

EMPLOYMENT

**Agreement between the
UNITED STATES OF AMERICA
and URUGUAY**

Effected by Exchange of Notes at
Washington June 26 and July 14, 2008



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

URUGUAY

Employment

*Agreement effected by exchange of notes at
Washington June 26 and July 14, 2008;
Entered into force July 14, 2008.*

República Oriental del Uruguay

Washington, June 26, 2008.

Excellency:

I have the honor to refer to the actions taken by our representatives in relation to employment of dependents of officials assigned to official duty in the other country, and wish to propose an Agreement between the Oriental Republic of Uruguay and the United States of America on the following terms:

1. Both States agree that, on a reciprocal basis, family dependents of diplomatic, consular, technical and administrative or service staff of the Diplomatic and Consular Missions of the Oriental Republic of Uruguay in the United States of America and of the United States of America in the Oriental Republic of Uruguay shall be authorized to be employed in the receiving State upon obtaining the corresponding authorization under the provisions of this Agreement.

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2. For the purpose of this Agreement, “family dependents” mean the following dependents of staff assigned to official duty at diplomatic and consular missions (including permanent diplomatic missions to international organizations), including diplomatic and consular officers, administrative and technical staff, and service staff of the sending State who are members of the family forming part of the household of such staff and whose status has been notified by the sending State and accepted by the receiving State or international organization:

- a) Spouse;
- b) Unmarried dependent children under 21 years of age;
- c) Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post secondary education institution; and
- d) Unmarried children who are physically or mentally disabled.

3. There shall be no restrictions as to the nature or kind of employment. However, it is understood that for professions or activities that require special qualifications, the family dependent shall be required to comply with standards regulating the exercise of such professions or activities in the receiving State.

4. The request for authorization to perform an income-earning activity shall be made in Uruguay by the U.S. Embassy through a diplomatic note to the

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Ministry of Foreign Affairs – Office of Privileges and Immunities and in the United States by the Uruguayan Embassy to the Department of State, Office of Protocol. The request shall provide evidence that the individual is a family dependent. Upon verification that the person for whom authorization is requested is included in the categories defined in this Agreement, the receiving State shall promptly and officially inform the Embassy of the sending State that the family dependent has been authorized to be employed.

5. This Agreement does not imply the recognition of diplomas, degrees or studies between both countries, as in this matter they shall be subject to their domestic laws and to bilateral or multilateral conventions in force for both Parties.

6. The family dependents who enjoy immunity from jurisdiction according to article 37 of the Vienna Convention on Diplomatic Relations, article 53 of the Vienna Convention on Consular Relations, or any other international instrument, and who are employed under this Agreement, shall not enjoy immunity from civil or administrative jurisdiction with respect to activities related to his/her employment.

7. In the event that a family dependent enjoys immunity from criminal jurisdiction of the receiving State in accordance with the Vienna

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Conventions on Diplomatic and Consular Relations or under any other applicable international instrument, in accordance with article 32 of the Vienna Convention on Diplomatic Relations and article 45 of the Vienna Convention on Consular Relations, the sending State may waive the immunity of a family dependent with respect to any activities related to his/her employment. Such waiver must always be expressed in writing.

8. The family dependent who performs income-earning activities in the receiving State shall be subject, with respect to the performance of such activities, to the applicable laws of said State in connection with tax, labor, and social security regulations.

9. The authorization to perform an income-earning activity in the receiving State shall expire on the date when the diplomatic or consular official, administrative or technical, or service employee terminates his/her official assignment.

If the above is acceptable to the Government of the United States of America, I have the honor to propose that this Note and the Note of the Government of the United States of America concurring therewith shall constitute an agreement between the two Governments which shall enter into force on the date of the reply note. This agreement shall remain in force indefinitely, unless either Party notifies the other Party through diplomatic

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channels of its decision to terminate it. In this case, denouncement shall become effective six months after the date of the respective notification.

Accept, Excellency the renewed assurances of my highest consideration



Carlos Gianelli Derois

Ambassador of the

Oriental Republic of Uruguay

DEPARTMENT OF STATE
WASHINGTON
July 14, 2008

Excellency:

I have the honor to acknowledge receipt of your diplomatic note dated June 26, 2008, proposing a bilateral work agreement for dependents of officials serving in the United States of America and the Oriental Republic of Uruguay.

I have the further honor to accept the proposals contained in your note. Therefore, your note and this note in reply shall constitute an agreement between our governments, which shall enter into force on the date of this note.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:



His Excellency

Carlos Alberto Gianelli,

Ambassador of the Oriental Republic of Uruguay.

DIPLOMATIC NOTE