territories which grant the recognition to the Organizations through the Headquarter Agreements which are true International Treaties, which grant them the **STATUS OF A SOVEREIGN ENTITY UNDER INTERNATIONAL LAW** affiliated to the United Nations (UN) as confirmed by the Articles 55, 56 and 63 of the Charter of the United Nations (UN), and the April 18th 1961 Convention on the Diplomatic and Consular Relations which govern the IOED. There can be no ambiguity in this interpretation on the quality of the IOED as the UN SPECIALIZED INSTITUTION through the International Conventions and Treaties, because there are several examples in the World that can shed light on the understanding of the persons in search for knowledge. Therefore, below are the following known cases such as:

The Red Cross, the FICSR, the INIBTAP (International Network for the Improvement of the Banana Plantain) based in France and for which the implantation modalities of its headquarters on the French Territory have been defined by a Headquarter Agreement signed on October 19th, 1992 with the French Government and approved by a 13th July, 1994 law (decree released on 8th November 1994), like the Sovereign Order of Malta, like the Holy See, and like the International Organization for Educational Development (IOED), all have been founded by private persons but have Headquarter Agreements and therefore have rights internationally and dwell Specialized Institutions affiliated to the United Nations (UN), what is perfectly in accordance with the United Nations Charter.

Whatever name is used to designate the IOED, and under the International Conventions and Treaties which govern her activities, this one dwells a United Nations Specialized Institution pursuant to the provisions and diplomatic regulations in force. The Headquarter Agreements linking the IOED to the States are founded on the provisions mentioned above and enable her to fully and efficiently fulfil her obligations on the territories of the States.

**The legal and diplomatic acts executed by the IOED are in compliance with the Institutions Standards, the IOED fully enjoys the Special and Extraterritoriality Status and must assume all the prerogatives which are related to her status by the United Nations and the States.**

The general practice of the States which sign International Treaties with International Organizations meeting all the conditions and requirements and accepted as being their Right is no longer a secret for any bank or financial institution in the world.

The progressive development of the International Law that applies through the diplomatic uses is contained in the International Conventions and Treaties and is part of the Conventions provisions.

**The Conventional Source of the IOED Rights**

As we just mentioned it, the conventional source of the IOED Rights is therefore materialized by the International Conventions and Treaties and the extra conventional sources of these rights are clearly the International Customs, the General Principles of the International Law stipulated above, the Jurisprudence and the Doctrines.

### **Legal Personality of the IOED**

As the United Nations Specialized Institution, the IOED has a Legal Personality (Article II, Section 3 of the Convention on the Specialized Institutions Privileges and Immunities). Pursuant to all the different provisions, the IOED has the capacity to enter into contracts, to acquire and to dispose movable and immovable property, and to sue pursuant to the Convention, and enjoys thereby all the prerogatives related to her extraterritorial status granted to her by the States.

### **Convention on the Institutions Privileges and Immunities**

#### **Article VIII, Section 26: Laissez-passer**

The Specialized Institutions Officials will enjoy the United Nations Laissez Passer, and this, in accordance with the administrative arrangements to be negotiated between the United Nations General Secretary and the Competent Authorities of the Specialized Institutions to whom will be delegated special powers to issue the Laissez Passer.

The United Nations General Secretary will inform each of the States Party to the Present Convention, the administrative arrangements that will be concluded.

#### **Section 27:**

The United Nations Laissez Passer issued to the Specialized Institutions Officials will be recognized and accepted as valid travel tickets by the States Party to the Present Convention.

#### **Section 28:**

The visas applications (when the visas are necessary) filed by the Specialized Institutions Officials stakeholders of the United Nations Laissez-Passer and accompanied by a certificate certifying that these Officials are on mission on behalf of a Specialized Institution will be processed in the shortest possible time. In addition, facilities for speedy travel will be granted to the stakeholders of this Laissez-Passer.

#### **Section 29:**

Similar facilities to the ones mentioned in the Section 28 will be granted to Experts and other Officials who without holding United Nations Laissez-Passer will be bearers of a certificate certifying that they are travelling on behalf of a Specialized Institution.

#### **Section 30:**

The Specialized Institutions General Managers as well as the Deputy General Managers, Departments Managers and other Officials of a rank at least equal to the one of a Specialized Institutions Department Manager travelling on behalf of the Specialized Institutions and bearing an United Nations Laissez Passer will enjoy the same travelling facilities as the Diplomatic Missions Staffs of a comparable rank.

### **SCOPE OF THE UNITED NATIONS (UN)**

- 1- Peace and Security
- 2- Development
- 3- Human Rights
- 4- Humanitarian Actions
- 5- International Law

These are the themes on which the United Nations (UN) and its Partner Institutions intervene. In this respect, the IOED supports the development actions and that should be known by all and wherever necessary.

**I also want to clarify that the Institutions are born of necessities for the following reasons:**

It is practically impossible for the States to participate themselves in their numerous activities directly between themselves, for instance:

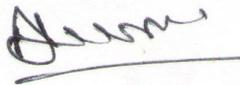
- 1) A State may not bring into question the responsibility of another one we need a neutral Agency to do so,
- 2) To ensure Peace and Security for instance cannot also meet the vocation of a State, but rather of a neutral International Organization,
- 3) Same for the projects of interests for several States and persons etc. all over the world.

**It is with a view to reach all these major multiple objectives of development of the community that the States are obliged to promote the creation of International Organizations (I.O).**

**The General Assembly of the United Nations (UN) gathered on November 21st, 1947 in New York led some studies and made some recommendations in this direction by passing the Resolution No. 179 (II) in order to reach these objectives.**

The Vienna Convention of April 18th 1961 on Diplomatic and Consular Relations is indeed the completion of this recommendation (Resolution).

With best regards,



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International Organization for Educational Development "IOED" – An International Diplomatic Mission