

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2022 Nr. 45

A. TITEL

*Briefwisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Internationaal Agentschap voor Atoomenergie (IAEA) inzake de regionale workshop over "Physical Protection of Nuclear Material and Nuclear Facilities", te Delft, Nederland, 13 – 24 juni 2022 (met Bijlagen);
Wenen, 29 maart 2022*

Voor een overzicht van de verdragsgegevens, zie verdragsnummer 013768 in de Verdragenbank.

B. TEKST

Nr. I

INTERNATIONAL ATOMIC ENERGY AGENCY

Vienna, 2020-11-26

In reply please refer to: EVT1906019

Excellency,

I have the honour to inform you that the International Atomic Energy Agency (IAEA) is planning to hold a **Regional Workshop on the Physical Protection of Nuclear Material and Nuclear Facilities** (hereinafter referred to as "event") from **25 May to 4 June 2021**.

The purpose of the event is to familiarize the participants with the design and evaluation process for physical protection measures for nuclear material and nuclear facilities.

The event will be conducted in English.

Approximately 20 participants from the Member States listed in Annex A are expected to attend, as well as representative(s) from the IAEA.

Informal discussions held with the Authority for Nuclear Safety and Radiation Protection have indicated that suitable premises and facilities could be made available in Delft.

I have the honour to enquire whether the Government of the Kingdom of the Netherlands (hereinafter referred to as the "Government") would wish to host this event and, if so, whether the Government could agree with the following provisions:

1. The Agreement on the Privileges and Immunities of the International Atomic Energy Agency ("the Agreement"), which was accepted by the Government on 29 August 1963 shall be applicable in respect of the event. In particular, officials of the IAEA participating in, or performing functions in connection with, the event shall enjoy the privileges and immunities provided under Articles VI and IX of the Agreement. Representatives of States shall enjoy the privileges and immunities accorded under Article V of the Agreement. Participants invited by the IAEA to attend the event shall enjoy the privileges and immunities accorded to experts on mission of the IAEA provided under Article VII of the Agreement. The property, funds and assets of the IAEA associated with the event shall enjoy the privileges and immunities accorded under Article III of the Agreement.

2. Subject to the laws and regulations that are in force in the Netherlands with regard to the COVID-19 pandemic, the Government shall accord to the persons mentioned in paragraph 1 above every facility necessary for the performance of their functions in connection with the event, including entering, remaining in and leaving the Kingdom of the Netherlands. Depending on the developments regarding the COVID-19 pandemic, the Government shall issue any necessary visas as expeditiously as possible and, where the legislation of the Kingdom of the Netherlands permits, free of charge. The Government, however, reserves the right to deny, irrespective of nationality, visas to individual participants for national security reasons. Annex A contains the list of Member States to be invited to participate in the event.
The IAEA shall inform the Government promptly of all persons officially designated to attend the event. Depending on the developments regarding the COVID-19 pandemic, the IAEA shall also advise such persons to apply for visas, if necessary, in good time before the opening date of the event, and the Government shall issue such visas as expeditiously as possible, so as to allow them to attend the event.
3. The Government shall facilitate customs formalities for the persons mentioned in paragraph 1 above when they enter and leave the Kingdom of the Netherlands.
4. The Government shall, in accordance with the laws and regulations that are in force in the Kingdom of the Netherlands with regard to the COVID-19 pandemic and at no cost to the IAEA, make adequate and appropriate premises, personnel and facilities available for the entire duration of the event as listed in Annex B.
5. The Government shall exercise reasonable care to ensure security on the premises where the event takes place and to ensure the safety of the persons mentioned in paragraph 1 above while they are on those premises. The Government shall take whatever steps may be reasonable in the circumstances to ensure such security and safety, including such supervision of the premises as may be warranted.
6. The Government may decide, in consultation with the IAEA, to postpone or change the already agreed venue and/or timing of the event, should the developments of the COVID-19 pandemic necessitate such a decision. If the Government chooses to exercise this right, the IAEA and the Government shall be released from any and all commitments related to the postponed and/or changed event under the Agreement and the Government and the IAEA shall immediately consult with a view to limiting and equitably distributing reasonable costs associated with such a decision. Each party shall bear the costs that it has incurred in accordance with the distribution of costs set out in Annex B.
7. The IAEA shall provide the Authority for Nuclear Safety and Radiation Protection as soon as possible with the name and contact details of the person who has been appointed Scientific Secretary of the event, as well as with the name and contact details of the person who will be responsible for the administrative organization of the event.

If the foregoing is acceptable to the Government, I have the honour to propose that this letter and your Excellency's letter in reply to the above enumerated points shall constitute an Agreement between the Kingdom of the Netherlands and the IAEA in respect of the Regional Workshop on the Physical Protection of Nuclear Material and Nuclear Facilities. This Agreement shall enter into force on the date of your letter in reply and shall remain in force for the duration of the Regional Workshop 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.

Accept, Excellency, the assurances of my highest consideration.

RAJA ABDUL AZIZ RAJA ADNAN
Director
Division of Nuclear Security
Department of Nuclear Safety and Security

Enclosures:

Annex A: List of Member States to be Invited

Annex B: Proposed Arrangements

*HE Mr Albert Hendrik Gierveld
Resident Representative*

*Permanent Mission of the Kingdom of the Netherlands to the IAEA
Opernring 5/7th floor
1010 VIENNA*

Annex A

List of Member States to be Invited

Regional Workshop on the Physical Protection of Nuclear Material and Nuclear Facilities

Delft, Netherlands
25 May to 4 June 2021
Ref. No.: EVT1906019

Austria	Latvia
Belgium	Lithuania
Bulgaria	Netherlands
Czech Republic	Poland
Denmark	Portugal
Estonia	Romania'
Finland	Slovakia
France	Slovenia
Germany	Spain
Greece	Sweden
Hungary	United Kingdom
Italy	

Annex B

Proposed Arrangements

Regional Workshop on the Physical Protection of Nuclear Material and Nuclear Facilities

Delft, Netherlands
25 May to 4 June 2021
Ref. No.: EVT1906019

I. Government Responsibilities

1. Premises

- a) Main training room for up to 20 people with classroom style seating; and
- b) Two subgroup rooms.

The above premises should be placed at the exclusive disposal of the IAEA from Monday 24 May 2021 until Friday 4 June 2021, inclusive.

2. Equipment

- a) Personal computers with printer (number to be confirmed);
- b) Photocopying machine (rapid and easy to operate);
- c) Microphones for lecturers (type and number to be confirmed);
- d) Two projectors;
- e) Two large screens;
- f) Laser pointer;
- g) Flip charts; and
- h) Internet connection (wired and wireless).

3. Personnel

- a) The Authority for Nuclear Safety and Radiation Protection, the Netherlands, shall be responsible for the local administrative coordination, including arranging:
 - (i) Suitable accommodation for officials of the IAEA, lecturers, IAEA selected participants;
 - (ii) Local transportation, as required and agreed upon;
 - (iii) Lunches and dinners during the event for the participants;
 - (iv) Lunches during the event for the lecturers and officials of the IAEA; and
 - (v) One hospitality event for the participants and all lecturers. The cost of one hospitality event will be borne by the IAEA.
- b) Assumption of the travel costs and subsistence allowance for guest lecturers/technical experts from the Government, as appropriate.
- c) Assumption of the cost of services, travel costs and subsistence allowance for the Course Director, administrative and auxiliary staff from the Government, as required, for the proper conduct of the event, including the maintenance and operation of the equipment at the training premises.

4. Event Material

To be provided by the IAEA and printed by the Government, as required and agreed upon.

II. IAEA Responsibilities

The IAEA undertakes to arrange for the provision of the following:

1. The services of a Scientific Secretary;
2. Invitations to Member States to designate participants for the event following established IAEA practices;
3. Selection of participants from the designations received;
4. Assumption of the undernoted costs of conducting the event, in accordance with the IAEA's Financial Rules and Regulations, including:
 - a) Travel costs and subsistence allowance for IAEA invited guest lecturers/technical experts and Scientific Secretary;
 - b) Daily subsistence allowance for all selected participants;
 - c) Return airfares to and from Delft, for all IAEA selected participants and guest lecturers/technical experts; and
 - d) Funding of one hospitality event for all event lecturers.
5. Distribution of the pre-course material and other information to the selected participants; and
6. Consultation on the above arrangements with the designated representative from the Government, as appropriate.

III. Shared Responsibilities

Lecturers

All lecturers shall be selected by the IAEA and the Government through joint consultation. The IAEA shall invite the non-local lecturers and the Government shall invite the local lecturers. The lecturers will deliver lectures on specific topics of the event and will participate in relevant panel discussions.

