

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1985 Nr. 111

A. TITEL

Briefwisseling tussen de Regering van de Nederlandse Antillen, handelende uit naam van het Koninkrijk der Nederlanden, en de Verenigde Naties houdende een overeenkomst betreffende de bijeenkomst te Curaçao, op de Nederlandse Antillen, van 15 tot 19 april 1985 van de interregionale studiegroep van de Verenigde Naties inzake het gebruik van niet-conventionele waterrijdommen in ontwikkelingslanden; New York/Willemstad, 12 september/27 december 1984

B. TEKST

Nr. I

UNITED NATIONS NATIONS UNIES

12 September 1984

Sir,

I have the honour to refer to conversations held between the Representative of the United Nations Development Programme on our behalf, and of the Government of the Netherlands Antilles with respect to hosting the United Nations Interregional Seminar on the Use of Non-Conventional Water Resources in Developing Countries in Curaçao from 15 to 19 April 1985.

The Seminar will be organized by the United Nations Department of Technical Co-operation for Development, in co-operation with the Government of the Netherlands Antilles. I am enclosing a copy of the Aide Memoire for your information.¹⁾

The United Nations has already provided and will continue to provide administrative services for the implementation of the Seminar and

¹⁾ Aide Mémoire is niet afgedrukt.

technical support, and has finalized the technical background publication. The United Nations will finance the assistance and participation of two international consultants, as lecturers; participation of 24 developing country representatives; three United Nations staff to service the meeting; and typing and reproduction of the final report.

The United Nations will also extend invitations to approximately 35 other countries to participate in the meeting, at their own expense.

With the present letter I wish to request confirmation of the following:

a) The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946, shall be applicable to the Seminar.

b) The country participants and the consultants invited by the United Nations shall enjoy the privileges and immunities accorded to experts on mission for the United Nations by Article VI of the above Convention. Officials of the United Nations participating in or performing functions in connexion with the Seminar shall enjoy the privileges and immunities provided under Article V and VII of the Convention. Officials of the specialized agencies invited to participate as observers in the Seminar shall be accorded privileges and immunities comparable to those of United Nations officials of the same rank.

c) Without prejudice to the provisions of the Convention on the Privileges and Immunities of the United Nations, all participants and persons performing functions in connexion with the Seminar shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Seminar.

d) 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 connexion with the Seminar.

e) Unimpeded entry into and exit from the Netherlands Antilles for all participants and all persons performing functions in connexion with the Seminar. Visas and entry permits, where required, shall be granted free of charge. When applications are made four weeks before the opening of the Seminar, visas shall be granted not later than two weeks before the opening of the Seminar. If the application is made less than four weeks before the opening, visas shall be granted as speedily as possible and not later than three days before the opening. It is understood that the Government of the Netherlands will facilitate the granting of visas when necessary.

f) The Government of the Netherlands Antilles shall deal with any action, claim or other demand against the United Nations or its personnel arising out of (i) injury to person or damage to property in the premises provided for the Seminar; (ii) injury to person or damage to property incurred in using any transportation provided by the Government for the Seminar, and (iii) the employment of local personnel

for the Seminar; and the Government shall hold harmless the United Nations and its personnel in respect of any such action, claim or demand.

g) Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to the appropriate provisions of the *Convention on the Privileges and Immunities of the United Nations* or of any other applicable agreement, shall, unless the parties otherwise agree, be submitted 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 procedure and substance shall be final and, even if rendered in default of one of the parties, be binding on both of them.

h) Nothing in or relating to the provisions of this Agreement shall be deemed a waiver of the privileges and immunities of the United Nations.

Furthermore, I would like to request confirmation that agreement has been reached on the following:

a) Conference rooms: One for plenary sessions to hold 60 people and two for working groups or for United Nations staff servicing the Seminar;

b) Secretarial assistance and equipment as necessary to service the meetings, which include typing and reproduction of documentation such as agenda or orders of the day, and draft reports;

c) Local transportation for participants and United Nations staff from airport to hotel and to conference site, as well as arrangements and transportation for a study tour of desalination and barging facilities on the last day of the Seminar;

d) Public address system in main conference room;

e) Assistance in hotel accommodations;

Finally, I propose that upon receipt of your confirmation to me in writing of the above, this exchange of letters shall constitute an agreement between the United Nations and the Government of the Netherlands Antilles, acting on behalf of the Kingdom of the Netherlands, regarding the provision of host facilities by the Government for the United Nations Interregional Seminar on the Use of Non-Conventional Water Resources in Developing Countries.

This Agreement shall remain in force for the duration of the session and for such additional period as is necessary for its winding up, such period not to exceed one year.

Accept, Sir, the assurances of my highest consideration.

(sd.) FAQIR MUHAMMAD

Faqir Muhammad
Officer-in-Charge
Department of Technical Co-operation
for Development

*His Excellency
Mr. D. F. Martina
Prime Minister of
The Netherlands Antilles
Fort Amsterdam
Curaçao, Netherlands Antilles*

Nr. II

7468/JAZ

Interregional Seminar on
Economics of Non-Conventional
Water Resources use in Developing
Countries.

December 27, 1984

Sir:

I have the honour to refer herewith to your letter dated 12 September 1984 concerning hosting by the Government of the Netherlands Antilles of the United Nations Interregional Seminar on the Use of Non-Conventional Water Resources in Developing Countries in Curaçao from 15 to 19 April 1985, which seminar, I have been informed by our Department of Development Cooperation, will now be held from 22 to 26 April 1985.

In reply I would like to confirm the following as requested in your above-mentioned letter:

(zoals paragrafen a t/m e van Nr. I)

In connection herewith the Island Government of Curaçao will shortly install a working group to make all the necessary arrangements for the organization of the Seminar.

Yours sincerely,

(sd.) M. PH. LIBERIA-PETERS

Mrs. M. Ph. Liberia-Peters
Prime Minister of the
Netherlands Antilles

*To Mr. Faqir Muhammad
Officer in Charge
Department of Technical
Cooperation for Development
United Nations
N.Y. 10017
U.S.A.*

D. PARLEMENT

De in de brieven vervatte overeenkomst behoeft ingevolge additioneel artikel XXI, eerste lid, onderdeel b, van de Grondwet, juncto artikel 62, eerste lid, onderdeel c, van de Grondwet naar de tekst van 1972, niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van de in de brieven vervatte overeenkomst zijn op 27 december 1984 in werking getreden.

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

J. GEGEVENS

Het in de brieven genoemde United Nations Development Programme (UNDP) is ingesteld door de Algemene Vergadering van de Verenigde Naties op 22 november 1965 (Resolutie 2029 (XX)).

Van het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zijn de Franse en de Engelse tekst, zoals gewijzigd, geplaatst in *Trb.* 1979, 37; zie ook, laatstelijk, *Trb.* 1985, 5.

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

Van het Statuut van het Internationale Gerechtshof, naar welk Gerechtshof onder g) van de onderhavige brieven wordt verwezen, zijn de Engelse en de Franse tekst, alsmede de vertaling in het Nederlands, geplaatst in *Trb.* 1971, 55; zie ook *Trb.* 1979, 36.

Uitgegeven de *twaaalfde* augustus 1985.

De Minister van Buitenlandse Zaken a.i.,

R. F. M. LUBBERS