

55 (2001) Nr. 1

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2002 Nr. 17

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 reststoffen van pesticiden te 's-Gravenhage van 13 tot
18 mei 2002;
Rome, 18 oktober / 6 december 2001*

B. TEKST

Nr. I

FOOD AND AGRICULTURE
ORGANIZATION OF THE
UNITED NATIONS

18 October 2001

Our Ref.: CX-718 (Agm)

Thirty-fourth Session of the Codex Committee on Pesticide Residues

The Hague, 13-18 May 2002

Reply requested by 3 December 2001

Sir,

I have the honour to refer to the Thirty-fourth Session of the Codex Committee on Pesticide Residues, which is scheduled to be held in The Hague from 13 to 18 May 2002, at the kind invitation of the Government of the Kingdom of the Netherlands.

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 organisations 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, and international organisations 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 organisations 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 3 December 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-718 (Agm))

Membership of FAO/WHO Codex Alimentarius Commission

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

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

Uruguay
Vanuatu
Venezuela
Viet Nam

Yemen
Yugoslavia
Zambia
Zimbabwe

Annex B

(CX-718 (Agm))

**List of Organizations to be invited to the Codex Committee on
Pesticide Residues**

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 phy-
tosanitaire interafricain (CPI)

Council of Europe (CE)
 Council of Ministers of the European Union
 Economic Community 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 Cocoa Organization (ICCO)
 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:

49th Parallel Biotechnology Consortium (49 P)
 American Oil Chemists' Society (AOCS)
 AOAC International
 ASEAN Vegetable Oils Club (AVOC)
 Asociación Latinoamericana de Avicultura (ALA)
 Asociación Latinoamericana y del Caribe de Ciencia y Tecnología de los Alimentos (ALACCTA)
 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 (EURO-GLACES)
 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 gommages 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
 Biotechnology Industry Organization (BIO)
 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)
 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 Cocoa Association (ECA)
 European Dairy Association (EDA)

European Federation of Associations of Health Product Manufacturers (EHPM)
 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)
 Greenpeace International (GREENPEACE)
 Groupement International des Sources d'Eaux Naturelles et d'Eaux Conditionnées (GISENEC-UNESEM)
 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 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 for Animal Health (IFAH)
 International Federation of Agricultural Journalists (IFAJ)
 International Federation of Chewing Gum Associations (IFCGA)
 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 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 Advertisers (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, 6 December 2001

No. ROF-2001/1703
 JSt/pg

Subject: Thirty-fourth Session of the Codex Committee on Pesticide
 Residues,
 The Hague, 13-18 May 2002

Dear Ms Gardner,

I have the honour to refer to your letter CX-718 (Agm) of 18 October
 2001, relating to an agreement to be concluded between the Government
 of the Kingdom of the Netherlands and the Food and Agricultural Orga-
 nization of the United Nations (FAO) concerning the Thirty-fourth Ses-
 sion of the Codex Committee on Pesticide Residues, which is scheduled
 to be held in the Hague from 13 to 18 May 2002, which reads as fol-
 lows:

(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 Pesticide Residues, 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.) JEROEN STEEGHS

Jeroen Steeghs
Deputy 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 behoeft 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 6 december 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 van de 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.* 2001, 179.

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. I wordt verwezen, zijn tekst en vertaling geplaatst in *Stb.* 1949 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 Onderhavige verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de vierentwintigste januari 2002.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN