

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 64

A. TITEL

Briefwisseling houdende een verdrag tussen het Koninkrijk der Nederlanden, ten behoeve van Sint Maarten, en de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur (UNESCO) betreffende de tiende zitting van de intergouvernementele coördinatiegroep van de Intergouvernementele Oceanografische Commissie (IOC) voor het waarschuwingssysteem voor tsunami's en andere kustbedreigingen voor de Caribische en aangrenzende regio's (ICG/CARIBE EWS-X), Philipsburg, Sint Maarten, van 19 tot 21 mei 2015; (met Bijlage) Parijs, 10 april 2015

B. TEKST

Nr. I

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Agreement between the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Kingdom of the Netherlands, on behalf of Sint Maarten, concerning the tenth session of the Intergovernmental Oceanographic Commission (IOC) Intergovernmental Coordination Group for the Tsunami and other Coastal Hazards Warning System for the Caribbean and Adjacent Regions (ICG/CARIBE EWS-X), Philipsburg, Sint Maarten, from 19 to 21 May 2015

Sir,

I have the honour to refer to the kind offer made by the Government of Sint Maarten, made through its representative at the ICG/CARIBE EWS-IX Session in St Thomas, US Virgin Islands, to host the tenth session of the Intergovernmental Coordination Group for the Tsunami and Other Coastal Hazards Warning System for the Caribbean and Adjacent Regions (ICG/CARIBE EWS-X) of Intergovernmental Oceanographic Commission (IOC) in Sint Maarten (hereunder referred to as the "Meeting"). I wish to express once again my sincere thanks to the Government of Sint Maarten for this offer, which I accept on behalf of UNESCO.

Whereas the UNESCO aims to promote international collaboration on the assessment and monitoring of global changes and natural hazards, including droughts and floods and geohazards, as well as tsunamis, as indicated in the 37 C/4 Medium Term Strategy (2014-2021) approved by the 37th General Conference of UNESCO,

Whereas the ICG/CARIBE EWS is a subsidiary body established by the IOC Assembly at its 23rd session (2005) (Resolution XXIII.13),

With the present letter, I wish to obtain acceptance of the following:

Article I

Purpose

The main purpose of the present Agreement is to establish the terms of cooperation between UNESCO and the Kingdom of the Netherlands, on behalf of Sint Maarten, (hereinafter jointly referred to as: "the Parties") concerning the arrangements to be made for the Meeting.

Article II

Date and Place of the Session

The Meeting shall be held in Philipsburg, Sint Maarten, under the auspices of the Sint Maarten Fire Department, from 19 to 21 May 2015.

Article III

Principles

The Parties enter into this Agreement following principles that are founded in respect, mutual goodwill, accord each other all reasonable co-operation and assistance as may be expected between institutions committed to the highest standards of scientific research.

Article IV

Participation

1. In conformity with the terms of reference of the ICG/CARIBE (Annex 2 to Resolution XXIII-13), the chief participants of this Meeting shall be representatives of the IOC Member States from the Caribbean and Adjacent Regions.
2. In conformity with the terms of reference of the ICG/CARIBE (Annex 2 to Resolution XXIII-13), observers to this Meeting shall include:
 - a) Other IOC Member States
 - b) Organizations (including NGOs), programmes and projects, who are invited in accordance with the IOC rules of procedure.
3. In addition, in conformity with Article 6, paragraph C.10, of the Statutes of the IOC, the following persons shall be invited to participate, without the right to vote:
 - a) Representatives of Member States of organizations in the United Nations system, which are not members of IOC;
 - b) Representatives of organizations of the United Nations system;
4. UNESCO will duly provide to the designated authorities the names of the participants who have accepted the invitation.
5. The IOC Executive Secretary shall designate the officials of UNESCO assigned to attend the Meeting for the purpose of servicing it. Those officials as well as the IOC Executive Secretary are hereinafter referred to as "the Secretariat".

Article V

Organization of the Meeting

1. The Government of Sint Maarten shall bear the expenses to the provision of materials and facilities for the holding of this Meeting on the basis of the attached Statement of Requirements.
2. The premises shall remain at the disposal of UNESCO 24 hours a day from one day prior to the Meeting until a maximum of one day after its close.
3. The Government of Sint Maarten, shall bear the cost of all necessary utility services, including local telephone communications, of the Secretariat and its communications by telex or telephone when such communications are authorized by or on behalf of the representative of the IOC Executive Secretary at the session.
4. The Parties mutually agree to make necessary adjustments to ensure the proper organization of the Meeting as detailed in the attached Statement of Requirements.

Article VI

Accommodation

The Government of Sint Maarten, shall ensure that adequate accommodation in hotels or residences is available at reasonable commercial rates for persons participating in or attending the Meeting and for the Secretariat.

Article VII

Medical Assistance

1. Necessary first aid in emergencies shall be provided by the Government of Sint Maarten, within the conference area.
2. For emergencies, the Government of Sint Maarten, shall assist with immediate transportation and admission to a hospital.
3. The costs of items set out in paragraphs 1 and 2 of this Article and medical insurance will be at one's own expense.

Article VIII

Transport

1. The Government of Sint Maarten, shall ensure the availability of transport between the international airport, the principal hotels and the conference area.
2. The Government of Sint Maarten, shall provide an adequate number of cars with drivers for official use by the Secretariat, as well as such other local transportation as is required by participants and the Secretariat in connection with the Meeting, if needed.

Article IX

Security Protection

The Government of Sint Maarten, shall furnish such security guarantee as may be required to ensure the effective functioning of the Meeting in an atmosphere of security and tranquillity free from interference of any kind. While such services shall be provided by a senior officer designated by the Government of Sint Maarten, this officer shall work in close cooperation with the representative of the IOC Executive Secretary at the session.

Article X

Local Personnel

1. The Government of Sint Maarten shall appoint a liaison officer who shall be responsible, in consultation with UNESCO, for making and carrying out the administrative and personnel arrangements for the Meeting as required under this Agreement.
2. The Government of Sint Maarten, shall recruit and provide an adequate number of local staff such as translators, clerks, personnel for the reproduction and distribution of documents, sound operators, ushers, messengers, cleaners and other workmen required for the proper functioning of the Meeting as stated in the attached Statement of Requirements.

Article XI

Damage and Accidents

1. The Government of Sint Maarten, shall be responsible for dealing with any action, claim or other demand against UNESCO or its officials and arising out of:
 - a) Injury to persons, accidents, damage to or loss of property in the premises referred to in Article V that are provided by, or are under the control of, the Government of Sint Maarten;
 - b) Injury to persons or damage to or loss of property caused by, or incurred in using, the transport services referred to in Article VIII that are provided by, or are under the control of, the Government of Sint Maarten;
 - c) The employment for the Meeting of the personnel provided by the Government of Sint Maarten under Article X.
2. The Government of Sint Maarten shall indemnify and hold harmless UNESCO in respect of any such action, claim or other demand and shall bear the risk of damage to the premises, facilities and furniture.
3. The competent authorities of the Government of Sint Maarten shall adopt at its own expense appropriate measures to ensure the protection, particularly against fire and other risks, of the above-mentioned premises, facilities, furniture and persons.

4. The necessary insurance fee of participants should be paid by themselves.

Article XII

Privileges and Immunities

The Government of Sint Maarten shall apply, in all matters relating to this meeting, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies. In particular, the Government shall ensure that no restriction is placed upon the entry into, sojourn in, and departure from Sint Maarten of all persons, of whatever nationality, entitled to attend the meeting by virtue of a decision of the appropriate authorities of UNESCO and in accordance with the Organization's relevant rules and regulations, provided that the general conditions governing entry are fulfilled.

Article XIII

Visas

The Kingdom of the Netherlands, through its Ministry of Foreign Affairs, shall facilitate the participants to participate in the Meeting to obtain the visas in time. Notwithstanding the provision of Article XII above, the Kingdom of the Netherlands, however, reserves the right to deny, irrespective of nationality, visas to individual participants for national security reasons and participants listed on the UN-sanction lists.

Article XIV

Settlement of Disputes

1. The Parties will negotiate and cooperate with each other in good faith to resolve any disputes or conflicts that arise in connection with this Agreement.

2. Any dispute not settled by negotiation or other agreed mode of settlement shall be referred at the request of either Party for final decision to a tribunal of three arbitrators, one to be named by UNESCO, one to be named by the Kingdom of the Netherlands and the third, who shall be the chairman, to be chosen by the first two; if either Party fails to appoint an arbitrator within 60 days of the appointment by the other Party, or if these two arbitrators should fail to consent on the third arbitrator within 60 days of their appointment, the President of the International Court of Justice may make any necessary appointments at the request of either Party.

Article XV

Final Provision

The present Agreement and its Annex may be modified by written arrangement between UNESCO and the Kingdom of the Netherlands, on behalf of the Government of Sint Maarten.

I further propose that upon receipt of your Government's confirmation in writing of the above, this exchange of letters shall constitute an Agreement between the Kingdom of the Netherlands and UNESCO regarding the hosting of the Meeting, which shall enter into force on the date of your reply and shall remain in force for the duration of the Meeting 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, Excellency, the assurances of my highest consideration.

Mr Vladimir Ryabinin
Executive Secretary
Intergovernmental Oceanographic Commission
UNESCO

His Excellency

*Lionel Veer
Ambassador Extraordinary and Plenipotentiary
Permanent Delegate of the Kingdom of the Netherlands to UNESCO
7, rue Eblé*

Annex I

The Tenth Session of the Intergovernmental Oceanographic Commission (IOC) Intergovernmental Coordination Group for the Tsunami and other Coastal Hazards Warning System for the Caribbean and Adjacent Regions (ICG/CARIBI EWS-X),

Philipsburg, Sint Maarten, 19 to 21 May 2015

Statement of Requirements

I. BASIS FOR EVALUATION

Place of the Session	: Sonesta Great Bay Beach Resort, Casino & Spa, Philipsburg, Sint Maarten
Dates	: 19 to 21 May 2015
Duration	: 3 Calendar days
Approx. no. of participants	: 60 (including chief participants, representatives, observers and members of the Secretariat).
Working language	: English/ Spanish/ French
Organization of work	: Plenary sessions and working groups.
Max. no. of organs Sessions simultaneously	: 3
Records	: A draft report containing Action Items, as well as Resolutions and Recommendations, will be prepared by the IOC Secretariat, assisted by the Rapporteur, in English
Documents	: Approximate number of standard pages (originals) in English only: 100
Before Session	: 60 copies of 100 pages of Session materials (working and information documents, action items, etc.)
During Session	: 60 copies of 100 pages of Session materials ¹⁾
After the Session	: 200 copies of 50 pages

1) This number includes 10-20 pages of the Draft Recommendations and 80-90 pages of national materials submitted by the participants for copying during the Session.

II. RESPONSIBILITIES OF UNESCO

1. Preliminary Arrangements and technical co-operation with host authorities.
2. Preparation and dispatch of invitations and working documents.
3. Cost of sound and vision equipment for the Session.
4. Cost of travel and subsistence allowance for members of the UNESCO (IOC) Secretariat and ICG/CARIBE EWS Secretariat.
5. Dispatch of documents and related freight from UNESCO Headquarters and the ICG/CARIBE EWS Secretariat to the place of Session and return.
6. Production and distribution of the final report after the Session.

III. FACILITIES AND SERVICES REQUIRED AT THE PLACE OF THE SESSION, TO BE PROVIDED BY THE GOVERNMENT OF SINT MAARTEN

1. Premises

- a) 1 meeting room with at least 60 seats at table (all equipped with microphones, and with public address system (PA)) and 15 seats without table, and a head table (viewable to the Projector Screen) for Chair, Technical Secretary, IOC Executive Secretary, and 1 extra seat;
- b) 3 smaller meeting room (for the CARIBE EWS Officers and for Sessional Working Groups) with 20 seats at table, (no microphones required) available between 08h00 and 22h00 between 19 and 20 May 2015;
- c) 1 office for the Secretariat accessible by the Secretariat staff between 08h00 and 22h00 between 19 and 21 May 2015;
- d) 1 office or workshop for the production of documents;

- e) Reception/document distribution counter.

2. *Equipment and Supplies*

- a) Adequate furniture for the premises mentioned above (cf. III.I) including
- b) internal and external telephone connections.
- c) Video projector (for connection to PC), overhead projector in main conference room + projection screen (appropriate size according to size of the room).
- d) Laptop computer or PC in main conference room with software for PowerPoint presentations, with Internet connection (broadband min. 256 kbps) and connected to video projector, and laser pointer.
- e) Provision of wireless Internet connection for all participants in main conference room.
- f) 1 personal computer with English keyboard and Internet connection, and 3 cables for connection of laptops to the Internet in the Secretariat room: (broadband min. 256 kbps).
- g) 1 fax machine (in Secretariat room) connected to telephone line with international access.
- h) 1 laser printer (personal or small office size, 20 ppm), in the Secretariat room, to be shared by 3 PCs.
- i) 1 high-volume photocopying machine with power connections and necessary supplies (toner, paper) sufficient for approximately 3,000 copies.
- j) 1 set of name blocks for Member States, Organizations and elected officers of the Session.¹⁾
- k) Stationery and sundry office material.²⁾

3. *Local Personnel*

- a) Liaison officer to co-ordinate the services and facilities to be provided by the host authorities, in co-operation with the UNESCO (IOC) Secretariat.
- b) Sufficient staff to provide a full range of administrative functions, including Registration, Document photocopying and distribution, Meeting Room logistics, Information Technology assistance, and designated technical operator of presentation equipment.

4. *Accommodations and Transport*

- a) Reservation of a sufficient number of suitable hotel rooms for all participants, observers and members of the Secretariat, at their own expense.
- b) Advance distribution of detailed information on local conditions and arrangements, including transport.

Nr. II

PERMANENT DELEGATION OF THE KINGDOM OF THE NETHERLANDS TO UNESCO

Paris, 10 April 2015

Mr Ryabinin,

I have the honour to refer to your letter, relating to an Agreement between the Kingdom of the Netherlands, on behalf of Sint Maarten, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) concerning the tenth Session of the Intergovernmental Oceanographic Commission (IOC) Intergovernmental Coordination Group for the Tsunami and other Coastal Hazards Warning System for the Caribbean and Adjacent Regions (ICG/CARIBE EWS-X), which is scheduled to be held in Philipsburg, Sint Maarten, from 19 to 21 May 2015, which reads as follows:

(Zoals in Nr. I)

I am authorized by the Kingdom of the Netherlands to state that it agrees to the proposals regarding the organization of the Meeting and to certify that the Kingdom of the Netherlands, on behalf of Sint Maarten, considers your letter and my reply as together constituting an Agreement between the Kingdom of the Netherlands, on behalf of Sint Maarten, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) concerning the tenth Session of the Intergovernmental Oceanographic Commission (IOC) Intergovernmental Coordination Group for the Tsunami and Other Coastal Hazards Warning System for the Car-

¹⁾ UNESCO/IOC ICG Secretariat will provide a detailed list.

²⁾ This includes: 2 flipcharts with pens, paper pads for participants with pens; equipment for poster panel exhibitions or other means for the displaying information for participant viewing, etc.

ibbean and Adjacent Regions (ICG/CARIBE EWS-X), 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, Mr Ryabinin, the assurances of my highest consideration.

LIONEL VEER
Ambassador Extraordinary and Plenipotentiary
Permanent Delegate of the Kingdom of the
Netherlands to UNESCO

His Excellency

*Mr Vladimir Ryabinin
Executive Secretary
Intergovernmental Oceanographic Commission UNESCO
7, Place Fontenoy
75007 Paris*

D. PARLEMENT

Het in brieven vervatte verdrag, met Bijlage, 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, met Bijlage, zijn ingevolge het gestelde in de op één na laatste alinea van de brieven nr. I en nr. II op 10 april 2015 in werking getreden.

Het in de brieven vervatte verdrag, met Bijlage, zal ingevolge diezelfde alinea niet langer dan één jaar van kracht zijn.

Wat betreft het Koninkrijk der Nederlanden, geldt het in de brieven vervatte verdrag, met Bijlage, alleen voor Sint Maarten.

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)				
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten		10-04-2015		10-04-2016

J. VERWIJZINGEN

Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945

Tekst : *Trb.* 1971, 55 (Engels en Frans, herzien)
Trb. 1987, 114 (vertaling, herzien)

Laatste *Trb.* : *Trb.* 2012, 128

Titel : Statuut van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur;
Londen, 16 november 1945

Tekst : *Trb.* 2009, 51 (Engels en vertaling, herzien)

Titel : Verdrag nopens de voorrechten en immuniteiten van de gespecialiseerde organisaties;
New York, 21 november 1947

Tekst : *Stb.* 1949, 67 (Engels, Frans en vertaling)

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, met Bijlage, zal zijn bekendgemaakt in Sint Maarten op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *tweeëntwintigste* april 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS