

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 337

A. TITEL

Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Milieuprogramma van de Verenigde Naties (UNEP) betreffende privileges en immuniteiten van het personeel van UNEP en hun gezinsleden; 's-Gravenhage, 22 november/5 december 2005

B. TEKST

Nr. I

TREATIES DIVISION
DJZ/VE-1045/05

The Hague, 22 November 2005

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the United Nations Environment Programme and, with reference to 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 of 24 November 1997 and to the Cabinet Decision of 22 April 2005 on the Policy Framework on Attracting and Hosting International Organisations, has the honour to propose the following in respect of the privileges and immunities of the staff of the United Nations Environment Programme:

1. Use of terms

For the purpose of this Agreement:

- a) "the parties" means the United Nations Environment Programme and the host State;
- b) "the Organisation" means the United Nations Environment Programme;

- c) “the host State” means the Kingdom of the Netherlands;
- d) “the Vienna Convention” means the Vienna Convention on Diplomatic Relations of 18 April 1961.

2. Privileges and immunities

a) The Head of the Organisation, together with members of his family forming part of his household, shall enjoy the same privileges and immunities as the host State accords to heads of diplomatic missions accredited to the host State in accordance with the Vienna Convention.

b) The highest ranking staff of the Organisation, together with members of their family forming part of their household, shall enjoy the same privileges and immunities as the host State accords to diplomatic agents of the diplomatic missions established in the host State in accordance with the Vienna Convention.

c) Administrative and technical staff of the Organisation, together with members of their family forming part of their household, shall enjoy the same privileges and immunities as the host State accords to administrative and technical staff of the diplomatic missions established in the host State in accordance with the Vienna Convention, provided that immunity from criminal jurisdiction and personal inviolability shall not extend to acts performed outside the course of their official duties.

d) Service staff of the Organisation, together with members of their family forming part of their household, shall enjoy the same privileges and immunities as the host State accords to service staff of the diplomatic missions established in the host State in accordance with the Vienna Convention.

3. Determination of categories

The host State shall, in cooperation with the Organisation, determine which categories of personnel will be covered by each of the four groups as laid down in paragraph 2 of this Agreement.

4. Scope of the Agreement

a) This Agreement does not apply to persons who are nationals or permanent residents of the host State.

b) This Agreement shall not detract from any existing arrangements in the Headquarters Agreement or other bilateral or multilateral agreements.

c) This agreement shall not extend to issues concerning admission and residence.

If this proposal is acceptable to the United Nations Environment Programme, the Ministry proposes that this Note and the United Nations Environment Programme’s affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and the

United Nations Environment Programme. This Agreement shall enter into force on 1 January 2006.

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

*The United Nations Environment Programme
Kortenaerkade 1
2518 AX Den Haag*

Nr. II

UNEP

The Hague, 5 December 2005

The United Nations Environment 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-1045/05 of 22 November 2005, which reads as follows:

(zoals in Nota Nr. I)

The United Nations Environment Programme has the honour to inform the Ministry of Foreign Affairs that the proposal is acceptable to the United Nations Environment Programme. The United Nations Environment Programme accordingly agrees that the Ministry's Note and this reply shall constitute an Agreement between the United Nations Environment Programme and the Kingdom of the Netherlands, which shall enter into force on 1 January 2006.

The United Nations Environment 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.

*Ministry of Foreign Affairs
The Hague*

D. PARLEMENT

Het in de nota's vervatte verdrag behoeft ingevolge artikel 7, onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen juncto artikel 3 van de Wet van 24 december 1947 (*Stb.* H452) niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zijn ingevolge de één na laatste alinea van beide nota's in werking getreden op 1 januari 2006.

Wat het Koninkrijk der Nederlanden betreft, geldt het in de nota's vervatte verdrag alleen voor Nederland.

J. VERWIJZINGEN

Titel : Verdrag tussen het Koninkrijk der Nederlanden en het Milieuprogramma van de Verenigde Naties 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 : *Trb.* 1997, 326 (Engels)

Laatste *Trb.* : *Trb.* 2002, 215

Titel : Verdrag van Wenen inzake diplomatiek verkeer;
Wenen, 18 april 1961

Tekst : *Trb.* 1962, 101 (Engels en Frans)

Trb. 1962, 159 (vertaling)

Laatste *Trb.* : *Trb.* 1994, 212

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

Uitgegeven de veertiende december 2005.

De Minister van Buitenlandse Zaken,

B. R. BOT