Nr. II

PERMANENT MISSION OF THE KINGDOM OF THE NETHERLANDS TO THE UNITED NATIONS ORGANISATIONS IN VIENNA

Vienna, 29 March 2022

Subject EVT1906019

Dear Director Ms. Elena Buglova,

I have the honour to refer to your letter with reference EVT1906019 of 26 November 2020 relating to an Agreement to be concluded between the Kingdom of the Netherlands and the International Atomic Energy Agency (IAEA) concerning the Regional Workshop on Physical Protection of Nuclear Material and Nuclear Facilities, to be held in Delft, the Netherlands, which was originally planned to take from 19 to 30 October 2020 but was rescheduled to 25 May 4 June 2021, and which has now been rescheduled to take place from 13 to 24 June 2022, 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 formulated in your letter of 26 November 2020 regarding the organization of the Regional Workshop. The Kingdom of the Netherlands does, however, propose some changes to Annex B to reflect the rescheduling of the workshop to 2022. A new version of Annex B, including these changes, is attached to this letter.

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 IAEA in respect of the Regional Workshop. The Agreement shall enter into force on the date of this reply and shall remain in force for the duration of the Regional Workshop 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.

In light of the proposed changes to Annex B, I would very much appreciate it if you could confirm the receipt of this letter and said changes.

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

ALBERT HENDRIK GIERVELD
Resident Representative
Permanent Mission of the Kingdom of the
Netherlands to the IAEA

Attachment:
Annex B – Proposed Arrangements

Ms. Elena Buglova
Director

Division of Nuclear Security
Department of Nuclear Safety and Security
International Atomic Energy Agency
Wagramerstrasse 5
Vienna International Centre P.O. Box 100
1400 Vienna

Annex B

Proposed Arrangements

Regional Workshop on the Physical Protection of Nuclear Material and Nuclear Facilities

Delft, Netherlands
13 to 24 June 2022
Ref. No.: EVT1906019

I Government Responsibilities

The Government undertakes to arrange for the provision of the following:

1. **Premises**
 - a) Main training room for up to 20 people with classroom style seating; and
 - b) Two subgroup rooms.The above premises should be placed at the exclusive disposal of the IAEA from Monday 13 June 2022 until Friday 24 June 2022, inclusive.
2. **Equipment**
 - a) Personal computers with printer and Internet/email wireless connection (number to be confirmed);
 - b) Photocopying machine (rapid and easy to operate);
 - c) Microphones for lecturers (type and number to be confirmed);
 - d) Two projectors;
 - e) Two large screens;
 - f) Laser pointer; and
 - g) Flip charts.
3. **Personnel**
 - a) The Authority for Nuclear Safety and Radiation Protection, The Netherlands, shall be responsible for the local administrative coordination, including arranging:
 - i) Advise on suitable accommodation for officials of the IAEA, lecturers, IAEA selected participants and observers;
 - ii) Local transportation, as required and agreed upon;
 - iii) Lunches during the event for the participants; and
 - iv) Lunches during the event for the lecturers and officials of the IAEA.
 - b) Assumption of the travel costs and subsistence allowance for guest lecturers/technical experts from the Government, as appropriate; and
 - c) Assumption of the cost of services, travel costs and subsistence allowance for the Event Director, administrative and auxiliary staff from the Government, as required, for the proper conduct of the event, including the maintenance and operation of the equipment at the training premises.
4. **Event Material**

To be provided by the IAEA and printed by the Government, as required and agreed upon.

II IAEA Responsibilities

The IAEA undertakes to arrange for the provision of the following:

1. The services of a Scientific Secretary;
2. Invitations to Member States to nominate participants for the event following established IAEA practices;
3. Selection of participants from the nominations received;
4. Assumption of the undernoted costs of conducting the event, in accordance with the IAEA's Financial Rules and Regulations, including:
 - a) Travel costs and subsistence allowance for IAEA invited guest lecturers/technical experts and Scientific Secretary;
 - b) Daily subsistence allowance for selected participants; and
 - c) Return airfares to and from Delft, for selected participants and guest lecturers/technical experts.
5. Distribution of pre-event material and other information to the selected participants; and
6. Consultation on the above arrangements with the designated representative from the Government, as appropriate.

III Shared Responsibilities

Lecturers

All lecturers shall be selected by the IAEA and the Government through joint consultation. The IAEA shall invite the non-local lecturers and the Government shall invite the local lecturers. The lecturers will deliver lectures on specific topics of the event and will participate in relevant panel discussions.

D. PARLEMENT

Het in de brieven vervatte verdrag, met Bijlagen, 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 Bijlagen, zijn ingevolge het gestelde in de voorlaatste alinea van brief nr. II op 29 maart 2022 in werking getreden.

Het in de brieven vervatte verdrag, met Bijlagen, 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, met Bijlagen, voor Nederland (het Europese deel).

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 Bijlagen, zal zijn bekendgemaakt in Nederland (het Europese deel) op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *twaaalfde* mei 2022.

De Minister van Buitenlandse Zaken,

W.B. HOEKSTRA