

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2017 Nr. 91

A. TITEL

*Briefwisseling tussen het Koninkrijk der Nederlanden en de Verenigde Naties, houdende een verdrag betreffende de „United Nations Public Service Forum and Awards Ceremony” te Den Haag van 22 tot en met 23 juni 2017;
New York, 13 juni 2017*

Voor een overzicht van de verdragsgegevens, zie verdragsnummer 013351 in de Verdragenbank.

B. TEKST

Nr. I

UNITED NATIONS

New York, 7 June 2017

DESA/17-01020

Excellency,

I have the honour to refer to the arrangements concerning the “2017 United Nations Public Service Forum and Awards Ceremony” (hereinafter referred to as “the Meeting”). The Meeting will be co-organized by the United Nations represented by the Department of Economic and Social Affairs (hereinafter referred to as “the United Nations”) and the Kingdom of the Netherlands represented by the Ministry of Interior Affairs and Kingdom Relations (hereinafter referred to as “the Government”). The Meeting will be held, in honor of the United Nations Public Service Day, at the World Forum, The Hague, in the Netherlands from 22 to 23 June 2017.

With the present letter, I wish to obtain your Government’s acceptance of the following:

1. The Meeting will be attended by the following participants:
 - a) Up to 280 international participants, including government officials jointly invited by the United Nations and the Government;
 - b) Up to 50 international participants, including government officials, from developing and least developed countries invited by the Government in consultation with the United Nations;
 - c) Up to 60 international participants, including government officials from developing and least developed countries invited by the United Nations in consultation with the Government;
 - d) Up to 17 officials from the United Nations;
 - e) Up to 5 resource persons selected by the United Nations in consultation with the Government;
 - f) Up to 60 participants invited by the United Nations and the Government, including representatives of bilateral, regional and international organizations and the United Nations system as well as from the private sector and civil society organizations; and
 - g) Up to 10 officials from the Government.
2. The total number of participants will not exceed 500. The final list of participants will be determined by the United Nations, in consultation with the Government prior to the holding of the Meeting.
3. The Meeting will be conducted in English with simultaneous interpretation into French for the Plenary Sessions and for one track of the Forum.
4. The United Nations will be responsible for:

- a) Substantive planning and running of the Meeting and the preparation of the appropriate documentation jointly with the Government;
 - b) Preparation and dispatch of official invitation letters jointly signed by the United Nations and the Government for participants as specified in 1(a), 1(d), and 1(e);
 - c) Costs and administrative arrangements relating to the issuance of airline tickets, the payment of daily subsistence and terminal expenses for up to 60 international participants from developing and least developed countries, invited by the United Nations in consultation with the Government as specified in 1(c);
 - d) Administrative arrangements and costs relating to the issuance of airline tickets, and the payment of daily subsistence allowance and terminal expenses for up to 7 officials from the UN;
 - e) Costs and administrative arrangements relating to the issuance of airline tickets, the payment of daily subsistence and terminal expenses for up to 5 resource persons selected by the United Nations in consultation with the Government as specified in 1 (e);
 - f) Costs relating to simultaneous interpretation into French for one track of the Forum; and
 - g) Substantive support during and after the Meeting.
5. The Government will be responsible for:
 - a) Providing the venue and conference facilities for the Meeting: one large plenary meeting room for up to 500 participants and smaller rooms for two meeting days with all equipment including computers, projectors, screens, AV, and free Wi-Fi;
 - b) One fully equipped secretariat room;
 - c) Stage backdrop, banners, and signage;
 - d) Administrative arrangements and costs relating to simultaneous interpretation into French for the Plenary Sessions of the Forum and administrative arrangements relating to simultaneous interpretation into French for one track of the Forum;
 - e) Ensuring that adequate accommodation in hotels is available at reasonable commercial rates for persons participating in or attending the Meeting;
 - f) Costs and administrative arrangements relating to the issuance of airline tickets, the payment of daily subsistence allowance and terminal expenses for up to 50 international participants as specified in 1(b) and up to 10 officials from the United Nations as specified in 1(d);
 - g) Registration and accreditation of all participants as specified in paragraph 1;
 - h) Media and outreach support, in consultation with and with the help of the United Nations; and
 - i) Facilitate visa processes for international participants.
 6. The cost of airfare and daily subsistence allowance for other participants as specified in paragraph 1 (a), 1 (f) and 1 (g) will be the responsibility of their respective organizations.
 7. As the Meeting will be convened by the United Nations, I wish to propose that the following terms shall apply:
 - a) The Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly on 13 February 1946 ("the Convention"), to which the Kingdom of the Netherlands is a party, shall be applicable in respect of the Meeting. In particular, representatives of States shall enjoy the privileges and immunities accorded under Article IV of the Convention. The participants shall enjoy the privileges and immunities accorded to experts on mission for the United Nations by articles VI and VII of the Convention. Officials of the United Nations participating in or performing functions in connection with the Meeting shall enjoy the privileges and immunities provided under articles V and VII of the Convention. Officials of the Specialized Agencies participating in the Meeting shall be accorded the privileges and immunities under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies, adopted by the General Assembly on 21 November 1947;
 - b) Without prejudice to the provisions of the Convention, all persons performing functions in connection with the Meeting shall, for the limited purpose of the Meeting, enjoy immunity from legal process in respect of words spoken or written and acts performed by them for that Meeting;
 - c) Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Meeting;
 - d) All participants and all persons performing functions in connection with the Meeting shall have the right of unimpeded entry into and exit from the Netherlands, provided that the general procedures governing the granting of visas are fulfilled. This provision does not exclude the presentation by the Government of well-founded objections based on law concerning a particular individual. Such objections, however, must relate to specific criminal or security related or similar fundamental matters and not to nationality, religion, professional or political affiliation. Visas and entry permits, where required, shall be granted free of charge and as speedily as possible. When applications are made four weeks before the opening of the Meeting, visas shall be granted not later than two weeks before the opening of the Meeting. If the application is made less than four weeks before the opening, visas shall be granted as speedily as possible. Exit permits, where required, shall be granted free of charge, as speedily as possible as and in any case not later than three days before the closing of the Meeting.
 8. The Government shall furnish such protection as may be required to ensure the effective functioning of the Meeting in an atmosphere of security and tranquility free from interference of any kind. While such services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with a designated senior official of the United Nations.

9. It is further understood that the Government shall be responsible for dealing with any action, claim or other demand against the United Nations or its officials arising out of:
- a) injury to persons or damage to or loss of property in the Meeting premises that are provided by or are under the control of the Government for the Meeting;
 - b) injury to persons or damage to or loss of property caused by or incurred in using any transport services that are provided for the Meeting by or under the control of the Government;
 - c) the employment for the Meeting of personnel provided or arranged for by the Government.

It is also understood that the Government shall indemnify and hold harmless the United Nations and its personnel in respect of any action, claim or other demand arising out of situations a, b and/or c of paragraph 9(l).

10. Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to Section 30 of the Convention or to any other applicable agreement, shall, unless the Parties otherwise agree, be resolved by negotiations or other agreed mode of settlement. Any such dispute that is not settled by negotiation or any other agreed mode of settlement, shall be submitted at the request of either Party for a final decision to a tribunal of three arbitrators, one of whom shall be appointed by the Secretary-General of the United Nations, one by the Government and the third, who shall be the Chairperson, 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 Chairperson, then such arbitrators shall 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 the 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.

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 United Nations and the Kingdom of the Netherlands 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 for the completion of its work and for the resolution of any matters arising out of the Agreement, not to exceed one year.

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

WU HONGBO
Under-Secretary-General

Karel Jan Gustaaf van Oosterom
Permanent Representative of the Kingdom of the Netherlands to the United Nations
New York

Nr. II

PERMANENT MISSION OF THE KINGDOM OF THE NETHERLANDS TO THE UNITED NATIONS

New York, 13 June 2017

NYV/2017/346

Dear Mr Wu,

I have the honour to refer to your letter reference DESA-2017-01020 of 7 June 2017, relating to an Agreement to be concluded between the Government of the Kingdom of the Netherlands and the United Nations concerning the 2017 United Nations Public Service Forum, Day and Awards Ceremony which is scheduled to be held in The Hague, the Netherlands, from 22 to 23 June 2017.

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 7 June 2017, regarding the organization of the Meeting. 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 United Nations in respect of the 2017 United Nations Public Service Forum and Awards Ceremony. The Agreement shall enter into force on the date of this reply and shall remain in force for the duration of the Meeting and for such additional period as is necessary for its preparation and for the completion of its work and for the resolution of any matters arising out of the Agreement, not to exceed one year.

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

Yours sincerely,

KAREL J.G. VAN OOSTEROM
Ambassador Permanent Representative

Mr. WU Hongbo
Under-Secretary-General
New York

D. PARLEMENT

Het in de brieven vervatte verdrag heeft 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 voorlaatste alinea van brief nr. I en brief nr. II op 13 juni 2017 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 voor Nederland (het Europese deel).

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		13-06-2017		13-06-2018
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten				

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 (het Europese deel) op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de eenentwintigste juni 2017.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS