

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1992 Nr. 153

A. TITEL

*Multilaterale Overeenkomst inzake de exploitatie van het Caribische
Centrum voor Epidemiologie;
Washington, 27 september 1990*

B. TEKST

**Multilateral Agreement for the Operation of the Caribbean
Epidemiology Centre**

The Governments and Organizations parties to this Agreement,

Desiring to provide for the continued operation of the Caribbean Epidemiology Centre (CAREC) by the Pan American Health Organization/World Health Organization (PAHO/WHO), in conformity with the Multilateral Agreement for the Operation of the Trinidad Regional Virus Laboratory signed by the parties thereto on 18 June 1974, 14 July 1974 and 4 October 1974, respectively, and as amended and extended until 31 December 1990, and

Considering the importance of CAREC to the health of the peoples of the Caribbean,

Have agreed on the operation of CAREC and its financial support as set out below:

PART I. Functions

1. The functions of CAREC shall be:

a) To serve as a specialized technical resource to assist, advise and

cooperate with participating governments in the surveillance, prevention and control of non-communicable as well as communicable diseases and in programme development by participating governments to such ends.

b) To act as a centre for epidemiological analysis, including situational analysis and trend assessment for all countries in the Caribbean which are or will be participating in, or cooperating with, CAREC.

c) To assist, advise and cooperate with participating governments on the attainment of that level of national epidemiological capacity necessary for defining health sector priorities, designing effective interventions, and evaluating performance, including the development and maintenance of effective surveillance and control measures for health problems of public health importance.

d) To provide referral laboratory services in microbiology, immunology and medical entomology, in support of national, subregional and regional programs for disease surveillance and control, the range of services to be consistent with national needs and the recommendations of the Council of CAREC, hereinafter referred to as «Council».

e) To assess new laboratory procedures, provide advisory services on their suitability, and maintain test panels to facilitate the assessment.

f) To provide training in epidemiology and its application to surveillance, epidemic investigation, health situation analysis and trend assessment, and to cooperate in relevant training in related areas such as economics and social sciences.

g) To provide technical support for statistical analysis including electronic data processing for service and research.

h) To provide training in microbiology including on-the-bench training in new techniques.

i) To maintain facilities for the investigation of selected human and animal diseases.

j) To undertake operational research in the CAREC and in the field on disease problems of importance to the Caribbean.

k) To collaborate closely with all Caribbean and other regional and international institutions, and non-governmental organizations, working in related fields of activity, and with the Universities of the West Indies, Guyana and Suriname, particularly with the faculties of medical and agricultural sciences, with the Commonwealth Caribbean Medical Research Council (CCMRC), and with the Caribbean Community (CARICOM) Secretariat acting as the Secretariat of the Conference of CARICOM Ministers responsible for Health (CMH).

l) To assist the Universities with teaching.

m) To provide facilities for visiting scientists.

n) To perform such other functions as the Council may recommend from time to time.

PART II. Programme

1. An annual report shall be prepared at the end of each calendar year by the Director of CAREC, reviewed by the Scientific Advisory Committee and by the Council, and then forwarded to the Director of PAHO/WHO for approval before printing and distribution to the participating governments and to the Council. The report shall include a review of the year's activities and a general plan of future activities.

2. The activities carried out by CAREC shall include but not be limited to the following:

A. Disease Surveillance

1) CAREC shall receive, analyze, and distribute surveillance data and shall develop and distribute standard surveillance procedures.

2) Disease surveillance activities shall be coordinated with the international surveillance programme of PAHO/WHO.

3) Staff shall be available to provide prompt advice on the containment or control of epidemics.

4) Staff shall make regular visits to advise on the development of national surveillance and associated laboratory operations.

B. Health Situation Analysis and Trend Assessment

1) CAREC shall provide technical assistance to participating governments for the analysis of the health situation and trends of the population, and the use of the resulting information in the health planning and programming processes.

2) CAREC shall collaborate with participating governments to strengthen the data base utilized to analyze the health situation and trends of the population.

C) Laboratory Services

1) CAREC shall provide selected laboratory diagnostic services at reference laboratory level to governments signatory to this agreement.

2) CAREC shall maintain up-to-date information concerning laboratory resources available to serve the area.

D. Education and training

1) Training courses in public health disciplines shall be offered to professional and technical personnel working in the area.

2) The staff of CAREC shall assist participating agencies in orienting government personnel at the policy-making level and in planning for practical training on particular problems and programmes.

3) CAREC shall assist in the development and implementation of education programmes in collaboration with the universities.

E. Research

1) CAREC shall define specific disease problems of the Caribbean area and conduct periodic surveys to assess their prevalence and levels of immunity and protection.

2) CAREC shall investigate selected disease problems important in the area, with particular relation to causation, transmission, ecology, and control.

F. Publications

1) CAREC shall publish reports on health problems in the Caribbean area.

2) CAREC shall collect, print, publish and disseminate a variety of technical reports and educational materials on health.

G. General Management of CAREC

1) CAREC shall maintain personnel and financial records in keeping with PAHO's administrative rules and regulations and provide annual analyses of its general administrative status.

2) CAREC shall assess current priority health issues and the actual or potential contribution of CAREC to these.

PART III. Organization and Administration

1. Legal Capacity

a) CAREC shall have the capacity of a legal person to perform any legal act which may be appropriate for the execution of its functions, as laid down in this Agreement.

2. Administration

a) The Director of PAHO/WHO, in accordance with PAHO's rules and regulations, shall designate a director who shall be the chief technical and administrative officer of CAREC, and who shall be responsible to the Director of PAHO/WHO through appropriate channels.

The Director of PAHO/WHO shall consult with participating governments of CAREC as necessary regarding this selection. Such person shall be acceptable to the host government.

b) PAHO/WHO shall establish the policies and procedures governing the conditions of employment of the staff of CAREC.

3. The Council

There shall be a Council composed of representatives from the following governments and organizations. The composition of the Council may be modified by decision of the Conference of Ministers

responsible for Health (CMH), after consulting all participating governments of CAREC.

a) Governments

1) The Minister of Health of the host government, Trinidad and Tobago, or designate.

2) Three representatives, other than from Trinidad and Tobago, who shall be designated by the Conference of Ministers responsible for Health (CMH), to serve for specific periods.

b) Caribbean Organizations

1) The University of the West Indies, whose Vice Chancellor or designate shall serve as chairperson of the Council.

2) The Commonwealth Caribbean Medical Research Council (CCMRC) represented by its chairperson or designate.

3. The Caribbean Community (CARICOM) Secretariat represented by the Secretary General or designate.

c) International Organizations

The Pan American Health Organization/World Health Organization (PAHO/WHO).

d) Other Representations

1) A representative of the British dependent territories, members of CAREC, who shall serve for a specified period.

2) The Chairperson of the Scientific Advisory Committee (SAC).

4. The Director of CAREC shall be Secretary of the Council and may participate in the deliberations without vote.

5. The Council shall usually meet annually but shall determine at each meeting the date for the next meeting. In the interim the chairperson of the Council shall be consulted by the Director of CAREC, or by another designated by the Director of PAHO/WHO, on matters requiring attention before the next scheduled meeting. In agreement with the Director of PAHO/WHO the chairperson may convene a special meeting of the Council to deal with an emergency situation.

6. Observer Status

a) Any member government of PAHO, not otherwise represented on the Council, may, at its own expense and with the concurrence of the chairman of the Council and the Director of PAHO/WHO on an ad hoc basis, send an observer who may participate in the deliberations without vote.

b) Any agency donating to the core budget of CAREC may, at its own expense and with the concurrence of the chairman of the Council and the Director of PAHO/WHO on an ad hoc basis, send an observer who may participate in the deliberations without vote.

c) Any government that is a member of the World Health Organization (WHO) may, at its own expense and with the concurrence of the chairman of the Council and the Director of PAHO/WHO on an ad

hoc basis, send an observer and participate in the deliberations without vote.

