

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2002 Nr. 70

A. TITEL

Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Milieu Programma van de Verenigde Naties (UNEP) inzake de wijziging van artikel 12 van het Verdrag tussen het Koninkrijk der Nederlanden en het Milieu Programma van de Verenigde Naties (UNEP) betreffende de zetel van het coördinatiekantoor van het „Wereldomvattend Programma van actie tot bescherming van het mariene milieu tegen activiteiten die op het land plaatsvinden”, met betrekking tot de mogelijkheid voor gezinsleden van functionarissen van het Milieu Programma van de Verenigde Naties (UNEP) om in Nederland betaald werk te verrichten; 's-Gravenhage, 14 en 15 februari 2002

B. TEKST

Nr. I

MINISTERIE VAN BUITENLANDSE ZAKEN
TREATIES DIVISION
DJZ/VE-156/02

The Hague, 14 February 2002

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the United Nations Environment Programme (UNEP) and, with reference to the discussions between the Ministry and UNEP regarding employment opportunities of members of the families forming part of the household of the officials of UNEP, has the honour to propose that Article 12 of the Agreement between the Kingdom of the Netherlands and the United Nations Environment Programme concerning the coordination office of the global programme of action for the protection of the marine environment from land-based activities, concluded at The Hague on 24 November 1997, be replaced by the following Article:

“Article 12

Employment of Family Members of Officials

1. Members of the family forming part of the household of the Officials shall be authorised to engage in gainful employment in the Netherlands for the duration of the term of office of the Officials concerned.

2. The following persons are members of the family forming part of the household in the sense of paragraph 1:

- a) the spouses or registered partners of Officials of the Coordination Office;
- b) children of Officials of the Coordination Office who are under the age of 18;
- c) children of Officials of the Coordination Office aged 18 or over, but not older than 27, provided that they formed part of the Official's household prior to their first entry into the Netherlands and still form part of this household, and that they are unmarried, financially dependent on the Official of the Coordination Office concerned and are attending education in the Netherlands.

3. Persons mentioned in paragraph 2 of this Article who obtain gainful employment shall have no immunity from criminal, civil or administrative jurisdiction with respect to matters arising in the course of or in connection with such employment, provided that measures of execution are taken without infringing the inviolability of their person or of their residence, if they are entitled to such inviolability.

4. In case of the insolvency of a person aged under 18 with respect to a claim arising out of gainful employment of that person under this Article, the immunity of the official of whose family the person concerned is a member shall be waived by the Coordination Office for the purpose of settlement of the claim, in accordance with the provisions of the applicable international legal instrument regarding waiver.

5. The employment referred to in paragraph 1 of this Article shall be in accordance with Netherlands legislation, including fiscal and social security legislation, unless any other applicable international legal instrument provides otherwise.”

If this proposal is acceptable to UNEP, the Ministry proposes that this Note and the UNEP's affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and the United Nations Environmental Programme, which shall enter into force on the date of the UNEP's reply.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands

avails itself of this opportunity to renew to the United Nations Environmental Programme the assurances of its highest consideration.

*United Nations Environment
Programme (UNEP)
Vuurtoerenweg 35-37
2538 XL Den Haag*

Nr. II

UNITED NATIONS ENVIRONMENT PROGRAMME

Ref.: HA/2002/01

The Hague, 15 February 2002

The United Nations Environmental Programme presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to acknowledge receipt of the Ministry's Note DJZ/VE-156/02 of 14 February 2002, which reads as follows:

(Zoals in Nr. I)

In reply, the United Nations Environmental Programme has the honour to inform the Ministry that the proposal is acceptable to UNEP, which therefore agrees that the Ministry's Note and this reply shall constitute an Agreement between the United Nations Environmental Programme and the Kingdom of the Netherlands, which shall enter into force on the date of this reply.

The United Nations Environmental Programme avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

*Ministerie van Buitenlandse Zaken
Directie Juridische Zaken/Afdeling Verdragen
The Hague
The Netherlands*

D. PARLEMENT

Het in de nota's vervatte verdrag behoeft ingevolge artikel 7, onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal, alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zijn ingevolge het gestelde in de voorlaatste alinea van de tweede nota op 15 februari 2002 in werking getreden.

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

J. GEGEVENS**Verwijzingen**

Het in de onderhavige nota's vervatte verdrag strekt tot wijziging van

Titel	: Verdrag tussen het Koninkrijk der Nederlanden en het Milieu Programma van de Verenigde Naties (UNEP) betreffende de zetel van het coördinatiekantoor van het „Wereldomvattend Programma van actie tot bescherming van het mariene milieu tegen activiteiten die op het land plaatsvinden”; 's-Gravenhage, 24 november 1997
Tekst	: <i>Trb.</i> 1997, 326 (Engels)

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 notawisseling vervatte verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *vijfentwintigste* maart 2002.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN