

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1993 Nr. 137

A. TITEL

Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en de Voedsel- en Landbouworganisatie van de Verenigde Naties houdende een verdrag betreffende de Internationale Consultatie inzake jute en het milieu te 's-Gravenhage van 26 tot 29 oktober 1993;
Rome, 21 juli 1993

B. TEKST

Nr. I.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

The Director-General

ESC-807 (Agm)

Rome, 7 july 1993

International Consultation on Jute and the Environment

The Hague, 26-29 October 1993

Reply requested by 5 August 1993

Sir,

I have the honour to draw attention to the offer made by the Representative of your Government at the Twenty-eighth Session of the Intergovernmental Group on Jute, Kenaf and Allied Fibres (Rome, 26-28 October 1992) to provide host facilities for the Interna-

tional Consultation on Jute and the Environment in The Hague from 26 to 29 October 1993.

I very much appreciate the generous offer made by your Government.

The Consultation is being convened under the provisions of Article VI-5 of the FAO Constitution with financial support from the European Economic Community and the Rockefeller Foundation of the United States of America. It is my intention to invite the FAO Member Nations which are major jute producing and consuming countries having interest in environmental issues concerning jute as well as the international organizations listed in the attached Memorandum of Responsibilities. The total number of participants is expected to be about 120.

I should like to draw your attention to the responsibilities to be assumed by the Host Government and by FAO for the Consultation, as specified in the attached Memorandum of Responsibilities and in the Appendix. Part V of the Memorandum sets out the responsibilities of the Host Government with regard to privileges and immunities and the granting of visas and all necessary facilities to participants.

I should appreciate receiving your Government's written or cabled acceptance of the responsibilities outlined in the attached Memorandum by 5 August 1993, so that invitations and documents may be prepared and issued in good time. This letter and your reply will constitute the Agreement covering the Consultation.

Accept, Sir, the assurance of my highest consideration.

EDOUARD SAOUMA

(S.) M. ALESSI

M. Alessi
Assistant Director-General, GI

*His Excellency
Pieter Kooijmans
Minister for Foreign Affairs
The Hague*

MEMORANDUM OF RESPONSIBILITIES TO BE ASSUMED
BY THE GOVERNMENT OF THE KINGDOM OF THE
NETHERLANDS AND BY THE FOOD AND AGRICULTURE
ORGANIZATION OF THE UNITED NATIONS FOR AN
INTERNATIONAL CONSULTATION ON JUTE AND THE
ENVIRONMENT

The following provisions set out the respective responsibilities to be assumed by the Government of the Kingdom of the Netherlands, hereinafter referred to as the Host Government, and by the Food and Agriculture Organization of the United Nations, hereinafter referred to as FAO, to ensure the smooth conduct of the International Consultation of Jute and the Environment, hereinafter referred to as the Consultation, which is being convened with financial support from the European Economic Community and the Rockefeller Foundation of the United States of America.

I. DATE AND PLACE OF CONSULTATION

1. The Consultation will be held in The Hague and will start on Tuesday 26 October and last through 29 October 1993.
2. The Consultation will be conducted in English and French.

II. PARTICIPANTS

1. The following FAO Members will be invited to attend: Algeria, Argentina, Australia, Bangladesh, Belgium, Brazil, Canada, China, Côte d'Ivoire, Cuba, Denmark, Egypt, El Salvador, Ethiopia, European Economic Community (Member Organization), France, Germany, Ghana, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Mexico, Morocco, Mozambique, Myanmar, Nepal, Netherlands, Nigeria, Norway, Pakistan, Poland, Portugal, Saudi Arabia (Kingdom of), Spain, Sudan, Sweden, Switzerland, Syria, Tanzania, Thailand, Turkey, Uganda, United Kingdom, United States of America, Uruguay, Viet Nam, Zambia and Zimbabwe.

2. Representatives will be invited from the United Nations, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Environment Programme, the Economic and Social Commission for Asia and the Pacific, the International Trade Centre UNCTAD/GATT, the World Bank, the United Nations Industrial Development Organization and the General Agreement on Tariffs and Trade.

3. Experts will be invited from Bangladesh, Brazil, China, Cuba, Germany, India, Indonesia, Nepal, Pakistan, Thailand, United Kingdom and the United States of America, and from the following organizations: Commonwealth Secretariat, the European Association

for Trade in Jute Products, the European Coffee Federation, the European Committee for Civil Engineers, the European Environmental Bureau, the European Federation of Mayors, the Institute for European Environment Policy, the International Association of Horticultural Producers, the International Federation of Agricultural Producers, the International Finance Corporation, the International Jute Organisation, the International Office of Cocoa, Chocolate and Sugar Confectionery, the International Organisation of Consumer's Unions, the Organisation for Economic Co-operation and Development and the Technical Association of Pulp and Paper Industry.

4. Furthermore, in accordance with the Constitution, General Rules and Principles of FAO, other Member Nations of the Organization and international organizations in relationship with FAO may be represented at the Consultation, should they so request.

5. The total number of participants is estimated at 120.

6. The Government will be provided with a provisional list of participants in due time before the Consultation.

III. RESPONSIBILITIES OF FAO

1. FAO will be responsible for organizing the Consultation, issuing all invitations, and circulating the Agenda of the Consultation.

2. The Operational Responsibilities of FAO are listed separately in the attached Appendix.

3. FAO will assist in assuring adequate media coverage.

IV. RESPONSIBILITIES OF THE HOST GOVERNMENT

1. The Operational Responsibilities of the Host Government are listed separately in the attached Appendix.

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

V. PRIVILEGES AND IMMUNITIES

1. The Government recognizes that the Convention on the Privileges and Immunities of the Specialized Agencies will be applicable to the Consultation. Accordingly, representatives of Governments and officials of FAO performing official functions in connection with the Consultation will enjoy the privileges and immunities provided by

Articles V and VI of the Convention. The FAO declares that participants invited by the FAO to the Consultation mentioned in Article II, paragraph 3, are experts on mission within the meaning of Annex 2 of the Convention, and consequently it is agreed that they will enjoy the privileges and immunities provided by that Annex.

2. Without prejudice to the provision of the Convention on the Privileges and Immunities of the Specialized Agencies, all persons performing functions in connection with the Conference shall enjoy immunity from legal process in respect of words spoken or written in connection with their functions in the Consultation.

3. All participants and all persons performing functions in connection with the Consultation shall have the right to unimpeded entry into and exit from the Netherlands. Visas and entry permits where required, shall be granted free of charge with the utmost speed.

4. The Government will deal with any action, claim, or other demand against the FAO or its personnel arising out of:

- (i) injury to person or damage to property in the premises provided for the Consultation;
- (ii) injury to person or damage to property incurred in using the transportation provided by the Government for the Consultation;
- (iii) the employment by the Government of temporary personnel for the Government, and the Government will hold harmless the FAO and its personnel in respect of any such action, claim or demand, unless these damages were caused by gross negligence or intentionally caused by personnel of FAO.

5. 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.

VI. ARBITRATION

1. Any dispute concerning the interpretation of implementation of this Agreement, except for a dispute subject to the appropriate provisions of the Convention on the Privileges and Immunities of the Specialized Agencies or of any other applicable agreement will, unless the parties otherwise agree, be submitted to a tribunal of three arbitrators, one of whom shall be appointed by the Director-General of FAO, one by the Government, and the third, who will be the chairman, by the two other 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 the second one of them appoint the chairman, then such arbitrator will be nominated by the President of the International Court of Justice at the request of either Party to the dispute.

Appendix

ESC-807 (Agm)

OPERATIONAL RESPONSIBILITIES TO BE ASSUMED BY THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND BY THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS FOR AN INTERNATIONAL CONSULTATION ON JUTE AND THE ENVIRONMENT

OPERATIONAL RESPONSIBILITIES OF THE HOST GOVERNMENT

A. Staff

The Host Government will:

1. Nominate a Liaison Officer who will be responsible for the coordination of local facilities and arrangements for the Consultation.
2. Make available two experienced typists familiar with the use of personal computers, personnel to operate the duplication equipment, two messengers, and related assistance and technical services for repair of equipment required for the conduct of the Consultation.
3. Bear all necessary cost of the staff provided, including salaries, overtime and subsistence allowances, if required, and travel to and from the Consultation.

B. Facilities and Equipment

The Host Government will provide or pay for:

4. One meeting room with seating and table space for 120 persons and fully equipped for simultaneous interpretation, and containing three pigeonhole bookshelves for stocking of documents; four/five offices adequately furnished, and space for duplication and collation of documents.
5. Two personal computers (IBM compatible) with word processing capability (Word Perfect software), one laser printer, two typewri-

ters with international keyboards, one slide projector and screen, duplicating facilities and other equipment as required.

C. Supplies and Services

The Host Government will provide:

6. Office supplies, stationery and paper as required.
7. Facilities for the local reproduction of documents needed for the Consultation (see paragraph 11).
8. First-aid facilities for delegates, observers and staff.

OPERATIONAL RESPONSIBILITIES OF FAO

A. Staff (at FAO's cost in accordance with FAO regulations)

FAO will:

9. Provide the Secretariat of the Consultation.
10. Bear the cost of salary and subsistence allowance and travel, as appropriate, of the following qualified staff:
 - two simultaneous interpreters into French from English;
 - two simultaneous interpreters into English from French;
 - one French translator;
 - one French stenographer.

B. Material, Supplies and Services

FAO will:

11. Provide documents for the Consultation.
12. Provide name plates for all countries and organizations attending the Consultation.
13. Provide any special material or supplies required for the conduct of the Consultation including transport up to and return up to the site of the Consultation, it being understood that any material or supplies provided by FAO remain the property of FAO.
14. Issue and distribute a report of the Consultation after its conclusion.

Nr. II

PERMANENT MISSION
OF THE KINGDOM OF THE NETHERLANDS
TO THE FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS

No. ROF-1312
FP/gc

Rome, 21 July 1993

Subject: FAO/International Consultation on Jute and the Environment, The Hague, 26-29 October 1993

Excellency,

On behalf of the Minister of Foreign Affairs I have the honour to acknowledge receipt of your letter Ref. ESC-807 (Agm) of 7 July 1993 reading as follows:

(Zoals in Nr. I)

The Minister of Foreign Affairs has authorized me to answer your letter on his behalf. I am pleased to inform you that the Netherlands Government is prepared to host the meeting in question. The Netherlands Government considers the above mentioned letter and this reply as together constituting an Agreement between the Government of the Kingdom of the Netherlands and the Food and Agriculture Organization of the United Nations, 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, Excellency, the assurance of my highest consideration.

(sd.) F. C. PRILLEVITZ

F. C. Prillevitz
Permanent Representative

*His Excellency
Dr. Edouard Saouma
Director-General
of the Food and Agriculture Organization
of the United Nations
Via delle Terme di Caracalla
Rome*

D. PARLEMENT

Het in de brieven vervatte verdrag behoeft ingevolge additioneel artikel XXI 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 het in de brieven vervatte verdrag zijn ingevolge het in de brieven ter zake bepaalde op 21 juli 1993 in werking getreden.

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

J. GEGEVENS

Van het op 16 oktober te Quebec tot stand gekomen Statuut van de Voedsel en Landbouworganisatie der Verenigde Naties (FAO) zijn tekst en vertaling geplaatst in *Stb. I* 77. Zie ook, laatstelijk, *Trb.* 1980, 55.

Van het op 21 november 1947 te New York tot stand gekomen Verdrag nopens de voorrechten en immuniteit en van de gespecialiseerde organisaties, naar welk Verdrag wordt verwezen in paragraaf V van het bij Brief I behorende Memorandum, zijn tekst en vertaling geplaatst in *Stb. J* 67. Zie ook, laatstelijk *Trb.* 1987, 194.

Van het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationaal Gerechtshof, naar welk Hof wordt verwezen in paragraaf VI van het bij Brief I behorende Memorandum, zijn de Engelse en de Franse tekst geplaatst in *Trb.* 1971, 55. Een herziene vertaling in het Nederlands van het Statuut is geplaatst in *Trb.* 1987, 114.

Uitgegeven de *zesde* oktober 1993.

De Minister van Buitenlandse Zaken,

P. H. KOOIJMANS