

CHAPTER 14  
SECTION 1

## ANNEX B

## PERSONS EXEMPT FROM CONTROL

EMPLOYEES OF INTERNATIONAL ORGANISATIONS

## 1. INTRODUCTION

Certain employees (not having the right of abode in the United Kingdom) of international organisations to which the United Kingdom belongs enjoy total or partial exemption from immigration control. The extent of the exemption and the range of employees covered depends upon the terms of the agreement reached with each organisation.

## 2. TOTAL EXEMPTION FROM CONTROL

Section 8(3) of the 1971 Act exempts from control anyone having the *same immunity from jurisdiction as a diplomatic agent under the Diplomatic Privileges Act 1964* (ie. full diplomatic immunity). Those covered by this provision are mostly senior officials of organisations to whom the United Kingdom is obliged to grant such immunity by agreements with other member states. The families of these officials are *not* fully exempt from control *except* where the agreements relating to the organisation in question provide for the family to have the same immunity as the official (see also *ANNEX A to this Chapter, "Members of diplomatic missions, private servants and locally recruited staff"*).

## 3. PARTIAL EXEMPTION FROM CONTROL

Article 4 of the Immigration (Exemption from Control) Order 1972 gives partial exemption from control (ie. exemption from the provisions of the 1971 Act *except for those provisions relating to deportation*) to:

- \* the governors, directors, alternates, officers and employees (and any members of the families of these officials who form part of their household) of the following organisations:

The International Monetary Fund;  
The International Centre for the Settlement of Investment Disputes;  
The International Bank for Reconstruction and Development;  
The International Development Association;  
The Commonwealth Secretariat;  
North Atlantic Salmon Conservative Association; and

- \* any person *not* covered by Section 8(3) of the 1971 Act (see paragraph 2, above) who is an employee or representative of, or connected with, certain international

organisations to which the United Kingdom belongs, and members of their families forming part of the household.

All of the above noted organisations covered either specifically or collectively in Article 4 of the Immigration (Exemption from Control) Order 1972 are recorded at paragraph 5, below.

#### 4. EMPLOYEES OF INTERNATIONAL ORGANISATIONS WHO DO NOT QUALIFY FOR EXEMPTION

Certain staff (usually junior employees) in the employment of the United Nations Organisation or other international organisation of which the United Kingdom is a member do *not* qualify for exemption (for example, locally engaged staff on hourly rates of pay might not be entitled to exemption). They should instead be treated in the same way as overseas government employees (for guidance please see *Chapter 5, Section 5, "Overseas Government Employees"*).

##### 4.1. Switching

Employees of international organisations who are not exempt should be posted here as such and not recruited locally. Applications to switch into this category should normally be refused because they did not enter the United Kingdom as an overseas government employee (for guidance concerning refusal procedure please see *Chapter 5, Section 5 "Overseas Government Employees"*).

#### 5. LIST OF INTERNATIONAL ORGANISATIONS

The following a list of international organisations is *not* exhaustive and *must* be referred to in conjunction with *paragraphs 1 to 4* above.

If immigration officers or caseworkers encounter any case in which it appears that a person belonging to an international organisation *not* listed should be treated as exempt, the matter must be referred to Passenger Casework Section or the European Directorate, respectively.

African Development Fund;  
Asian Development Bank;  
Caribbean Development Bank;  
Central Treaty Organisation;  
Commission of the European Communities;  
Commonwealth Agricultural Bureau International CABI;  
Commonwealth Secretariat;  
Commonwealth Telecommunications Bureau;  
Council of Europe;  
Eurocontrol (European Organisation for the Safety of Air Navigation);

over\

- European Atomic Energy Community;
- European Bank for Reconstruction and Development (ERBD);
- ▶ European Bioinformatics Institute (EBI)
- European Centre for Medium Range Weather Forecasts;
- European Coal, Iron and Steel Community;
- European Commission of Human Rights;
- European Court of Human Rights;
- European Investment Bank;
- European Organisation for the Safety of Air Navigation (Euro Control);
- European Parliament;
- European Patent Organisation;
- European Space Agency;
- Inter-American Development Bank;
- \* Inter-Governmental Maritime Consultative Organisation (IMCO);
- International Atomic Energy Agency;
- † International Bank for Reconstruction and Development;
- International Centre for Settlement of Investment Disputes;
- International Civil Aviation Organisation;
- International Cocoa Organisation;
- International Coffee Organisation;
- International Court of Justice;
- † International Development Association;
- † International Finance Corporation;
- International Fund for Agricultural Development;
- International Labour Organisation (ILO);
- International Lead and Zinc Study Group;
- International Maritime Satellite Organisation (INMARSAT);
- International Monetary Fund (IMF);
- International Oil Pollution Compensation Fund;
- International Rubber Study Group;
- International Sugar Council;
- International Telecommunications Union (ITU);
- International Tin Council;
- International Whaling Commission;
- International Wheat Council;
- Joint European Torus;
- North Atlantic Salmon Conservation Organisation (NASCO);
- North Atlantic Treaty Organisation (NATO);
- Organisation for Economic Co-operation and Development;
- Oslo and Paris Commission;
- South East Asia Treaty Organisation;
- United Nations (UN);
- United Nations Education, Scientific and Cultural Organisation;
- Universal Postal Union;
- Western European Union;
- World Health Organisation (WHO);
- World Intellectual Property Organisation;
- World Meteorological Organisation;

**Key to list:**

- The **EBI** has, since 26 July 1994, been recognised as an international organisation, the members of which are exempt from control. Furthermore, representatives of member States of the European Union (consisting of the heads of delegations and their advisers coming to the United Kingdom to participate in EBI meetings) are also exempt from control. Experts of the EBI are **not**, however, exempt from control and should be considered under the Immigration Rules.
- \* The **IMCO** is the only UN specialised agency which has its Headquarters in London. The following persons connected with it should be regarded as exempt from the provisions of the Immigration Act 1971 (immigration officers should **not** subject any such persons to examination **whatever their nationality**):
- representatives of member governments;
  - members of delegations;
  - officials designated by members to represent them;
  - the Secretary General and the Secretary of the Maritime Safety Committee;
  - other staff members (except for those locally recruited staff who are paid on an hourly basis);
  - experts;
  - members of the families of the above-mentioned persons;
  - persons invited to the Headquarters at the request of the Assembly of the Council;
- † Collectively known as the "World Bank".