

MEMORANDUM FOR THE CABINET
BY THE HON. PRIME MINISTER

Privileges and Immunities of the Central
Treaty Organisation

The United Kingdom Government has ratified the Agreement on the Status of the Central Treaty Organisation (CENTO), National Representatives and International Staff, signed at Ankara on 9th November, 1960, and has forwarded a copy of the Order in Council made on the 27th June, 1962, to implement the provisions of that Agreement.

2. Briefly, the Order provides for the grant of privileges and immunities to CENTO and its representatives and officials, as follows:-

- (a) Immunity from suit and legal process;
- (b) Inviolability of premises and official archives;
- (c) Exemption or relief from taxes and rates other than imports taxes;
- (d) Exemption from import taxes on goods imported directly by the Organization for its own use or for export;
- (e) Exemption from quantitative restrictions on the importation or exportation of the goods referred to in (d).

3. The above immunities and privileges apply, in full or in part, to:-

- (a) The Organization itself as a body corporate, except in any particular case where the Secretary General acting on behalf of the Organization expressly waives its immunity from suit and legal process;
- (b) The principal permanent representative of a Contracting State;
- (c) Any representative of a Contracting State to the Council of the Organization, or to any organ, etc. of the Council;
- (d) The official staff of a representative limited to advisers and technical experts of delegations;
- (e) The official clerical staffs of representatives;

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- (f) Certain specified officers of the Organization, including the Secretary General and the senior Deputy Secretary General;
- (g) Experts employed on missions on behalf of the Organization.

4. The Secretary of State considers it unlikely that any occasion for granting the privileges and immunities in question will arise in Malta, and he does not therefore see any need for this Government to go to the trouble of considering the possibility of enacting legislation similar to the Order, on the assumption that such concessions and courtesies as are appropriate could be granted by administrative act should the occasion arise.

5. CENTO is an organization similar in design and purpose to NATO. Full members are the United Kingdom, Turkey, Pakistan and Iran. The U.S.A. is a full member of the economic, counter-subversion and military committees of the Organization, and is represented at Council meetings by observers.

6. For practical purposes, CENTO affects us far less than NATO who are actually based here, although one cannot altogether exclude the possibility that a CENTO representative or official may stop over in Malta on his way to somewhere else, or else be attached to NATO. The principle, however, is very much the same and Hon. Ministers may wish to express their opinion on the matter.

10th December, 1962.

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