

No. 55334*

**Netherlands (for the European part of the Netherlands)
and
United Nations Educational, Scientific and Cultural Organization**

Agreement between the Kingdom of the Netherlands and the United Nations Educational, Scientific and Cultural Organization concerning the IHE Delft Institute for Water Education in the Netherlands as an institute under the auspices of UNESCO (category 2). Paris, 15 December 2017

Entry into force: *26 July 2018 by notification, in accordance with article 15*

Authentic text: *English*

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**Pays-Bas (pour la partie européenne des Pays-Bas)
et
Organisation des Nations Unies pour l'éducation, la science et la culture**

Accord entre le Royaume des Pays-Bas et l'Organisation des Nations Unies pour l'éducation, la science et la culture concernant l'Institut IHE Delft pour l'éducation relative à l'eau aux Pays-Bas en tant qu'institut sous l'égide de l'UNESCO (catégorie 2). Paris, 15 décembre 2017

Entrée en vigueur : *26 juillet 2018 par notification, conformément à l'article 15*

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**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

Agreement between the Kingdom of the Netherlands and the United Nations Educational Scientific and Cultural Organization (UNESCO) concerning the IHE Delft Institute for Water Education in the Netherlands as an institute under the auspices of UNESCO (category 2)

The Kingdom of the Netherlands,
and

the United Nations Educational, Scientific and Cultural Organization, (hereinafter "the Parties")

Recalling the Strategic Objectives of the 37 C/7 and draft 39 C/5, in accordance with Article 12.1.(a) concerning the evaluation of the activities of the Institute,

Having regard to Resolution 39 C/19 whereby the UNESCO General Conference seeks to favour international cooperation in respect of the establishment of a category 2 Institute with the name "IHE Delft, Institute for Water Education",

Considering that the Director-General has been authorized by the General Conference to conclude with the Kingdom of the Netherlands an agreement in conformity with the draft that was submitted to the General Conference,

Desirous of defining the terms and conditions governing the framework for cooperation with UNESCO that shall be granted to the said Institute in this Agreement,

Have agreed as follows:

Article 1

Definitions

1. In this Agreement, "UNESCO" refers to the United Nations Educational, Scientific and Cultural Organization.
2. "The Government" means the Government of the Netherlands.
3. "IHE Delft Institute for Water Education", hereinafter referred to as "the Institute", refers to the category 2 Institute to be established under this Agreement and of which the IHE Delft Foundation (Stichting IHE Delft) is the legal representative.

Article 2

Establishment

The Government shall agree to take, in the course of the year 2018, any measures that may be required for the setting up at Delft, the Netherlands, of a Category 2 Institute under the auspices of UNESCO.

Article 3

Purpose of the Agreement

The purpose of this Agreement is to define the terms and conditions governing collaboration between UNESCO and the Government and also the rights and obligations stemming therefrom for the Parties.

Article 4

Legal status

1. The Institute shall be independent of UNESCO, and shall operate and act under Dutch law as an independent organisation.
2. The Government shall ensure that the Institute enjoys within its territory the functional autonomy necessary for the execution of its activities and the legal capacity:
 - to contract;
 - to institute legal proceedings;
 - to acquire and dispose of movable and immovable property.

Article 5

Constitutive Act

The constitutive act of the Institute must include provisions describing precisely:

- a. the legal status granted to the Institute, within the national legal system, the legal capacity necessary to exercise its functions and to receive funds, obtain payments for services rendered, and acquire all means necessary for its functioning;
- b. a governing structure for the Institute allowing UNESCO representation within its governing body.

Article 6

Functions and objectives

1. The functions and objectives of the Institute shall be:
 - a. to promote, through education and training, the development of knowledge and expertise in water-related fields, including water management, governance, hydraulic engineering, sanitary engineering, infrastructure, environmental management and monitoring of these and other related areas, specifically for the benefit of developing countries and countries in transition;
 - b. to conduct scientific research;
 - c. to contribute to capacity building and institutional strengthening of organizations from civil society, the private sector, governments and organizations in developing countries and countries in transition in relation to service for society;
 - d. to offer higher education as defined in the Dutch Higher Education Act (*Wet op het Hoger Onderwijs*), including Master of Science and Doctor of Philosophy programmes;
 - e. to provide and develop new and innovative methods of education and training, research and innovation, capacity building and institutional strengthening;
 - f. to stimulate the provision of information about the relationship between the activities of the Institute and its contribution to society;
 - g. all that is connected to the abovementioned subjects or that may be beneficial to them.
2. The Institute does not have a profit making objective.

Article 7

Governing Board

1. The Institute shall be guided and overseen by a Governing Board. The Governing Board members shall be appointed for a first term of three years and may be re-appointed for a second and last term of three years. The Governing Board will be composed as follows: