

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1989 Nr. 178

A. TITEL

*Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en
het Bevolkingsfonds van de Verenigde Naties houdende een
overeenkomst betreffende het Internationale Forum inzake bevolking in
de eenentwintigste eeuw te Amsterdam van
6 tot en met 9 november 1989;
's-Gravenhage, 3 november 1989*

B. TEKST

Nr. I

The Hague, 3 November 1989

Sir,

I have the honour to refer to the arrangements for the International Forum on Population in the Twenty-First Century which the United Nations Population Fund (UNFPA) plans to organize in Amsterdam, the Netherlands from 6 to 9 November 1989. With the present letter, I wish to obtain your Government's acceptance of the following arrangements:

1. Date and Place of Activities

I The Forum shall be held from 6 to 9 November 1989, in Amsterdam at the Royal Tropical Institute.

II The activities of the Forum will start on Sunday, 5 November and last through Thursday 9 November.

III The Forum will be organized in plenary sessions and working groups.

2. Participants

Participation will be open to the following:

I High-level participants proposed by approximately 65 developing country governments, invited for participation in the meeting by UNFPA.

II Representatives of approximately 18 Donor Governments, invited for participation in the meeting by UNFPA.

III Experts invited by UNFPA to serve as resource persons in order to provide substantive contributions to the attainment of the objectives of the meeting.

IV Representatives of UNFPA, the United Nations, its specialized agencies and other appropriate bodies of the United Nations and selected inter-governmental organizations invited by UNFPA.

V Representatives of selected non-governmental organizations invited by UNFPA.

3. Responsibilities of the Host Government

For the adequate organization and development of the Forum, the Government shall:

I contribute Dfl 250,000 towards the costs of the Forum.

II The Government of the Netherlands will exercise all reasonable care to ensure security on the premises in which the meeting takes place and to ensure the safety of the officials of the Agency and participants concerned while on such premises. The Government will take whatever steps may be reasonable required in the circumstances to ensure such security and such safety, including such supervision of the premises as may be warranted.

4. Responsibilities of UNFPA

On its part, the Fund shall:

I Organize and finance the Forum.

II Issue the invitations to the Forum and provide the Government with the list of the participants.

III Provide and finance travel and related expenses of the participants mentioned in Article 2, paragraph 1 and paragraph 3.

IV Inform the Government of the Netherlands of the dates and flights of arrival and departure of participants.

V Provide and finance the travel and related costs of the Fund's officials.

VI Promote internationally through the appropriate channels the preparations for and results of the Forum.

VII In consultation with the Government, select, hire and finance the temporary personnel required for the Forum.

VIII Organize and carry out the registration of participants.

5. Privileges and Immunities

I The Convention on the Privileges and Immunities of the United Nations of 13 February 1946, shall be applicable to the Forum. Accordingly, representatives of governments and officials of the United Nations performing official functions in connection with the Forum shall enjoy the privileges and immunities provided by Articles IV and V of the Convention. The United Nations Population Fund declares that participants invited by the United Nations Population Fund to the Forum mentioned in 2, III are experts on mission within the meaning of Article VI of the Convention, and consequently it is agreed that they shall enjoy the privileges and immunities provided by that Article.

II The Government shall impose no impediment to the transit to and from meetings of persons whose presence at the Forum is authorized by the United Nations Population Fund and shall grant any visas required for such persons promptly and without charge.

III Representatives of NGO's participating to the Forum pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written.

IV The Government shall deal with any action, claim, or other demand against the United Nations Population Fund or its personnel arising out of:

- i Injury to person or damage to property in the premises provided for the meeting.
- ii Injury to person or damage to property incurred in using the transportation provided by the Government for the Meeting.
- iii The employment by the Government of temporary personnel for the Meeting.

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

V Without prejudice to their privileges and immunities, it is the duty of all participants enjoying privileges and immunities to respect the laws and regulations of the Netherlands. They also have a duty not to interfere in the internal affairs of the Netherlands.

6. Arbitration

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 of 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.

I propose that upon receipt of your confirmation in writing of the above, this exchange of letters shall constitute an Agreement between the United Nations Population Fund and the Government of the Netherlands regarding the provision of host facilities by your Government for the Forum.

Accept, Sir, the assurances of my highest consideration.

(sd.) JYOTI S. SINGH

Jyoti S. Singh
Director Information and
External Relations Division,
UNFPA

*H.E. Mr. H. van den Broek
Minister for Foreign Affairs
of the Kingdom of the Netherlands
The Hague
The Netherlands*

Nr. II

MINISTER FOR FOREIGN AFFAIRS

Treaties Department
DVE/VV-VN-DVE-126562

The Hague, 3 November 1989

Sir,

I have the honour to confirm the receipt of your letter of 3 November 1989, which reads as follows:

(Zoals in Nr. I)

I have the honour to inform you that my Government agrees to the above proposals. My Government considers your letter and my reply as an agreement between the Kingdom of the Netherlands and the United Nations Population Fund, 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.

(sd.) H. VAN DEN BROEK

H. van den Broek
Minister for Foreign Affairs of
the Kingdom of the Netherlands

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 ingevolge het gestelde in de voorlaatste alinea van brief Nr. II op 3 november 1989 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 van de Verenigde Naties is de tekst, zoals gewijzigd, geplaatst in *Trb.* 1979, 37 en de herziene vertaling in *Trb.* 1987, 113.

Van het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof – in artikel 6 van de brieven wordt naar de President van dat Hof verwezen – is de tekst geplaatst in *Trb.* 1971, 55 en de herziene vertaling in *Trb.* 1987, 114.

Van het op 13 februari 1946 te Londen tot stand gekomen Verdrag nopens de voorrechten en immuniteiten van de Verenigde Naties, naar welk Verdrag onder meer in artikel 6 van de brieven wordt verwezen, zijn tekst en vertaling geplaatst in *Trb.* I 224; zie ook laatstelijk, *Trb.* 1979, 35.

Uitgegeven de *twaalfde* december 1989.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK