

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

---

---

JAARGANG 2005 Nr. 245

---

---

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 72<sup>ste</sup> zitting van het Uitvoerend Comité van de Europese Commissie voor de beheersing van mond- en klauwzeer te 's-Gravenhage op 29 en 30 november 2005;  
Rome, 29 juli / 25 augustus 2005*

B. TEKST

Nr. I

Permanent representation of the Kingdom of the Netherlands to the  
UN Organisations for Food and Agriculture

FOOD AND AGRICULTURE  
ORGANIZATION OF THE  
UNITED NATIONS

29 July 2005

Our Ref.: AGA-807 (Agm)

European Commission for the Control of Foot-and-Mouth Disease  
(EUFMD) Seventy-second Session of the Executive Committee  
The Hague, 29–30 November 2005

Excellency,

I have the honour to refer to the communication of 23 June 2005 from Dr Peter de Leeuw, Chief Veterinary Officer, Ministry of Agriculture, Nature and Food Quality, conveying your Government's willingness to

provide host facilities for the Seventy-second Session of the Executive Committee of the European Commission for the control of Foot-and-Mouth Disease (EUFMD) in The Hague. It is proposed to hold the meeting on 29 and 30 November 2005.

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

The Session is being convened under the provisions of Article XIV of the FAO Constitution. It is my intention to invite the Chairman of the Research Group of the Standing Technical Committee (Belgium), and all the members of the Executive Committee who are nationals of the following FAO Member Nations: Denmark, Germany, Greece, Italy, the Former Yugoslav Republic of Macedonia, The Netherlands, Romania and Turkey. An invitation to attend in an observer capacity will be sent to the European Community, World Organization for Animal Health (OIE) and the FAO World Reference Laboratory for Foot-and-Mouth Disease (WRLFMD).

The total number of participants is expected to be between 15 and 20.

The Session will be concluded in English.

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 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 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 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 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 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.

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.

8. Nominate a Liaison Officer who will be responsible for the coordination of local facilities and arrangements for the Session.

9. Provide one meeting room with seating and table space for 20 persons, a photocopying machine and a PC loaded with Word 2000, with an international keyboard and linked to a laser printer.

10. Provide for transport within the Netherlands for participants and staff as required for the conduct of the Session.

I should appreciate receiving your Government's acceptance, by letter or by telefax, of the above responsibilities, 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, Excellency, the assurance of my highest consideration.

(sd) DAVID A. HARCHARIK

David A. Harcharik  
Officer-in-Charge  
General Affairs and Information Department

*His Excellency  
Ewald Wermuth  
Ambassador to FAO  
Permanent Representative of the Kingdom  
of the Netherlands to the UN Organizations  
for Food and Agriculture  
Rome*

---

Nr. II

Permanent Representation of the Kingdom of the Netherlands to the  
UN Organisations for Food and Agriculture

Rome, 25 August 2005

No. ROF-2005/350

Subject: European Commission for the Control of Foot-and-Mouth  
Disease (EUFMD)  
Seventy-second Session of the Executive Committee  
The Hague, 29–30 November 2005

Dear Mr Harcharik,

I have the honour to refer to your letter AGA-807 of 29 July 2005, relating to an agreement to be concluded between the Government of the Kingdom of the Netherlands and the Food and Agriculture Organization of the United Nations (FAO) concerning the Seventy-second Session of the Executive Committee of the European Commission for the Control of Foot-and-Mouth Disease, which is scheduled to be held in The Hague from 29 to 30 November 2005, 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 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 in respect of the Seventy-second Session of the Executive Committee of the European Commission for the Control of Foot-and-Mouth Disease, 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.

Please accept, Sir, the assurances of my highest consideration.

Yours sincerely,

(sd) EWALD WERMUTH

Ewald Wermuth  
Ambassador  
Permanent Representative

*Mr David A. Harcharik  
Officer-in-Charge  
General Affairs and Information Department  
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 25 augustus 2005 in werking getreden.

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

J. GEGEVENS

- Titel : Statuut van de Voedsel- en Landbouworganisatie van de Verenigde Naties (FAO);  
Quebec, 16 oktober 1945
- Tekst : *Stb.* I 77 (Engels en vertaling)  
*Trb.* 1996, 341 (Engels, geconsolideerd)
- Titel : Verdrag nopens de voorrechten en immuniteiten van de gespecialiseerde organisaties;  
New York, 21 november 1947
- Tekst : *Stb.* 1949 J 67 (Engels, Frans en vertaling)
- Laatste *Trb.* : *Trb.* 2004, 59
- Titel : Statuut van het Internationale Gerechtshof;  
San Francisco, 26 juni 1945
- Tekst : *Trb.* 1971, 55 (Engels, Frans en vertaling)  
*Trb.* 1987, 114 (herziene vertaling)
- Laatste *Trb.* : *Trb.* 1997, 106

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 *eenendertigste* oktober 2005.

*De Minister van Buitenlandse Zaken,*

B. R. BOT