

52 (2001) Nr. 1

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2002 Nr. 1

A. TITEL

*Briefwisseling tussen de regering van het Koninkrijk der Nederlanden
en de Voedsel- en Landbouworganisatie van de Verenigde Naties
(FAO) houdende een verdrag betreffende de 34ste zitting van het
Codex Comité voedseladditieven en -verontreinigers te 's-Gravenhage
van 11 tot 15 maart 2002;
Rome, 10 oktober / 16 november 2001*

B. TEKST

Nr. I

FOOD AND AGRICULTURE
ORGANIZATION OF THE
UNITED NATIONS

10 October 2001

Our Ref.: CX-711 (Agm)

Thirty-fourth Session of the Codex Committee on
Food Additives and Contaminants
The Hague, 11–15 March 2002

Reply requested by 16 November 2001

Sir,

I have the honour to refer to the Thirty-fourth Session of the Codex

Committee on Food Additives and Contaminants, which is scheduled to be held in The Hague from 11 to 15 March 2002, at the kind invitation of the Government of the Kingdom of the Netherlands. The Committee will be preceded by its Working Groups which will be held on 8 and 9 March 2002.

I very much appreciate the generous support of your Government in hosting this Committee over many years.

The Session is being convened within the framework of the Joint FAO/WHO Food Standards Programme, and is subject to the approval of the Thirty-first Session of the FAO Conference in November 2001. It is my intention to invite all Members of the FAO/WHO Codex Alimentarius Commission listed in Annex A. Notification of the Session will be given to the international organizations listed in Annex B, which will attend as appropriate according to their specific field of interest.

Furthermore, other Member Nations or Associate Members of FAO and/or WHO, which are not members of the Codex Alimentarius Commission, or States which, while not Members of FAO or WHO, are members of the United Nations may also be represented by observers. International organizations in relationship with FAO and/or WHO may be represented by observers at the Session, should they so request. The total number of participants is expected to be about 250.

The Session will be conducted in English, French and Spanish. The Host Government will be responsible for providing interpreters whose curricula are to be cleared by the Chief FAO interpreter.

In order to ensure the smooth functioning of the Session, I should appreciate it if your Government would undertake to apply the following provisions:

1. The Government will exercise all reasonable care to ensure security on the premises in which the Session takes place and to ensure the safety of the officials of FAO and WHO 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.

2. The Government recognizes that the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947 (hereinafter referred to as "the Convention") will be applicable to the Session. Accordingly, representatives of Governments and officials of FAO and WHO performing official functions in connection with the Session will enjoy the privileges and immunities provided by Articles V and VI of the Convention. FAO declares that participants from organizations listed in Annex B are experts on mission within the meaning of Annex II and VII to the Convention, and consequently it is agreed that they will enjoy the privileges and immunities provided by those Annexes.

3. Without prejudice to the provisions of the Convention, all persons performing functions in connection with the Session shall enjoy immunity from legal process in respect of words spoken or written in connection with their functions during the Session.

4. Grant visas and all necessary facilities to delegates, observers and consultants attending the Session, provided that the general conditions governing the granting of visas are fulfilled.

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

- (i) injury to person or damage to property in the premises provided for the Session;
- (ii) injury to person or damage to property incurred in using the transportation provided by the Government for the Session;
- (iii) the employment by the Government of temporary personnel for the Government. The Government will hold harmless FAO and WHO 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 or WHO.

6. 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.

7. Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to the appropriate provisions of the Convention or of any other applicable agreement, will, unless the parties otherwise agree, be submitted to a tribunal of three arbitrators, one of whom will be appointed by the Director-General of FAO, one by the Government, and the third, who will 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 will 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 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 should appreciate receiving your Government's acceptance by letter or by telefax of the above responsibilities by 16 November 2001, so that invitations and documents may be prepared and issued in good time. This letter and your reply will constitute the Agreement covering the Session.

Accept, Sir, the assurance of my highest consideration.