7. The Council shall review:

a) The Annual Report and the progress made on the Council's recommendations, and submit its comments to the Director of PAHO/WHO.

b) The proposed programme and budget of CAREC, including the report of the Scientific Advisory Committee (SAC), and make recommendations to the Director of PAHO/WHO, for transmittal to the participating governments of CAREC and to the Conference of Caribbean Ministers responsible for Health (CMH).

c) Proposed modifications in or extension of the respective percentages for quota contributions for participating governments and organizations, and submit its recommendations to the Director of PAHO/WHO.

d) Policies concerning the future operation of CAREC, including provision for service to, and participation of, other governments and organizations, and the determination of circumstances in which fees may be charged.

8. Scientific Advisory Committee

a) There shall be a Scientific Advisory Committee (SAC) to advise the Director of PAHO/WHO through the Council of CAREC on the scientific program of CAREC.

b) The membership of the SAC shall be composed as follows:

1) Two members designated by the Faculty of Medicine, U.W.I.

2) One member designated by the Faculty of Agriculture, U.W.I.

3) One member designated by the University of Guyana.

4) One member designated by the University of Suriname.

5) Two members designated by the Conference of CARICOM Ministers responsible for Health (CMH).

6) One member designated by the host Government of Trinidad and Tobago.

7) One member representing the Secretariat of the Caribbean Community (CARICOM).

8) One member designated by the Commonwealth Caribbean Medical Research Council (CCMRC).

9) Five members designated by the Director of PAHO/WHO, of which four shall be independent scientists of international reputation in relevant disciplines, from outside the area served by CAREC.

c) The chairperson of the SAC shall be elected by the members thereof and shall serve for a maximum of three consecutive years.

d) Except when elected to be chairperson, a member shall not normally be designated for more than three consecutive years.

e) Any member who has served for three years may be granted an extension for one more year as an observer, at the request and expense of the designating government or organization.

f) The SAC shall meet at least once each year, but may determine at each meeting the date for its next meeting, which shall normally coincide with meetings of the Council. With the approval of the Director of PAHO/WHO, the Director of CAREC may convene a special meeting of the SAC.

9. Observer status

1) Any member government of PAHO, not otherwise represented on the SAC may, at its own expense and with the concurrence of the chairman of the SAC and the Director of PAHO/WHO on an ad hoc basis, send an observer who may participate in the deliberations of SAC without vote.

2) Any agency donating to the core budget of CAREC may, at its own expense and with the concurrence of the chairman of the SAC and the Director of PAHO/WHO on an ad hoc basis, send an observer who may participate in the deliberations of SAC without vote.

3) Any government that is a member of the World Health Organization (WHO) may, at its own expense and with the concurrence of the chairman of the Council and the Director of PAHO/WHO on an ad hoc basis, send an observer and participate in the deliberations of SAC without vote.

PART IV. Financial Support

1. The financial support of the budget of CAREC as approved by the CMH shall consist of contributions from the governments as determined from time to time by the CMH, based on the following factors:

a) Trinidad and Tobago contributes 63.23% of member-government contributions. As new governments join CAREC, Trinidad and Tobago's share shall be reduced accordingly.

b) Other member governments shall contribute the remaining 36.77% as adjusted from time to time, based on the UN scale and/or method of calculating assessments and approved by the CMH.

PART V. Facilities, Privileges and Immunities

1. The participating governments shall apply to PAHO/WHO and its officials assigned to CAREC the privileges and immunities provided for in the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations. These privileges and immunities shall also be extended *mutatis mutandis* to CAREC and to its personnel, funds, property, and assets.

2. The participating governments shall be responsible for dealing with any claim which may be brought by third parties against PAHO/WHO (either in its own name or in the name of CAREC) or CAREC, or their or its officials or other persons performing services

on their or its behalf under this Agreement, and shall hold harmless PAHO/WHO, and CAREC, their or its officials, and the above-mentioned persons in case of any claims or liabilities resulting from operating under this Agreement, except where it is agreed by the Governments and PAHO/WHO or CAREC as the case may be, that such claims or liabilities arise from the gross negligence or willful misconduct of such officials or such other persons.

3. The participating governments shall insure or indemnify PAHO/WHO for civil liability under the laws of their respective countries in respect of vehicles provided under this Agreement by PAHO/WHO for so long as PAHO/WHO retains the ownership thereof.

4. Each participating government shall take all measures necessary to facilitate the entry into, residence in, and departure from the respective country of all persons having official business with CAREC, including officials, experts, and consultants of PAHO/WHO and other international agencies concerned with the programme, technicians, and fellows or trainees accepted by CAREC to participate in courses, meetings, seminars or other special studies, and other persons performing services on its behalf under this Agreement.

PART VI. General Provisions

1. This Agreement shall enter into force upon signature by the host country and six other signatories, and shall be valid through 31 December 1995.

2. This Agreement may be modified, in which event the parties hereto shall consult each other concerning the modifications to be made, and such modifications shall become effective upon agreement reached and signed by all parties to this Agreement.

3. Subject to established policies, CAREC may cooperate with other governments not members of the Conference of CARICOM Ministers responsible for Health (CMH) and organizations interested in the programmes of CAREC. Such other governments may apply for and become contributing members of CAREC upon approval by the Conference of (Caribbean) Ministers responsible for Health (CMH) and all other member governments.

4. Any dispute arising out of the application or interpretation of this Agreement shall be settled by negotiations or, if necessary, by arbitration in accordance with procedures to be agreed upon in writing signed by the parties to the dispute.

5. This Agreement shall be interpreted in the light of its fundamental objective, which is to make it possible for CAREC to carry out its functions fully and efficiently and to attain its purposes.

IN WITNESS WHEREOF the undersigned, being duly authorized, sign this Agreement in an equal number of copies in English. Acceptance of this Agreement by other contributing governments or organizations shall be expressed by means of a letter of acceptance including its respective assigned quota, addressed to the Director of PAHO/WHO.

De Overeenkomst is ondertekend voor de volgende Staten en internationale Organisatie:

de Bahamas	27 september 1990
Barbados	27 september 1990
Belize	27 september 1990
Dominica	27 september 1990
Grenada	27 september 1990
Guyana	27 september 1990
Jamaica	27 september 1990
de Pan Amerikaanse Gezondheidsor- ganisatie/de Wereldgezondheidsor- ganisatie	27 september 1990
Suriname	27 september 1990
Sint Christopher en Nevis	27 september 1990
Sint Lucia	27 september 1990
Sint Vincent en de Grenadinen	27 september 1990
Trinidad en Tobago	27 september 1990
het Verenigd Koninkrijk van Groot- Brittannië en Noord-Ierland	14 februari 1991
(voor: Anguilla de Bermuda-eilanden de Britse Maagden-eilanden de Cayman-eilanden Montserrat de Turks- en Caicos-eilanden)	
Antigua en Barbuda	10 mei 1991

D. PARLEMENT

De Overeenkomst behoeft ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan de Overeenkomst kan worden gebonden.

G. INWERKINGTREDING

De bepalingen van de Overeenkomst zijn ingevolge deel VI, eerste lid, op 27 september 1990 in werking getreden.

J. GEGEVENS

De Wereldgezondheidsorganisatie is ingesteld bij het op 22 juli 1946 te New York tot stand gekomen Statuut van de Wereldgezondheidsorganisatie. De tekst en vertaling van het Statuut zijn geplaatst in *Stb.* I, 182. Zie ook, laatstelijk, *Trb.* 1986, 162.

Bij de op 21 mei 1949 te Washington tot stand gekomen Overeenkomst tussen de Wereldgezondheidsorganisatie en de Pan Amerikaanse Gezondheidsorganisatie is de Pan Amerikaanse Gezondheidsorganisatie onderdeel geworden van de Wereldgezondheidsorganisatie.

Uitgegeven de *twintigste* oktober 1992.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK