

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1979 Nr. 27

A. TITEL

Briefwisseling houdende een overeenkomst tussen het Koninkrijk der Nederlanden en de Organisatie van de Verenigde Naties voor Onderwijs, Wetenschap en Cultuur inzake toekenning door de UNESCO van technische hulp aan de Nederlandse Antillen; Parijs, 28 oktober en 19 december 1978

B. TEKST

Nr. I

28 October 1978

DG/7.2/1258

Subject: Participation Programme for 1977-1978

Sir

I have the honour to inform you that the requests received under the Participation Programme for 1977-1978 (Ref. CL/2538 of 10 September 1976) have now been further examined, and I have taken my decisions in respect of them, bearing in mind in particular the directives given to me by the General Conference at its nineteenth session in resolution 7.51 and the order of priority indicated by governments when making their requests.

I have pleasure in informing you that the following project(s) submitted by you has (have) been accepted:

Number:

PP-7377 Technical assistance for the establishment of a Department for Youth Affairs, Sport, Culture and Recreation at Willemstad, Curaçao. (2 m/m consultant).

Aid for the above-mentioned project(s) will be granted in accordance with the principles and conditions laid down in resolution 7.51 adopted by the General Conference at its nineteenth session.

I would call your attention to the fact that, under the existing regulations, the Member State or organization concerned is required, when Unesco's aid takes the form of financial participation, to submit to me, at the close of the project, a statement to the effect that the funds have been used for the purpose of the project. This statement must be accompanied by a report on the way in which the money has been used. Any funds unused should be returned to Unesco.

If the foregoing proposals and the conditions laid down in resolution 7.51 meet with your approval, the present letter and your reply will constitute an agreement between Unesco and The Kingdom of the Netherlands.

Receipt of this reply will enable me to authorize the programme sectors concerned to grant you the aid requested. It would be appreciated if your reply could be sent as quickly as possible and, at the latest, within two months of the date of the present letter.

With a view to hastening and facilitating the implementation of the Participation Programme, I should be most grateful if you would bear in mind the time limits and the information provided in Annex IV to circular letter CL/2538 of 10 September 1976 concerning the various types of technical and financial assistance.

Accept, Sir, the assurances of my highest consideration.

(s.) AMADOU-MAHTAR M'BOW
(Director-General)

*His Excellency
M. Mourik
Ambassador
Permanent Delegation of the
Kingdom of the Netherlands
to Unesco
7, rue Eblé
75007 PARIS*

Nr. II

No. 2386

December 19th, 1978

Subject: Participation Programme for 1977-1978

Sir,

I have the honour to acknowledge the receipt of your letter Ref.

DG/7.2/1258 of 28 October 1978, concerning technical assistance for the establishment of a department of youth affairs, sport, culture and recreation at Willemstad, Curaçao, and which reads as follows:

(zoals in Nr. I)

I have the honour to confirm that the proposals set forth in your letter as well as the conditions laid down in resolution 7.51 are acceptable to the government of the Netherlands Antilles and that your letter and this reply will constitute an agreement between Unesco and the Kingdom of the Netherlands. With regard to the Kingdom of the Netherlands the agreement shall apply to the Netherlands Antilles only.

The agreement shall enter into force today and shall last for not more than one year.

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

(s.) M. MOURIK
(Ambassador)

M. A.-M. M'Bow
Director-General of Unesco
Unesco
75007 PARIS

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 19 december 1978 in werking getreden.

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

J. GEGEVENS

Van het op 16 november 1945 te Londen totstandgekomen Statuut van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap

en Cultuur zijn tekst en vertaling geplaatst in *Trb.* 1960, 131. Zie ook, laatstelijk, *Trb.* 1977, 176.

De voorwaarden neergelegd in de door de Algemene Vergadering der Organisatie tijdens haar 19e zitting aanvaarde resolutie 7.51 luiden als volgt:

"B. Conditions

8. Aid will be granted upon acceptance of the following conditions by the Member State or organization concerned:

(a) It shall assume full financial and administrative responsibility for implementing the plans and programmes to which aid is rendered.

(b) The Member State or organization concerned shall, in the case of a financial participation, submit a statement to the Director-General at the close of the project indicating that the funds have been used for the implementation of the project, and shall return to Unesco any funds not used for project purposes.

(c) It shall pay, where aid is granted in the form of fellowships, the cost of passports, visas, medical examination and the salary of the fellow while he is abroad. It shall guarantee the employment of the fellow, upon his return, in the field for which he was trained.

(d) It shall maintain and insure against all risks any property supplied by Unesco from the time of its arrival at the point of delivery. Unless and until Unesco specifically agrees otherwise in writing, all such property shall remain the property of Unesco.

(e) It shall be responsible for dealing with any claims which may be brought by third parties against Unesco, against its personnel, or against other persons performing services under this resolution, and shall hold Unesco and the above-named persons harmless in case of any claims or liabilities resulting from operations under this resolution, except where it is agreed by Unesco and the Member State concerned that such claims or liabilities arise from the gross negligence or wilful misconduct of such persons.

(f) It shall grant to participation programme personnel who are officials of Unesco the privileges and immunities set out in Articles VI and VII of the Convention on the Privileges and Immunities of the Specialized Agencies; it shall grant to participation programme personnel who are not officials of Unesco the privileges and immunities provided for in paragraph 3 of Annex IV to the above-mentioned Convention; the remuneration of such personnel shall not be subject to taxation and they shall be immune from all immigration restrictions and alien registration. No restriction shall be imposed on the rights of entry and sojourn of any persons mentioned in this sub-paragraph or of any persons invited to attend meetings, seminars, conferences or training courses; further, no restriction shall be im-

posed upon the right of departure of such persons except as a consequence of acts or omissions unconnected with the Unesco Participation Programme.

9. Where the Member State requests the provisions of operational assistance ('UNESCOPAS') personnel to carry out a participation programme project, the Director-General may grant such exemption from the application of provisions of this resolution as may be necessary."

Van het op 21 november 1947 te New York totstandgekomen Verdrag nopens de voorrechten en immuniteiten van de gespecialiseerde organisaties, naar welk Verdrag wordt verwezen in letter f van bovenstaande voorwaarden, zijn tekst en vertaling geplaatst in *Stb.* J 67; zie ook, laatstelijk, *Trb.* 1978, 76.

Uitgegeven de *twintigste* februari 1979.

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