

**No. 55577\***

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**Netherlands (for the European part of the Netherlands)  
and  
Ukraine**

**Agreement between the Kingdom of the Netherlands and Ukraine on the International Mission for Protection of Investigation. Kiev, 28 July 2014**

**Entry into force:** *1 August 2014 by notification, in accordance with article 10*

**Authentic texts:** *English and Ukrainian*

**Registration with the Secretariat of the United Nations:** *Netherlands, 1 January 2019*

**Note:** *See also annex A, No. 55577.*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

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**Pays-Bas (pour la partie européenne des Pays-Bas)  
et  
Ukraine**

**Accord entre le Royaume des Pays-Bas et l'Ukraine sur la Mission internationale pour la protection des enquêtes. Kiev, 28 juillet 2014**

**Entrée en vigueur :** *1<sup>er</sup> août 2014 par notification, conformément à l'article 10*

**Textes authentiques :** *anglais et ukrainien*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Pays-Bas, 1<sup>er</sup> janvier 2019*

**Note :** *Voir aussi annexe A, No. 55577.*

*\*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 Ukraine  
on the International Mission for Protection of Investigation**

Ukraine, hereinafter referred to as “the Receiving State”

and

the Kingdom of the Netherlands, hereinafter referred to “the Sending State”

collectively referred to as “the Parties”;

having regard to the provisions of UN Security Council Resolution 2166 of 21 July 2014;

taking into account the Memorandum of Understanding signed on 24 July 2014 between the Minister for Foreign Affairs of Ukraine and the Minister of Foreign Affairs of the Kingdom of the Netherlands Concerning the Investigations Regarding the Accident of the Downing of a Civilian Aircraft, Malaysian Airlines Flight MH 17 on July 17, 2014;

Have agreed the following:

**Article 1**

1.1. The multinational International Mission for Protection of Investigation (hereinafter referred to as the Mission) led by the Sending State shall be established to facilitate the recovery of remains and the conduct

of the investigation called for in United Nations Security Council Resolution 2166 of 21 July 2014, and other activities as may be agreed between the Parties.

1.2. The Mission shall consist of military and non-military personnel from the Sending State and Australia and other States whose nationals were on flight MH17 as appropriate.

1.3. The Mission shall be composed of up to 700 armed personnel.

1.4. The Mission shall have freedom of movement within Ukraine to travel to areas relevant to the investigation of the aircraft crash. The Mission shall seek the consent of Ukraine for any travel to areas not relevant to the investigation of the aircraft crash.

1.5. While staying in the territory of Ukraine the Mission shall be subordinated to the Head of the International Mission for Protection of Investigation to be appointed by the Sending State (hereinafter referred to as the Head of Mission).

1.6. It is the duty of the Mission to respect the law of the Receiving State, and to abstain from any activity inconsistent with the spirit of the present Agreement, and, in particular, from any political activity in the Receiving State.

1.7. The Mission will maintain contact with all parties, including with the OSCE Special Monitoring Mission which, in order to fulfil its tasks, establishes contact with local, regional and national authorities, civil society, ethnic and religious groups, and members of the local population in accordance with its mandate as long as applicable.

1.8. Activities of the Mission on the territory of the Receiving State shall be completed simultaneously with the completion of the activities referred to in paragraph 1 of this Article or as otherwise agreed between the Parties.

## Article 2

2.1. Weapons, equipment, ground and air vehicles, fuel and oil, materials and other products for use by the Mission personnel shall be temporarily imported into the territory of the Receiving State free of duties.

2.2. Technical details of the Mission logistics support shall be determined by the competent authorities of the Parties.

2.3. Logistics and financial support of the Mission shall be provided by the Sending State.

### Article 3

3.1. The Mission personnel shall be allowed to possess and carry weapons and to use force in self-defense and for fulfillment of its activities under this Agreement.

### Article 4

4.1. During its stay on the territory of the Receiving State the Mission shall be allowed use public bases, training centers, training grounds and other facilities of the Receiving State upon agreement between the Head of Mission and the entities of the Receiving State responsible for the administration of such facilities.

4.2. Amounts and procedure of payment of the rent of land, other real estate, including residential and other facilities, as well as fees for the use of water, use of airspace of Ukraine, air-navigation, and information support, providing municipal, domestic and other services shall be determined between the Sending State and entities of the Receiving State responsible for the administration of such objects or providing such services.

### Article 5

5.1. The Parties will waive all claims against each other arising out of activities under this Agreement. Claims arising out of acts or omissions of the Mission personnel in relation to activities under this Agreement, and causing damage, injury or death in Ukraine to third parties will be dealt with and met by Ukraine in accordance with its national laws, regulations and policies. Claims not arising out of activities under this Agreement will be settled as mutually determined by the Parties.

### Article 6

6.1. Personnel of the Mission shall be accorded the status equivalent to that accorded to the administrative and technical staff of a diplomatic mission of a state that is a party to the Vienna Convention on Diplomatic Relations of 18 April 1961.

### Article 7

7.1. The Mission personnel shall be allowed to wear field uniforms for the purposes of the activities under this Agreement.