(sd.) CARLEEN GARDNER

Carleen Gardner
Assistant Director-General
Department of General Affairs and Information

*His Excellency
Jan Berteling
Ambassador of the Kingdom of the Netherlands of FAO
Rome*

Annex A

(CX-711 (Agm))

List of Members of the FAO/WHO Codex Alimentarius Commission

Albania	Cape Verde	El Salvador
Algeria	Central African Repu-	Equatorial Guinea
Angola	blic	Eritrea
Antigua and Barbuda	Chad	Estonia
Argentina	Chile	Ethiopia
Armenia	China	Fiji
Australia	Colombia	Finland
Austria	Congo, Democratic	France
Bahrain	Republic of	Gabon
Bangladesh	Congo,	Gambia
Barbados	Republic of	Georgia
Belgium	Cook Islands	Germany
Belize	Costa Rica	Ghana
Benin	Côte d'Ivoire	Greece
Bhutan	Croatia	Grenada
Bolivia	Cuba	Guatemala
Botswana	Cyprus	Guinea
Brazil	Czech Republic	Guinea-Bissau
Brunei Darussalam	Democratic People's	Guyana
Bulgaria	Republic of Korea	Haiti
Burkina Faso	Denmark	Honduras
Burundi	Dominica	Hungary
Cambodia	Dominican Republic	Iceland
Cameroon	Ecuador	India
Canada	Egypt	Indonesia

Iran, Islamic Republic of	Myanmar	South Africa
Iraq	Namibia	Spain
Ireland	Nepal	Sri Lanka
Israel	Netherlands	Sudan
Italy	New Zealand	Suriname
Jamaica	Nicaragua	Swaziland
Japan	Niger	Sweden
Jordan	Nigeria	Switzerland
Kenya	Norway	Syria
Kiribati	Oman	Tanzania, United Republic of
Korea, Republic of	Pakistan	Thailand
Kuwait	Panama	The Former Yugoslav Republic of Macedonia
Laos	Papua New Guinea	Togo
Latvia	Paraguay	Tonga
Lebanon	Peru	Trinidad and Tobago
Lesotho	Philippines	Tunisia
Liberia	Poland	Turkey
Libya	Portugal	Uganda
Lithuania	Qatar	United Arab Emirates
Luxembourg	Romania	United Kingdom
Madagascar	Russian Federation	United States of America
Malawi	Rwanda	Uruguay
Malaysia	Saint Kitts and Nevis	Vanuatu
Malta	Saint Lucia	Venezuela
Mauritania	Samoa	Viet Nam
Mauritius	Saudi Arabia, Kingdom of	Yemen
Mexico	Senegal	Yugoslavia
Micronesia, Federated States of	Seychelles	Zambia
Moldova	Sierra Leone	Zimbabwe
Mongolia	Singapore	
Morocco	Slovakia	
Mozambique	Slovenia	
	Solomon Islands	

Annex B

(CX-711 (Agm))

List of organizations to be invited to the Codex Committee on Food Additives and Contaminants

United Nations (UN)
Economic Commission for Africa (ECA)
Economic Commission for Europe (ECE)
Economic Commission for Latin America and the Caribbean (ECLAC)

Economic and Social Commission for Asia and the Pacific (ESCAP)
 Economic and Social Commission for Western Asia (ESCWA)
 United Nations Conference on Trade and Development (UNCTAD)
 United Nations Development Programme (UNDP)
 United Nations Environment Programme (UNEP)
 World Food Programme (WFP)
 International Network of Food Data Systems (INFOODS)
 International Trade Centre UNCTAD/WTO (ITC)
 International Fund for Agricultural Development (IFAD)
 United Nations Industrial Development Organization (UNIDO)
 International Atomic Energy Agency (IAEA)

Intergovernmental Organizations:

African Groundnut Council (AGC)
 African Regional Organization for Standardization (ARSO)
 African, Caribbean and Pacific Group of States (ACP Group)
 Arab Industrial Development and Mining Organization (AIDMO)
 Asian and Pacific Coconut Community (APCC)
 Asociación Latinoamericana de Integración (ALADI/LAIA)
 Association of Southeast Asian Nations (ASEAN)
 Caribbean Community (CARICOM)
 Cocoa Producers' Alliance (CPA)
 Comisión Panamericana de Normas Técnicas (COPANT)
 Comité Regional de Sanidad Vegetal del Cono Sur (COSAVE)
 Commission internationale des industries agricoles et alimentaires (CIIAA)
 Comunidad Andina
 Conseil permanent de la Convention internationale de Stresa sur l'emploi des appellations d'origine et dénominations de fromages
 Conseil phytosanitaire interafricain (CPI)
 Council of Europe (CE)
 Council of Ministers of the European Union
 Council of Ministers of West African States (ECOWAS/CEDEAO)
 European and Mediterranean Plant Protection Organization (EMPPPO)
 European Commission
 European Free Trade Association (EFTA)
 Institut international du froid (IIF/IIR)
 Instituto de Nutrición de Centro América y Panamá (INCAP)
 Inter-American Institute for Cooperation on Agriculture (IICA)
 International Olive Oil Council (IOOC)
 League of Arab States (LAS)
 Mercado Común del Sur (MERCOSUR)
 Nordic Committee on Food Analysis (NMKL)
 Office international de la vigne et du vin (OIV)
 Office international des épizooties (OIE)
 Organisation africaine et malgache du café (OAMCAF)

Organisation for Economic Co-operation and Development (OECD)
 Organisation internationale de métrologie légale (OIML)
 Organization of African Unity (OAU)
 Organization of American States (OAS)
 Pacific Community (SPC)
 Pan American Health Organization (PAHO)
 Secretaría Permanente del Tratado General de Integración Económica
 Centroamericana (SIECA)
 Sistema Económico Latinoamericano (SELA)
 South Asian Association for Regional Cooperation (SAARC)
 Southern African Development Community (SADC)
 Standardization and Metrology Organization for Gulf Cooperation
 Council Countries (SMOGCCC)
 Union douanière et économique de l'Afrique centrale (UDEAC/CACEU)
 West Africa Rice Development Association (WARDA)
 World Trade Organization (WTO/OMC)

International Non-Governmental Organizations:

American Oil Chemists' Society (AOCS)
 AOAC International
 ASEAN Vegetable Oils Club (AVOC)
 Asociación Latinoamericana de Avicultura (ALA)
 Association des amidonneries de céréales de l'UE (AAC)
 Association des industries des aliments diététiques de l'Union européenne
 (IDACE)
 Association des industries des glaces alimentaires de la CEE
 (EUROGLACES)
 Association européenne des exploitations frigorifiques (AEEF)
 Association européenne pour le droit de l'alimentation (AEDA/EFLA)
 Association internationale de la distribution (AIDA)
 Association internationale des industries de bouillons et potages (AIIBP)
 Association internationale des sélectionneurs pour la protection des
 obtentions végétales (ASSINSEL)
 Association internationale pour le développement des gommes
 naturelles (AIDGUM)
 Association of American Feed Control Officials (AAFCO)
 Association of European Coeliac Societies (AOECS)
 Association of International Industrial Irradiation (AIII)
 Association of Manufacturers of Fermentation Enzyme Products
 (AMFEP)
 Association of Sorbitol Producers within the EC (ASPEC)
 BIOPOLYMER International
 Caribbean Food and Nutrition Institute (CFNI)
 Center for Science in the Public Interest (CSPI)
 Centre de liaison des industries transformatrices de viandes de l'UE
 (CLITRAVI)

Chambre de commerce internationale (ICC)
 COLEACP (COLEACP)
 Comité de liaison de l'agrumiculture méditerranéenne (CLAM)
 Comité des fabricants d'acide glutamique de l'UE (COFAG)
 Comité du commerce des céréales, aliments du bétail, oléagineux, huiles et graisses et agrofournitures de l'Union Européenne (COCERAL)
 Comité européen des fabricants de sucre (CEFS)
 Comité permanent international du vinaigre (CPIV)
 Confédération des industries agro-alimentaires de l'UE (CIAA)
 Confédération internationale du commerce et de l'industrie des pailles fourrages tourbes et dérivés (CIPF)
 Confédération internationale du commerce et des industries des légumes secs (CICILS/IPTIC)
 Confédération mondiale de l'industrie de la santé animale (COMISA)
 Confederation of International Soft Drink Associations (CISDA)
 Conseil européen de l'industrie chimique (CEFIC)
 Consumers International (CI)
 Council for Responsible Nutrition (CRN)
 Euro Commerce
 European Animal Fat Processors Association (UNEGA)
 European Animal Protein Association (EAPA)
 European Association of Advertizing Agencies (EAAA)
 European Association for Bioindustries (EuropaBio)
 European Dairy Association (EDA)
 European Federation of Associations of Health Product Manufacturers (EHPM)
 European Federation of Pharmaceutical Industries' Associations (EFPIA)
 European Feed Manufacturers' Federation (FEFAC)
 European Flavour and Fragrance Association (EFFA)
 European Food and Feed Cultures Association (EFFCA)
 European Food Emulsifier Manufacturers' Association (EFEMA)
 European Fresh Produce Importers' Association (CIMO)
 European Heart Network (EHN)
 European Network of Childbirth Associations (ENCA)
 European Organization for Quality (EOQ)
 European Proprietary Medicines Manufacturers' Association (AESGP)
 European Salt Producers' Association (ESPA)
 European Vegetable Protein Federation (EUVEPRO)
 Federación Panamericana de Lechería (FEPAL)
 Fédération de l'industrie de l'huilerie de la CE (FEDIOL)
 Fédération des industries des sauces condimentaires, de la moutarde et des fruits et légumes préparés à l'huile et au vinaigre de l'UE (FIC EUROPE)
 Fédération européenne du commerce en fruits secs, conserves, épices et miel (FRUCOM)

Fédération internationale des associations d'apiculture (APIMONDIA)
Fédération internationale des producteurs agricoles (IFAP)
Fédération internationale des vins et spiritueux (FIVS)
Federation of European Food Additives and Food Enzymes Industries (ELC)
FOSFA International (FOSFA)
Global Crop Protection Federation (GCPF)
Grain and Feed Trade Association (GAFTA)
Groupement international des industries des eaux minérales naturelles et des eaux de source (GISEMES)
Industry Council for Development (ICD)
Institut européen des industries de la gomme de caroube (INEC)
Institute of Food Technologists (IFT)
Inter-American Bar Association (IABA)
International Accreditation Forum (IAF)
International Alliance of Dietary/Food Supplement Associations (IADSA)
International Association for Cereal Science and Technology (ICC)
International Association of Consumer Food Organizations (IACFO)
International Association of Fish Inspectors (IAFI)
International Association of Seed Crushers (IASC)
International Baby Food Action Network (IBFAN)
International Banana Association (IBA)
International Biotechnology Forum (IBF)
International Bottled Water Association (IBWA)
International Cocoa Organization (ICCO)
International Cocoa Trades Federation (ICTF)
International Commission for Uniform Methods of Sugar Analysis (ICUMSA)
International Commission on Microbiological Specifications for Foods (ICMSF)
International Cooperative Alliance (ICA)
International Council of Grocery Manufacturers Associations (ICGMA)
International Dairy Federation (IDF/FIL)
International Diabetes Federation (IDF/FID)
International Egg Commission (IEC)
International Federation of Agricultural Journalists (IFAJ)
International Federation of Fruit Juice Producers (IFU)
International Federation of Glucose Industries (IFG)
International Federation of Margarine Associations (IFMA)
International Federation of Organic Agriculture Movements (IFOAM)
International Feed Industry Federation (IFIF)
International Fishmeal and Oil Manufacturers Association (IFOMA)
International Food Additives Council (IFAC)
International Food Information Service (IFIS)
International Frozen Foods Association (IFFA)
International Glutamate Technical Committee (IGTC)

International Institute for Applied Systems Analysis (IIASA)
International Lactation Consultant Association (ILCA)
International Life Sciences Institute (ILSI)
International Milling Association (IMA)
International Nut Council (INC)
International Office of Cocoa, Chocolate and Sugar Confectionery (IOCCC)
International Organization for Standardization (ISO)
International Organization of the Flavour Industry (IOFI)
International Peanut Forum (IPF)
International Pectin Producers' Association (IPPA)
International Soft Drink Council (ISDC)
International Special Dietary Foods Industries (ISDI)
International Sweeteners Association (ISA)
International Toxicology Information Centre (ITIC)
International Union of Biological Sciences (IUBS)
International Union of Food Science and Technology (IUFOST)
International Union of Microbiological Societies (IUMS)
International Union of Nutritional Sciences (IUNS)
International Union of Pure and Applied Chemistry (IUPAC)
MARINALG International (MARINALG)
Natural Food Colours Association (NATCOL)
Organisation des fabricants de produits cellulosiques alimentaires (OFCA)
Organisation européenne des industries transformatrices de fruits et légumes (OEITFL)
Pesticides Action Network (PAN)
Rural Advancement Foundation International (RAFI)
Transfrigoroute International (TI)
Union européenne des industries de transformation de la pomme de terre (UEITP)
Union européenne du commerce du bétail et de la viande (UECBV)
Working Group on Prolamin Analysis and Toxicity (PWG)
World Association for Animal Production (WAAP)
World Federation of Advertizers (WFA)
World Medical Association (WMA)
World Processing Tomato Council (WPTC)
World Renderers Organization (WRO)
World Self-Medication Industry (WSMI)
World Sugar Research Organization (WSRO)
World Veterinary Association (WVA)

Nr. II

PERMANENT REPRESENTATION OF THE KINGDOM OF THE
NETHERLANDS TO THE FOOD AND AGRICULTURE ORGANI-
ZATION OF THE UNITED NATIONS (FAO), TO THE WORLD
FOOD PROGRAMME (WFP), AND TO THE INTERNATIONAL
FUND FOR AGRICULTURAL DEVELOPMENT (IFAD)

Rome, 16 November 2001

No. ROF-2001/1578
JSt/pg

Subject: Thirty-fourth Session of the Codex Committee on Food Addi-
tives and Contaminants,
The Hague 11-15 March 2002

Dear Ms Gardner,

I have the honour to refer to your letter of 10 October 2001, relating to an agreement to be concluded between the Government of the Kingdom of the Netherlands and the Food and Agricultural Organization of the United Nations (FAO) concerning the Thirty-fourth Session of the Codex Committee on Food Additives and Contaminants, which is scheduled to be held in the Hague from 11 to 15 March 2002, which reads as follows:

(Zoals in Nr. I)

I am authorized by the Government of the Kingdom of the Netherlands to state that it agrees to the proposals regarding the organization of the Session and to state that the Government of the Kingdom of the Netherlands considers your letter and my letter as together constituting an Agreement between the Government of the Kingdom of the Netherlands and the Food and Agricultural Organization of the United Nations in respect of the Thirty-fourth Session of the Codex Committee on Food Additives and Contaminants, which shall enter into force on the date of this reply and shall remain in force for the duration of the Session 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.

Yours sincerely,

(sd.) J. BERTELING

Jan Berteling
Ambassador
Permanent Representative

*Ms. Carleen Gardner
Assistant Director-General
Department of General Affairs and Information
F.A.O.
Via delle Terme di Caracalla
Rome*

D. PARLEMENT

Het in de brieven vervatte verdrag heeft ingevolge artikel 7, onderdeel c, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de brieven vervatte verdrag zijn ingevolge het in de laatste alinea van brief Nr. II gestelde op 16 november 2001 in werking getreden.

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

J. GEGEVENS

Van het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties – de organisatie van de Verenigde Naties wordt genoemd in de vierde alinea van brief Nr. I – zijn de gewijzigde Engelse en Franse tekst geplaatst in *Trb.* 1979, 37 en de herziene vertaling in *Trb.* 1987, 113. Zie ook, laatstelijk, *Trb.* 1998, 145.

Van het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof – naar de President van dat Hof wordt verwezen in paragraaf 7 van brief Nr. I – is de tekst geplaatst in *Trb.* 1971, 55 en is de herziene vertaling geplaatst in *Trb.* 1987, 114. Zie ook *Trb.* 1997, 106.

De Voedsel- en Landbouworganisatie der Verenigde Naties (FAO) is ingesteld bij een op 16 oktober 1945 te Quebec tot stand gekomen Statuut. Tekst en vertaling van dat Statuut zijn geplaatst in *Stb.* I 77. Zie ook, laatstelijk, *Trb.* 1996, 341.

De Wereldgezondheidsorganisatie is ingesteld bij een op 22 juli 1946 te New York tot stand gekomen Statuut. Tekst en vertaling van dat Statuut zijn geplaatst in *Stb.* I 182. Zie ook, laatstelijk, *Trb.* 1998, 255.

Van het op 21 november 1947 te New York tot stand gekomen Verdrag nopens de voorrechten en immuniteiten van de gespecialiseerde organisaties, naar welk Verdrag in paragraaf 2 van brief Nr. 1 wordt verwezen, zijn tekst en vertaling geplaatst in *Stb.* J 67. Zie ook, laatstelijk, *Trb.* 1994, 211.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het in de brieven vervatte verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *achtste* januari 2002.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN