

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2012 Nr. 68**

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A. TITEL

*Briefwisseling houdende een verdrag tussen de Regering van het Koninkrijk der Nederlanden en de Verenigde Naties inzake de bijeenkomst "Realising Green Growth: Business & Industry Consultation with Government and Civil Society", te Den Haag op 11 en 12 april 2012; New York, 10 april 2012*

B. TEKST

**Nr. I**

UNITED NATIONS  
OFFICE OF THE UNDER-SECRETARY-GENERAL  
DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS (DESA)

10 April 2012

REFERENCE: DESA-12/00510

Excellency,

I have the honour to refer to the arrangements concerning the organization of an High Level Meeting entitled, "Realising Green Growth: Business & Industry Consultation with Government and Civil Society" (hereinafter referred to as "the Meeting") to be held in the World Forum, The Hague, The Netherlands on 11 and 12 April 2012. The Meeting will be organized by the United Nations represented by the Department of Economic and Social Affairs (hereafter referred to as "the United Nations"), the Government of the Kingdom of the Netherlands represented by the Ministry of Economic Affairs, Agriculture and Innovation and the Ministry of Foreign Affairs (hereinafter referred to as "the Government") and the World Business Council for Sustainable Development (WBCSD)

representing the Business Action for Sustainable Development 2012, a coalition of leading international business groups committed to sustainable development (hereinafter referred to as “WBCSD”).

Pursuant to the present Agreement, an Agreement with the WBCSD regarding the logistical support to be provided by WBCSD at the Meeting will be concluded. With the present letter, I wish to obtain your Government’s acceptance of the following:

1. The Meeting will be attended by the following approximate number of participants:
  - a) 300 Business & Industry participants from small, medium, large companies, other major groups;
  - b) 75 developing country participants;
  - c) 75 developed country participants (non-Dutch);
  - d) 50 Dutch nationals (government and business); and
  - e) 2 United Nations officials.
2. The total number of participants will be up to 500. The list of participants will be determined by the United Nations and WBCSD in consultation with and upon final approval from the Government prior to the holding of the Meeting.
3. The Meeting will be conducted in English.
4. The Government will be responsible for:
  - a) ensuring the availability of hotel rooms for all participants at a preferential rate;
  - b) providing the Meeting venue, coffee breaks and meals;
  - c) facilitating travel arrangements for speakers and participants included in sub-paragraphs 1(a) and 1(b);
  - d) providing daily subsistence allowance for participants from developing countries and major groups included in sub-paragraphs 1(a) and 1(b);
  - e) sending invitation letters and responding to invitees;
  - f) preparing a general briefing for participants and specific briefings for speakers;
  - g) providing logistical support (including providing local transportation from airport if applicable, handling registration, distributing name tags, etc.); and
  - h) final approval of the program, invitee list and outcome document.
5. The United Nations will be responsible for:
  - a) serving as secretariat for weekly conference calls;
  - b) hiring two consultants to support the Meeting;
  - c) preparing invitation letters;
  - d) preparing the concept note and project document;
  - e) helping identify and secure speakers for the opening and closing sessions;
  - f) drafting the outcome document; and

g) covering air fare costs and daily subsistence allowance for participants identified in sub-paragraph 1(e).

6. The cost of airfare and daily subsistence allowance for participants specified in sub-paragraphs 1(c) and 1(d), as well as those in sub-paragraph 1(a) and 1(b) who are not already covered under sub-paragraph 4(d) will be the responsibility of their organizations.

7. I wish to propose that the following terms and conditions shall apply to the Meeting:

a) The Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly on 13 February 1946 ("the Convention"), to which the Kingdom of the Netherlands is a party, shall be applicable in respect of the Meeting. In particular, representatives of States participating in the Meeting shall enjoy the privileges and immunities provided under Article IV of the Convention. The participants invited by the United Nations shall enjoy the privileges and immunities accorded to experts on mission for the United Nations by articles VI and VII of the Convention. Officials of the United Nations participating in or performing functions in connection with the Meeting shall enjoy the privileges and immunities provided under articles V and VII of the Convention. Officials of the specialized agencies participating in the Meeting shall be accorded the privileges and immunities provided under Articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies, adopted by the General Assembly on 21 November 1947;

b) Without prejudice to the provisions of the Convention, all participants and persons performing functions in connection with the Meeting shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Meeting;

c) Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Meeting;

d) All participants and all persons performing functions in connection with the Meeting shall have the right to unimpeded entry and exit from the Netherlands. Visa and entry permits, where required, shall be granted free of charge. This does not exclude the presentation by the Government of well-founded objections concerning a particular individual. Such objections, however, must relate to specific criminal or security-related matters and not to nationality, religion, professional or political affiliation.

e) For the purpose of the Convention on the privileges and immunities of the United Nations, the Meeting area shall be deemed to constitute premises of the United Nations in the sense of section

3 of the Convention on the privileges and immunities of the United Nations and access thereto is subject to the authority and control of the Secretariat;

f) For serious emergencies, the Government shall ensure immediate transportation and admission to a hospital, and the necessary transport shall be constantly available on call. The cost of any hospitalization shall be solely borne by the patient.

8. The Government shall, at its expense, provide security as may be required to ensure the safety of the participants and the effective functioning of the Meeting. While such security shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with a designated senior official of the United Nations.

