

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2016 Nr. 23

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## A. TITEL

*Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en de Voedsel- en Landbouworganisatie van de Verenigde Naties (FAO) houdende een verdrag inzake de 91ste zitting van het Uitvoerend Comité van de Europese Commissie voor de beheersing van mond- en klauwzeer, te 's-Gravenhage, Nederland, op 9 en 10 maart 2016;  
Rome, 27 januari 2016*

## B. TEKST

### Nr. I

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Rome, 15 December 2015

AGA-807(Agm)

Excellency,

I have the honour to refer to the communication of 23 October 2015 from Dr Christianne Brusckke, Chief Veterinary Officer, Ministry of Agriculture, Nature and Food Quality of the Netherlands, and Vice-Chairperson of the Executive Committee, addressed to Mr Keith Sumption, Executive Secretary of the European Commission for the EuFMD, conveying your Government's willingness to provide host facilities for the 91<sup>st</sup> Session of the Executive Committee of the EuFMD. It is proposed to hold the Session in The Hague from 9 to 10 March 2016.

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

The Session is being convened under the provisions of Article X of the EuFMD Constitution. It is my intention to invite the Chairperson of the Research Group of the Standing Technical Committee (Ireland) and all the Members of the Executive Committee, who are nationals of the following FAO Member Nations: Austria, France, Greece, Ireland, Lithuania, Netherlands, Serbia and Turkey. An invitation to attend in an observer capacity will also be sent to: Hungary, European Union, the World Organisation for Animal Health (OIE), the World Reference Laboratory for Foot-and-Mouth Disease (WRLFMD) and the Organisation for Economic Co-operation and Development (OECD).

The total number of participants is expected to be between 10 and 15.

The Session will be conducted 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 15 persons, a beamer (data projector) and backup, a photocopier and a laptop or PC linked to a laser printer, for copying and printing of documents.

I should appreciate receiving your Government's acceptance of the above responsibilities by email, as soon as possible (Official-Correspondence-Group@fao.org), so that invitations and documents may be prepared and issued in good time. This letter and your reply will constitute the Agreement covering the 91<sup>st</sup> Session of the Executive Committee of the EuFMD.

Accept, Excellency, the assurance of my highest consideration.

LOUIS GAGNON  
Director  
Conference, Council and Protocol Affairs Division

*Her Excellency*

*Gerda Verburg  
Ambassador  
Permanent Representative of the Kingdom of the Netherlands to FAO  
Rome*

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**Nr. II**

PERMANENT REPRESENTATION OF THE KINGDOM OF THE NETHERLANDS

Rome, 27 January 2016

ROF-2016/015

Dear Mr Gagnon,

I have the honor to refer to your letter reference AGA-807(Agm) of 15 December 2015, 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 91<sup>st</sup> Session of the Executive Committee of

the European Commission for the Control of Foot-and-Mouth Disease (EuFMD) which is scheduled to be held in The Hague, the Netherlands, from 9 to 10 March 2016, which letter 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 formulated in your letter of 15 December 2015, regarding the organization of the Session. Furthermore, I am authorized to state that the Government of the Kingdom of the Netherlands considers your letter and this reply as together constituting an Agreement between the Kingdom of the Netherlands and the Food and Agriculture Organization of the United Nations (FAO) in respect of the 91<sup>st</sup> Session of the Executive Committee of the European Commission for the Control of Foot-and-Mouth Disease (EuFMD). The Agreement shall enter into force on the date of this reply and shall remain in force for the duration of the 91<sup>st</sup> Session and for such additional period as is necessary for its preparation and winding up. The total duration of this Agreement, however, shall not exceed one year.

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

*Yours sincerely,*

GERDA VERBURG  
Ambassador  
Permanent Representative of the Kingdom of  
the Netherlands

*Mr. Louis Gagnon  
Director*

*Conference, Council and Protocol Affairs Division  
Food and Agriculture Organization of the United Nations  
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 gestelde in de laatste alinea van brief nr. II op 27 januari 2016 in werking getreden.

Het in de brieven vervatte verdrag zal ingevolge dezelfde alinea niet langer dan één jaar van kracht zijn.

Wat betreft het Koninkrijk der Nederlanden, geldt het in de brieven vervatte verdrag alleen voor Nederland (het Europese deel).

#### **Koninkrijk der Nederlanden**

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		27-01-2016		27-01-2017
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten				

## J. VERWIJZINGEN

Titel : VN voorrechten en immuniteiten gespecialiseerde organisaties;  
New York, 21 november 1947  
Tekst : *Stb.* 1949, 67 (Engels, Frans en vertaling)  
Laatste *Trb.* : *Trb.* 2004, 59

Uitgegeven de *vierentwintigste* februari 2016.

*De Minister van Buitenlandse Zaken,*

A.G. KOENDERS