



MEMORANDUM OF UNDERSTANDING

BETWEEN

THE AFRICAN DISABILITY FORUM

AND

THE GOVERNMENT OF THE FEDERAL DEMOCRATIC

REPUBLIC OF ETHIOPIA

FOR THE ESTABLISHMENT OF THE HEADQUARTERS OF THE AFRICAN

DISABILITY FORUM IN ETHIOPIA

The African Disability Forum (hereinafter referred to as the “ADF”) and the Government of the Federal Democratic Republic of Ethiopia (hereinafter referred to as the “Government”) (hereinafter jointly referred to as the “Parties” and separately as the “party”);

Whereas the ADF has been formally established at the first General Assembly meeting held from 31 October to 1 November, 2015 in Nairobi, Kenya;

Whereas the ADF is the representative Pan-African organization of national, sub-regional and regional associations of persons with disabilities;

Whereas ADF General Assembly decided that the ADF be registered in Ethiopia and its headquarters shall be located in Addis Ababa, Ethiopia;

Whereas, the Parties are desirous of regulating through this Memorandum of Understanding (hereinafter referred to as “MoU”) the practical modalities for setting up the headquarters of the ADF and specifying the legal framework of its activities:

Now therefore, the Parties have reached the following Understanding:

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Article 1

Objective of the MoU

The objectives of this MoU are to:

- a. Regulate the practical modalities of the operation of the ADF and
- b. Facilitating, monitoring, and supporting the office of the ADF;

Article 2

Establishment and Legal Capacity

1. The Government agrees to the establishment of the ADF Headquarters in Addis Ababa.
2. This MoU and the relevant laws of Ethiopia shall regulate the legal framework for the institutional co-operation between the Government and ADF.
3. The ADF shall have the legal capacity to institute legal proceedings, to enter into contracts, to operate in accordance with its overall objectives and activities and to acquire property and dispose of such property as the need arises in accordance with the laws of the Federal Democratic Republic of Ethiopia.
4. For the purpose of this MoU, the Head of ADF, or a duly appointed legal representative acting on his/her behalf, shall represent the ADF before the Government and other persons or institutions.

Article 3

Management of the Office

1. The activities of the ADF shall be to carry out the networking of African Disability Associations to promote and take appropriate action to improve access to health, education, training, work and other services and opportunities for persons with disabilities and their families.
2. The Head of ADF shall be responsible for the overall functioning of the ADF, the negotiation of bilateral and other arrangements, and the acquisition of all necessary resources in this respect.

Article 4

Staff

1. The ADF shall comprise staff members from Ethiopia and other countries.
2. The ADF shall give priority to the employment of Ethiopian nationals possessing the required profile and skills, while preserving the ADF's right to seek, without discrimination, persons of any proven competence needed for the attainment of its objectives.

Article 5

Facilities

1. The ADF shall have the right to display its logo on its premises.
2. The Government shall facilitate the entry into Ethiopia of qualified and an agreed number of expatriate personnel in the absence of local expertise.
3. The Government will facilitate the provision of necessary public services to the ADF in accordance with the laws of the Federal Democratic Republic of Ethiopia.
4. The Government will facilitate:
 - a. Issuance of work and residence permit to the expatriate staff of the ADF and residence permit to their spouses and dependent family members in accordance with the laws of the Federal Democratic Republic of Ethiopia.
 - b. Freedom of travel, movement, and communications necessary for carrying out its functions.
 - c. Exception from national service obligations to the expatriate staff of the ADF and their family.

Article 6

Internal Regulations

1. The ADF may adopt internal regulations that are consistent with the laws of the Federal Democratic Republic of Ethiopia to be applicable within its premises in order to establish all the necessary conditions for its operations.
2. The regulation shall be communicated to the appropriate authorities of Ethiopia.
3. If there is inconsistency between the internal regulations and the laws and regulations of the Federal Democratic Republic of Ethiopia, the latter shall prevail.

Article 7

Funding and Reporting

1. The ADF shall inform the Ministry of Foreign Affairs or other relevant authorities of its source of funding.
2. The ADF shall be responsible for raising funds to support its own project activities and use such contributions to furnish materials, management, and technical service, and such other assistance as called for in a specific project agreements. Annual report and financial statements shall be submitted to the Ministry of Foreign Affairs and other relevant Government authorities.



Article 8

Financial Provisions

1. The ADF may receive and hold funds or currency of any kind and operate bank accounts in accordance with the laws of Ethiopia.
2. The ADF may freely transfer its funds or currencies from or to Ethiopia or within Ethiopia, and convert any currency it holds into any other currency in furtherance of its objectives, in accordance with the foreign exchange regulations of Ethiopia.

Article 9

Importation and Exportation

1. The ADF shall be exempted from taxes and customs duties on import of Articles intended strictly for official use.
2. The head of ADF, if not an Ethiopian national or permanent resident of Ethiopia, shall be exempted from taxes and customs duties on importation of personal effects including one motor vehicle within one year of taking up his/her post in Ethiopia.

Article 10

Taxation

1. The ADF shall pay applicable taxes; in particular it shall withhold income taxes from its employs and pay to the tax authorities of the Federal Democratic Republic of Ethiopia.
2. The head of ADF, if not an Ethiopian national or permanent resident of Ethiopia, will be exempted from income tax and social security contributions on income or emoluments received by him/her from ADF.

Article 11

Adherence to the laws of Ethiopia

1. The ADF shall adhere to the applicable laws of Ethiopia.
2. The ADF and its Head as well as all its employees shall operate at all time in accordance with the laws of Ethiopia and shall refrain from violating such laws.
3. In the event that the ADF violates the substantive provisions of this MoU or the laws of Ethiopia, the Government may terminate this MoU and/or take appropriate measures.



Article 12

Dispute Resolution

1. Any dispute that may arise between the Parties on the interpretation and/or execution of this MoU and amendment(s) thereto shall be settled amicably through negotiation.
2. No provision of this MoU shall be construed or/and applied in a manner that would in any way contravene the laws of Ethiopia.

Article 13

Amendment

1. This MoU may be amended by the mutual consent of the parties through exchange of letters or signing of an amendment MoU.
2. Any amendment(s) made to this MoU in accordance with the foregoing provisions will form an integral part of the MoU.

Article 14

Entry into Force, Duration and Termination

1. This MoU shall enter into force upon signature and shall remain in force for 5 years period and shall automatically be renewed unless terminated in accordance with sub article 2 of this Article.
2. Either party may terminate this MoU at any time by giving six (6) months prior written notice to the other of its intention to terminate it.
3. In the event that this MoU is terminated or the Office is closed, the disposition of the rights, obligations and physical assets accrued up to that time shall be determined in accordance with the provisions of this MoU, as appropriate, and/or in accordance with the relevant laws of Ethiopia.

IN WITNESS WHEREEOF, the undersigned, being duly authorized have signed this MoU in two originals in the English Language, both texts being equally authentic.

Signed at Addis Ababa on this 15th day of the month of March in the year 2017.

For the African Disability Forum

For the Government of the Federal
Democratic Republic of Ethiopia



Mr. Berhanu Tefera

Mrs. Hirut Zemene

**Interim coordinator, African Disability
Forum**

State Minister of Foreign Affairs