9. It is further understood that the Government shall be responsible for dealing with any action, claim or other demand against the United Nations or its officials arising out of:

a) injury to persons or damage to or loss of property in Meeting premises that are provided by or under the control of the Government;

b) injury to persons or damage to or loss of property caused by or incurred in using any transport services that are provided for the Meeting by or under the control of the Government;

c) the employment for the Meeting of personnel provided or arranged for by the Government;

and the Government shall indemnify and hold harmless the United Nations and its officials in respect of any such action, claim or other demand.

10. Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to Section 30 of the Convention or to any other applicable agreement, shall, unless the parties otherwise agree, be resolved by negotiations or any other agreed mode of settlement. Any such dispute that is not settled by negotiation or any other agreed mode of settlement shall be submitted at the request of either party for a final decision to a tribunal of three arbitrators, one of whom shall be appointed by the Secretary-General of the United Nations, one by the Government and the third, who shall be the Chairman, by the other two arbitrators. If either party does not appoint an arbitrator within three months of the other party having notified the name of its arbitrator, or if the first two arbitrators do not within three months of the appointment or nomination of the second one of them appoint the Chairman, then such arbitrator shall be nominated by the President of the International Court of Justice at the request of either party to the dispute. Except as otherwise agreed by the parties, the tribunal shall adopt its own rules of procedure, provide for the reimbursement of its members and the distribution of expenses between the parties, and take all decisions by a two-thirds majority. Its decisions on all questions of pro-

cedure and substance shall be final and, even if rendered in default of one of the parties, be binding on both of them.

11. I further propose that upon receipt of your Government's confirmation in writing of the above, this exchange of letters shall constitute an Agreement between the United Nations and the Government of the Kingdom of The Netherlands, regarding the arrangements for the High Level Meeting "Realising Green Growth: Business & Industry Consultation with Government and Civil Society", which shall enter into force on the date of your reply and shall remain in force for the duration of the Meeting and for such additional period as is necessary for the completion of its work and for the resolution of any matters arising out of the Agreement.

Please accept, Excellency, the assurances of my highest consideration.

SHA ZUKANG  
Under-Secretary-General  
Secretary-General for the Conference  
on Sustainable Development  
(Rio+20)

*H.E. Mr. Herman Schaper  
Permanent Representative of the Kingdom of the Netherlands to the  
United Nations  
New York, NY*

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## Nr. II

PERMANENT MISSION OF THE KINGDOM OF  
THE NETHERLANDS TO THE UNITED NATIONS

New York, 10 April 2012

Re: High Level Meeting "Realising Green Growth: Business & Industry  
Consultation with Government and Civil Society"

Dear Under Secretary-General,

I have the honour to refer to your letter relating to an Agreement to be concluded between the Government of the Kingdom of the Netherlands and the United Nations Department of Economic and Social Affairs (UNDESA) concerning the High Level Meeting "Realising Green Growth: Business & Industry Consultation with Government and Civil

Society” (hereinafter referred to as “the Meeting”), to be held in the Hague, the Netherlands, on 11 and 12 April 2012, which reads as follows:

(Zoals in Nr. I)

I am authorized by the Government of the Kingdom of the Netherlands to state that it agrees to the proposals regarding the organization of the Meeting. Further, I am authorized to state that the Government of the Kingdom of the Netherlands considers your letter and this reply as together constituting an Agreement between the Government of the Kingdom of the Netherlands and the UNDESA concerning the High Level Meeting “Realising Green Growth: Business & Industry Consultation with Government and Civil Society”, which shall enter into force on the date of this reply and shall remain in force for the duration of the Meeting and for such additional period as is necessary for its preparation and winding up, the total duration of this Agreement, however, not to exceed one year.

Please accept, Sir, the assurances of my highest consideration.

PETER VAN DER VLIET  
Deputy Permanent Representative

*Mr. Sha Zukang*  
*Department of Economic and Social Affairs*  
*Under Secretary-General*  
*Secretary-General for the Conference on Sustainable Development*  
*(Rio+20)*  
*2 UN Plaza, Room DC2-2320*  
*New York, NY 10017*

D. PARLEMENT

Het in de brieven vervatte verdrag behoeft ingevolge artikel 7, onderdeel c, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de brieven vervatte verdrag zijn ingevolge het gestelde in de op één na laatste alinea van brieven Nr. I en Nr. II op 10 april 2012 in werking getreden.

Het in de brieven vervatte verdrag zal ingevolge dezelfde alinea niet langer dan één jaar van kracht zijn.

Wat betreft het Koninkrijk der Nederlanden, geldt het in de brieven vervatte verdrag alleen voor Nederland (het Europese deel).

#### J. VERWIJZINGEN

- Titel : Statuut van het Internationaal Gerechtshof;  
San Francisco, 26 juni 1945
- Tekst : *Trb.* 1971, 55 (Engels en Frans, herzien)  
*Trb.* 1987, 114 (vertaling, herzien)
- Laatste *Trb.* : *Trb.* 1997, 106
- 
- Titel : Verdrag nopens de voorrechten en immuniteiten van de  
Verenigde Naties;  
Londen, 13 februari 1946
- Tekst : *Stb.* 1948, 224 (Engels, Frans en vertaling)
- Laatste *Trb.* : *Trb.* 1994, 210
- 
- Titel : Verdrag nopens de voorrechten en immuniteiten van de  
gespecialiseerde organisaties;  
New York, 21 november 1947
- Tekst : *Stb.* 1949, 67 (Engels, Frans en vertaling)
- Laatste *Trb.* : *Trb.* 2004, 59

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In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het in de brieven vervatte verdrag zal zijn bekendgemaakt in Nederland (het Europese deel) op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de zestiende april 2012.

*De Minister van Buitenlandse Zaken,*

U. ROSENTHAL