

No. 55448. World Health Organization and Netherlands (for the European part of the Netherlands)

AGREEMENT BETWEEN THE GOVERNMENT OF THE NETHERLANDS AND THE WORLD HEALTH ORGANIZATION REGIONAL OFFICE FOR EUROPE. UTRECHT, 13 JUNE 1990

AGREEMENT BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE WORLD HEALTH ORGANIZATION CONCERNING THE UNIT AT BILTHOVEN OF THE REGIONAL OFFICE FOR EUROPE OF THE WORLD HEALTH ORGANIZATION. COPENHAGEN, 12 SEPTEMBER 1994*

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N° 55448. Organisation mondiale de la Santé et Pays-Bas (pour la partie européenne des Pays-Bas)

ACCORD ENTRE LE GOUVERNEMENT DES PAYS-BAS ET LE BUREAU RÉGIONAL DE L'ORGANISATION MONDIALE DE LA SANTÉ POUR L'EUROPE. UTRECHT, 13 JUIN 1990

ACCORD ENTRE LE ROYAUME DES PAYS-BAS ET L'ORGANISATION MONDIALE DE LA SANTÉ RELATIF À L'UNITÉ DU BUREAU RÉGIONAL DE L'ORGANISATION MONDIALE DE LA SANTÉ POUR L'EUROPE À BILTHOVEN. COPENHAGUE, 12 SEPTEMBRE 1994*

Entrée en vigueur : 22 décembre 1994 par notification, conformément à l'article 16

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Agreement between the Kingdom of the Netherlands and the World Health Organization concerning the Unit at Bilthoven of the Regional Office for Europe of the World Health Organization

The Government of the Kingdom of the Netherlands and
The World Health Organization (hereinafter referred to as the “Contracting Parties”),

Considering the Agreement between the Government of the Netherlands and the World Health Organization of 13 June 1990¹⁾,

Taking into account that the Agreement provides for the establishment of a Unit of the Regional Office for Europe of the World Health Organization, at Bilthoven, the Netherlands,

Bearing in mind that Article VI of the aforesaid Agreement provides that the legal status, privileges and immunities of the Unit shall be governed by the Convention on the Privileges and Immunities of the Specialized Agencies, and Annex VII, adopted by the First World Health Assembly on 17 July 1948, and that individual or specific privileges, not covered by this Convention, make further provisions necessary;

Desiring, therefore, to conclude an Agreement for the purpose of determining such individual or specific privileges to be granted by the Government of the Kingdom of the Netherlands with respect to the Unit of the Regional Office for Europe of the WHO;

Have agreed as follows:

Article 1

Definitions

- a) "the Agreement of 1990" means the Agreement between the Government of the Netherlands and the World Health Organization of 13 June 1990;
- b) "the Government" means the Government of the Kingdom of the Netherlands;
- c) "the WHO" means the World Health Organization;
- d) "the Regional Office" means the Regional Office for Europe of the WHO;
- e) "Member" means a Member or an Associate Member of WHO, as well as a territory or group of territories which, without being an Associate Member, is represented and participates in the Regional Committee of WHO in accordance with Article 47 of its Constitution;
- f) "the Unit" means WHO acting through the Regional Office, in so far as it relates to the Unit established by the Agreement of 1990;
- g) "Staff member", as used herein and in the Agreement of 1990, means a person appointed or recruited for employment with the Unit for the carrying out of its official duties, other than persons recruited locally and assigned to hourly rates of pay;
- h) "Official activities of the Unit" means those activities undertaken pursuant to the Agreement of 1990, including the administrative activities of the Unit established by the Agreement of 1990;
- i) "the premises of the Unit" means buildings and parts of buildings, as well as conference facilities in use outside of these buildings, normally occupied by the Unit for the fulfilment of its official functions;
- j) "Experts" means persons, other than those referred to in subparagraph g of this Article, performing official missions for the Unit;
- k) "the Director" means the Director of the Unit established by the Agreement of 1990;
- l) "the Regional Director" means the Regional Director of the European Office of WHO;
- m) "the Convention" means the Convention on the Privileges and Immunities of the Specialized Agencies of 13 February 1946 and Annex VII.

Article 2

Application of the Convention

Except as otherwise provided in this Agreement, the status, privileges and immunities of the Unit shall be governed by the provisions of the Convention.

Article 3

Inviolability of the premises of the Unit

With respect to section 5 of the Convention, the following shall also apply:

1. Any person authorized to enter any place under any legal provision or on the strength of the law shall not exercise that authority in respect of the premises of the Unit unless permission to do so has been given by or on behalf of the Director-General of the WHO or the Regional Director as his duly authorized representative. Such permission may, however, be assumed in case of fire or other emergencies requiring prompt protective action.

2. In other cases the Director-General of the WHO or the Regional Director acting on his behalf, shall give serious consideration to a request for permission from the Netherlands authorities to enter the premises of the Unit, without prejudice to the interests of the Unit.

Article 4

Inviolability of the archives

With respect to section 6 of the Convention, the inviolability of the archives shall be understood to apply to all records, correspondence, documents, manuscripts, photographs, films, recordings and computer data and computer files belonging to or held by the Unit.

Article 5

Immunity from juridical proceedings

With respect to section 4 of the Convention, immunity shall, in any event, not extend to a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to or operated on behalf of the Unit or to a motor-traffic offence involving such a vehicle.

Article 6

Publications

The circulation of publications and other information material sent by or to the Unit, in the fulfilment of its purposes, shall not be restricted in any way.

Article 7

Exemption from taxes and duties

With respect to section 10 of the Convention, the following shall also apply: