

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1979 Nr. 149

A. TITEL

Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en de Verenigde Naties houdende een overeenkomst betreffende een onder auspiciën van de Verenigde Naties te Amsterdam van 14 tot en met 25 april 1980 te houden symposium over de rechten van de mens en de rol van de politie;
Genève, 27 april, 27 juni en 3 juli 1979

B. TEKST

Nr. I

Geneva, 27th April, 1979

No. 2151

Re: United Nations Regional Symposium on
"The Role of the Police in the Protection
of Human Rights", the Netherlands,
April 1980.

Sir,

I have the honour to propose that the United Nations and the Government of the Kingdom of the Netherlands (hereinafter called "the Government"), desiring to give effect to the Programme of Advisory Services in Human Rights, agree as follows:

1. A United Nations Regional Symposium on "The Role of the Police in the Protection of Human Rights" will be held in the Netherlands in April, 1980. In order to ensure a meaningful exchange of views within the time available, the discussions on this theme will centre upon three issues on which international attention is focused. These three issues are listed in Annex I.

2. The duration of the Symposium shall be from 14 to 25 April inclusive, 1980.

3. All costs of the Symposium as budgeted will be borne by the Government. A detailed cost plan of the services to be provided by or through the United Nations is contained in Annex II¹⁾.

4. Participation in the Symposium shall be open to the following upon invitation or designation of the Secretary-General:

- (a) one senior official, with considerable experience in police matters, of each of the European States listed in Annex III¹⁾, with the exception of the Netherlands, of which up to three officials may participate;
- (b) three consultants, to be recruited by the United Nations: one from the Netherlands, one from another West-European country and one from an East-European country.
These consultants shall prepare basic background papers, on which the participants will be requested to comment in writing to the Division of Human Rights. The time schedule as specified in Annex IV¹⁾ should be strictly applied;
- (c) members of the United Nations secretariat.

5. The Government may invite as its guests a number of distinguished persons having special interest and concern as regards the topic of the Symposium.

6. The United Nations shall provide the following services in connection with the Symposium:

- (a) the services of staff members of the Division of Human Rights, as required;
- (b) translation into English, French, Russian and Spanish, reproduction, and distribution to the participants, of the basic background papers to be prepared by the consultants;
- (c) the preparation, in the English language, of the draft report of the Symposium, the translation of the final report into the working languages of the United Nations, and its distribution. The report will contain a summary of the discussions, as well as any possible conclusions and recommendations adopted by the Symposium.

7. The United Nations shall also make arrangements for the travel (preferably by KLM) and other administrative matters in connection with the attendance of the participants at the Symposium.

8. The Government shall act as host to the Symposium.

9. The Government shall nominate officials as liaison officer and assistant liaison officers between the United Nations and the Government, who shall be responsible for making the necessary arrangements

¹⁾ De tekst van deze bijlagen is niet afgedrukt.

concerning the contributions of the Government described in paragraph 10 below.

10. The Government shall provide and defray the costs of:
 - (a) appropriate premises for holding the Symposium;
 - (b) appropriate premises for the offices and for the other working areas of the bureau and secretariat of the Symposium, the liaison officer and the administrative personnel mentioned below;
 - (c) adequate furniture and equipment for the premises referred to in (a) and (b) above, to be installed prior to the Symposium, and the maintenance of such premises for the duration of the Symposium;
 - (d) amplification equipment as well as tape recorders and tapes, and technicians to operate them, for the conference room; the language to be used will be English;
 - (e) the administrative personnel required for the proper conduct of the Symposium, including reproduction and distribution of working papers and other Symposium documents, as well as the reproduction of the final report; the personnel to include a documents and conference room officer, two English secretaries-stenographers and two to three copy-typists to work in English; information reception clerks, mimeograph operators, collators, messengers and security personnel, as appropriate; the services of the secretaries-stenographers, copy-typists, mimeograph operators and collators shall be available as soon as they are required;
 - (f) postal, telegraph and telephone facilities for official work in connection with the Symposium only; office supplies and equipment required for the proper conduct of the Symposium, including typewriters, mimeograph machines, mimeograph stencils and paper needed for reproduction of technical papers and other documents;
 - (g) if necessary, customs clearance and transportation between port of entry and the site of the Symposium, for documentation and supplies for the Symposium.

11. The Government shall, in co-operation with the United Nations Information Service, make all appropriate arrangements to ensure adequate information coverage of the Symposium through the appropriate news media. For this purpose it shall, inter alia, nominate an information officer to assist in liaison with local press, radio and film media.

12. The Convention of 13 February, 1946 on the Privileges and Immunities of the United Nations shall apply. The Government shall grant visas, if required, to all persons enumerated in paragraphs 4 and 5, free of charge, and as speedily as possible.

13. The Government shall be responsible for dealing with any actions, claims or other demands arising out of

- (a) injury or damage to person or property in the premises referred to in paragraph 10 (a) and (b) above;
- (b) injury or damage to person or property caused or incurred in using transportation referred to in paragraph 10 (g);
- (c) the employment for the Symposium of the personnel referred to in paragraphs 9, 10 (d) and (e), and 11. The Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

If the foregoing is agreeable to you, I have the honour to propose that this letter and your affirmative reply constitute an agreement between the United Nations and the Government of the Kingdom of the Netherlands, which shall be effective for the duration of the Symposium and such additional period as is necessary for its preparation and winding up, the total duration not to exceed one year.

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

(sd.) J. N. FEIJ
Acting Permanent Representative
of the Netherlands.

*To the Director
of the Division of Human Rights
Palais des Nations
Geneva.*

Annex I

Central issues for the United Nations Regional Symposium on
"The Role of the Police in the Protection of Human Rights"
(The Netherlands, 14-25 April, 1980)

The three issues on which the discussions at the Symposium will centre are the following:

- a. The police and human rights relating to the protection of privacy (Articles 3, 12, 18 and 19 of the Universal Declaration of Human Rights, Articles 6, 17, 18 and 19 of the International Covenant on Civil and Political Rights). This issue can be enlarged to encompass questions relating to the various ways in which information can be gathered, the automation of data storage, retrieval and inquiry systems, the linking of data banks and the security and use of stored data.

- b. The police and the protection of individuals against torture and cruel, inhuman or degrading treatment or punishment (Article 5 of the Universal Declaration of Human Rights, Article 7 of the International Covenant on Civil and Political Rights), including both situations in which the individual has already been apprehended by the police (e.g. detained as a suspect at a place of interrogation) and other situations (e.g. suspects who have not yet been apprehended, or in the maintenance of public order).
- c. The role of human rights in police motivation, recruitment, selection, training and organization, having regard to the function of the police in the State and in society.

Nr. II

UNITED NATIONS OFFICE AT GENEVA

Ref. No.: G/SO 216/3 (31)

27 June 1979

Sir,

I have the honour on behalf of the Secretary-General of the United Nations to acknowledge receipt of your letter of 27 April 1979 and of 4 May 1979 concerning the proposed agreement between the Government of the Netherlands and the United Nations for the organization of a symposium on the Role of the Police in the Protection of Human Rights.

The contents of your letter of 27 April 1979 reads as follows:

(zoals in Nr. I)

In connexion with your letter quoted above I would like to propose on behalf of the Secretary-General an amendment to the text of paragraph 12 which will read as follows:

“12. The Government shall impose no impediment to transit to and from the meetings of any persons whose presence at the Symposium is authorized by the United Nations and shall grant any visas required for such persons promptly and without charge. The Convention of 13 February 1946 on the Privileges and Immunities of the United Nations shall apply.”.

Referring also to your letter of 4 May 1979 I would like to state that the United Nations has agreed that immunity of jurisdiction does not apply to road offences committed by a privileged person, nor to cases of damage caused by a motor vehicle belonging to, or driven by, such a person.

I have the honour to propose that this letter and your letter of 27 April 1979 as quoted above, together with your affirmative reply to our proposal to amend it, will constitute an agreement between the United Nations and the Government of the Kingdom of the Netherlands, which shall be effective for the duration of the Symposium and such additional period as is necessary for its preparation and winding up, the total duration of this agreement not to exceed one year.

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

(sd.) Th. C. VAN BOVEN

Theo C. van Boven

Director

Division of Human Rights

His Excellency

Ambassador R. H. Fein

Permanent Representative of the Kingdom of

the Netherlands to the United Nations

Office and Other International

Organizations in Geneva

56, rue de Moillebeau

1211 Geneva 10

Nr. III

No 3857

Geneva, 3 July 1979

Re: United Nations Regional Symposium on
"The Role of the Police in the Protection of
Human Rights", the Netherlands, April 1980

Sir,

I have the honour to acknowledge receipt of your letter of 27 June 1979, ref. no. G/SO 216/3 (31), concerning the proposed agreement between the Government of the Kingdom of the Netherlands and the United Nations on the organization of a United Nations Regional Symposium on "The Role of the Police in the Protection of Human Rights".

I am pleased to inform you that the text of paragraph 12 of the agreement, as amended in your letter, is acceptable to the Netherlands Government. Paragraph 12 of the agreement will therefore read as follows:

"12. The Government shall impose no impediment to transit to and from the meetings of any persons whose presence at the Symposium is authorized by the United Nations and shall grant any visas required for such persons promptly and without charge. The Convention of 13 February 1946 on the Privileges and Immunities of the United Nations shall apply".

In view of the foregoing I confirm that my letter of 27 April 1979, no. 2151, your letter of 27 June 1979, Ref. No. G/SO 216/3 (31), and this letter constitute an agreement between the Government of the Kingdom of the Netherlands and the United Nations, which enters into force to-day and shall be effective for the duration of the Symposium and such additional period as is necessary for its preparation and winding up, the total duration not to exceed one year.

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

(sd.) FEIN

Richard H. Fein,
Ambassador,

Permanent Representative of the
Kingdom of the Netherlands

*Dr. Th. C. van Boven
Director
Division of Human Rights
Palais des Nations
GENEVA*

D. PARLEMENT

De in de brieven vervatte overeenkomst behoeft ingevolge artikel 62, eerste lid, letter c, van de Grondwet niet de goedkeuring der Staten-Generaal alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van de in de brieven vervatte overeenkomst zijn ingevolge het in de brieven terzake bepaalde op 3 juli 1979 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt de overeenkomst alleen voor Nederland.

J. GEGEVENS

Van het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zijn tekst en vertaling geplaatst in *Stb. F 321*; zie ook, laatstelijk, *Trb. 1979, 37*.

Van het op 13 februari 1946 te Londen tot stand gekomen Verdrag nopens de voorrechten en immuniteiten van de Verenigde Naties, naar welk Verdrag wordt verwezen in de paragrafen van de onderhavige brieven, zijn tekst en vertaling geplaatst in *Stb.* I 224; zie ook, laatstelijk, *Trb.* 1979, 35.

De tekst van de in Nr. II genoemde brief van 4 mei 1979 luidt als volgt:

No 2725

Geneva, 4 May 1979

Re: United Nations Regional Symposium on
"The Role of the Police in the
Protection of Human Rights"

Sir,

I have the honour to refer to my letter of 27 April 1979, no. 2151, concerning the United Nations Regional Symposium on "The Role of the Police in the Protection of Human Rights", to be held in the Netherlands from 14 to 25 April 1980.

I shall highly appreciate your confirmation that with regard to the agreement between the United Nations and the Government of the Kingdom of the Netherlands on the aforementioned Symposium it is understood that immunity of jurisdiction does not apply to road offences committed by a privileged person, nor to cases of damage caused by a motor vehicle belonging to, or driven by, such a person.

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

(sd.) J. N. FEIJ

J. N. Feij

Acting Permanent Representative
of the Netherlands

The Director
Division of Human Rights
Palais des Nations
GENEVA

Uitgegeven de achttiende oktober 1979.

De Minister van Buitenlandse Zaken,
C. A. VAN DER KLAUW