

ACT ON THE PRIVILEGES AND IMMUNITIES OF INTERNATIONAL CONFERENCES AND SPECIAL MISSIONS

(572/1973; amendments up to 1649/1991 included)

Section 1

This Act shall apply to intergovernmental conferences organised in Finland at the invitation or with the consent of the Government of Finland, to delegations of foreign States attending such conferences and to special missions sent to Finland by foreign States with the consent of the Government of Finland and vested with functions mutually agreed upon by the respective States.

The provisions of this Act on conferences shall similarly apply to intergovernmental negotiations for the arrangement of such conferences and to bodies appointed as responsible for functions related to the conferences. (1649/1991)

Section 2 (1649/1991)

For the purposes of this Act:

- a) the "head of the delegation or the special mission" is the person appointed by the sending State to lead the delegation or the special mission,
- b) the "members of the delegation" are the head of the delegation, the conference representatives, the observers and the members of the staff,
- c) a "conference representative" is a member of the delegation appointed by the sending State to represent that State at the conference,
- d) an "observer" is a person appointed by the sending State to follow the work of the conference,
- e) the "members of the special mission" are the head of the special mission and the members of the staff,
- f) the "members of the staff" are the members of the delegation or the special mission who have diplomatic status or who perform its administrative or technical functions,
- g) the "members of the conference secretariat" are the persons employed in the administrative and technical functions of the conference,
- h) the "members of the service staff" are the persons employed in the domestic service of the delegation or the special mission,
- i) the "private servants" are the persons employed in the private domestic service of the members of the delegation or the special mission,
- j) the "conference premises", irrespective of ownership, are the buildings and any parts thereof and areas in their immediate vicinity used for the purposes of the conference,
- k) the "premises of the delegation or the special mission", irrespective of ownership, are the buildings and any parts thereof and areas in their immediate vicinity used for the purposes of the delegation or the special mission, and
- l) the "private residences of the members of the delegation or the special mission", irrespective of ownership, are the buildings, apartments, any parts thereof or any other premises used for the private accommodation of the above-mentioned persons.

Section 3

Subject to the provisions of section 4, the conference premises and any documents and other property therein shall be inviolable for the duration of the conference.

The above provisions on conference premises shall similarly apply to any premises reserved specifically for negotiations and functions mentioned in section 1, subsection 2.

Section 4

The police and other appropriate authorities shall be responsible for ensuring the inviolability of the conference premises and the security of the persons therein and for maintaining order, as agreed upon with the heads of the conference in each case or whenever there is a special reason for doing so.

The authorities may, where appropriate, restrict the entry of persons and vehicles without the required permit into the area where the conference premises are located and restrict their movement in the immediate vicinity of the premises.

Section 5

In addition to what is otherwise provided in this Act, the head of a foreign State or the head of Government, Minister for Foreign Affairs or other person of high rank of a foreign State in the capacity of the head or a member of the delegation or the special mission shall enjoy all the privileges and immunities accorded such persons by international law and custom.

Section 6

The premises of the delegation or the special mission and any property therein shall be inviolable. The authorities may enter said premises only with the consent of the head of the delegation or the special mission. However, such consent is not required in the case of fire or other comparable emergency.

The archives and documents of the delegation or the special mission shall be inviolable, wherever located.

The premises, property and vehicles of the delegation or the special mission, irrespective of ownership, shall be immune from search, requisition, attachment and other execution measures.

Section 7

The sending State shall, as stipulated in more detail by decree, be exempt from state taxes and municipal taxes in respect of the premises and property of the delegation or the special mission. The same exemption shall apply to all dues other than such as are charged for specific services related to said premises and property. This exemption shall not apply to taxes or dues payable under Finnish law by persons who have undertaken legal transactions with the delegation or the special mission.

The sending State shall also be exempt from customs duties and other import taxes and related charges in respect of articles intended for the official use of the delegation or the special mission.

Section 8

The delegation or the special mission shall have the same right as diplomatic missions in Finland to send and receive information and communications and, for this purpose, to employ all appropriate means, including couriers and messages in code or cipher.

The delegation or the special mission shall have the right to use a wireless transmitter only with the consent of the Ministry of Transport and Communications.

Section 9

The person of members of the delegation or the special mission and of their family members shall be inviolable.

The private residences and property of the above-mentioned persons shall enjoy the same inviolability as the premises and property of the delegation or the special mission.

Section 10

Members of the delegation or the special mission and their family members shall enjoy the same immunity from criminal, civil and administrative jurisdiction and executive power as members of diplomatic missions in Finland, unless this immunity has been waived in due order in respect of these persons.

The immunity referred to in subsection 1 above includes the right to refrain from giving testimony as a witness.

Members of the conference secretariat and the service staff who are not Finnish nationals or permanently resident in Finland shall enjoy the immunities referred to in subsection 1 in respect of acts performed in the course of their duties.

Where Finland and a foreign State have agreed about restricting the immunities referred to in this section, such agreement shall be applicable. (1649/1991)

Section 11

Members of the delegation or the special mission and their family members shall be exempt from social security obligations applicable in Finland in respect of service for the sending State. The same shall apply to members of the service staff and private servants who are not Finnish nationals or permanently resident in Finland, provided that they are subject to social security legislation of the sending State or a third State.

The provisions of subsection 1 shall be without prejudice to any social security agreement concluded with a foreign State and shall not preclude the conclusion of such agreements in the future. (1649/1991)

A decree may be issued to the effect that in special cases members of the conference secretariat who are not Finnish nationals or permanently resident in Finland shall not be subject to Finnish legislation on social security and conditions of employment when serving in the secretariat. (1649/1991)

Section 12 (1649/1991)

Members of the delegation or the special mission who are not Finnish nationals or permanently resident in Finland immediately before their first entry into Finland in the capacity of a member of the delegation or the special mission shall be exempt from all state taxes and municipal taxes and dues in the same manner as members of the staff of diplomatic missions in Finland.

Members of the conference secretariat and members of the service staff and private servants who are not Finnish nationals or permanently resident in Finland immediately before concluding the contract of employment for service in that capacity shall be exempt from all state taxes and municipal taxes in respect of their income earned in that service.

Section 13 (1649/1991)

Members of the delegation or the special mission, their family members and members of the conference secretariat who are not Finnish nationals or permanently resident in Finland shall be exempt from all public service obligations and other obligations.

Section 14

Members of the delegation or the special mission and their family members shall be exempt from all customs duties and all import taxes and related charges in the same manner as members of diplomatic missions in Finland.

Similarly, persons referred to in subsection 1 and their personal baggage shall be exempt from customs inspection.

Members of the conference secretariat who are not Finnish nationals or permanently resident in Finland immediately before concluding the contract of employment for service in the secretariat may, at the time of taking up their duties, import any goods intended for their personal use exempt from customs duties, import taxes and related charges, provided that the goods are not sold or otherwise transferred to any other person in Finland. (1649/1991)

Section 15

Members of the delegation or the special mission who are Finnish nationals or permanently resident in Finland shall enjoy the privileges and immunities referred to in sections 9 to 11, 13 and 14 exclusively in respect of acts performed in the course of their official duties.

Family members of members of the delegation or the special mission shall enjoy the privileges and immunities referred to in sections 9 to 14 only if they are not Finnish nationals or permanently resident in Finland.

Section 16

The date of commencement and termination of the privileges and immunities referred to in this Act shall be subject to the same provisions as those applicable to members of diplomatic missions in Finland in this respect.

Section 17

The appropriate state and municipal authorities shall be responsible for ensuring due compliance with the provisions on privileges and immunities referred to in this Act and any regulations issued by virtue of the provisions.

The authorities shall in particular ensure that the persons entitled to these benefits are protected and that their stay and activities in Finland are promoted and facilitated by all appropriate means, and that their treatment is otherwise compatible with their status.

Section 18

Anyone who impedes or otherwise deliberately obstructs the enjoyment of privileges or immunities referred to in this Act shall be sentenced to a fine or imprisonment of no more than two years, unless a more severe punishment is provided elsewhere in law.

Section 19

The application of the provisions of this Act may be extended by decree to include delegations of intergovernmental organisations and members of such delegations.

Section 20

Where appropriate, more detailed provisions on the enforcement and application of this Act may be issued by decree.
