

**UNITED NATIONS,
INTERNATIONAL LABOUR ORGANISATION,
FOOD AND AGRICULTURE ORGANIZATION OF THE
UNITED NATIONS,
UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION,
INTERNATIONAL CIVIL AVIATION ORGANIZATION,
WORLD HEALTH ORGANIZATION
and
NETHERLANDS**

Agreement (with exchange of letters) concerning technical assistance to the overseas parts of the Kingdom of the Netherlands for whose international relations the Government of the Kingdom is responsible. Signed at New York, on 6 October 1954

Official text: English.

Registered ex officio on 1 November 1954.

**ORGANISATION DES NATIONS UNIES,
ORGANISATION INTERNATIONALE DU TRAVAIL,
ORGANISATION DES NATIONS UNIES
POUR L'ALIMENTATION ET L'AGRICULTURE,
ORGANISATION DES NATIONS UNIES
POUR L'ÉDUCATION, LA SCIENCE ET LA CULTURE,
ORGANISATION DE L'AVIATION CIVILE
INTERNATIONALE,
ORGANISATION MONDIALE DE LA SANTÉ
et
PAYS-BAS**

Accord (avec échange de lettres) relatif à une assistance technique aux parties d'outre-mer du Royaume des Pays-Bas dont le Gouvernement du Royaume assure les relations internationales. Signé à New-York, le 6 octobre 1954

Texte officiel anglais.

Enregistré d'office le 1^{er} novembre 1954.

No. 2711. AGREEMENT¹ BETWEEN THE UNITED NATIONS, THE INTERNATIONAL LABOUR ORGANISATION, THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION AND THE WORLD HEALTH ORGANIZATION AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS CONCERNING TECHNICAL ASSISTANCE TO THE OVERSEAS PARTS OF THE KINGDOM OF THE NETHERLANDS FOR WHOSE INTERNATIONAL RELATIONS THE GOVERNMENT OF THE KINGDOM IS RESPONSIBLE. SIGNED AT NEW YORK, ON 6 OCTOBER 1954

The United Nations, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization and the World Health Organization (hereinafter called "the Organisations"), members of the Technical Assistance Board, and the Government of the Kingdom of the Netherlands (hereinafter called "the Government of the Kingdom");

DESIRING to give effect to the resolutions and decisions relating to technical assistance of the Organisations, which are intended to promote the economic and social progress and development of peoples;

DESIRING to promote the advancement of the inhabitants of the Overseas Parts of the Kingdom of the Netherlands for whose international relations the Government of the Kingdom is responsible (hereinafter called "the Overseas Parts of the Kingdom"), in the spirit of the United Nations Charter;

CONSIDERING the recommendations of the Economic and Social Council of the United Nations, made in its resolution number 222 (IX) A of 15 August 1949² and the recommendations of the General Assembly of the United Nations, made in its resolution number 444 (V) of 12 December 1950³;

HAVE ENTERED into this Agreement in a spirit of friendly co-operation.

¹ Applied provisionally from 6 October 1954, the date of signature, in accordance with article VI (b).

² United Nations, Economic and Social Council, *Official Records*, Fourth Year, Ninth Session, Supplement No. 1 (E/1553, p. 4).

³ United Nations, General Assembly, *Official Records*, Fifth Session, Supplement No. 20 (A/1775, p. 54).

Article I

FURNISHING OF TECHNICAL ASSISTANCE

1. The Organisations shall render, subject to the availability of the necessary funds, technical assistance to the Governments of the Overseas Parts of the Kingdom, for which such assistance is requested by the Government of the Kingdom. The Organisations, acting jointly or separately, and the Governments of the Overseas Parts of the Kingdom, acting with the authority of the Government of the Kingdom, shall co-operate in arranging, on the basis of the requests received from the Government of the Kingdom and approved by the Organisation(s) concerned, mutually agreeable programmes of operations for carrying out of technical assistance activities.

The Government of the Kingdom assumes international responsibility for any arrangements concluded or undertakings entered into by the Governments of the Overseas Parts of the Kingdom pursuant to the present agreement, in the same manner as if they had been concluded or entered into in the name of the Government of the Kingdom.

2. Such technical assistance shall be furnished and received in accordance with the Observations and Guiding Principles set forth in annex I of resolution 222 (IX) A of the Economic and Social Council of the United Nations of 15 August 1949¹ and as appropriate, in accordance with the relevant resolutions and decisions of the Assemblies, conferences and other organs of the Organisations.

3. Such technical assistance may consist of :

(a) making available the services of experts, in order to render advice and assistance to or through the Governments of the Overseas Parts of the Kingdom;

(b) organizing and conducting seminars, training programmes, demonstration projects, expert working groups, and related activities in such places as may be mutually agreed;

(c) awarding scholarships and fellowships or making other arrangements under which candidates nominated by the Government of the Kingdom and approved by the Organisation concerned shall study or receive training outside the country;

(d) preparing and executing pilot projects, tests, experiments or research in such places as may be mutually agreed upon;

(e) providing any other form of technical assistance which may be agreed upon by the Organisation(s) and the Government of an Overseas Part of the Kingdom.

¹ United Nations, *Treaty Series*, Vol. 76, p. 132.

4. (a) Experts who are to render advice and assistance to or through the Government of an Overseas Part of the Kingdom shall be selected by the Organisation(s) in consultation with this Government. They shall be responsible to the Organisation(s) concerned.

(b) In the performance of their duties, the experts shall act in close consultation with the Government of the Overseas Part of the Kingdom receiving assistance and with persons or bodies so authorized by this Government, and shall comply with instructions from this Government as may be appropriate to the nature of their duties and the assistance to be given and as may be mutually agreed upon between the Organisation(s) concerned and the Government of the Overseas Part of the Kingdom.

(c) The experts shall, in the course of their advisory work, make every effort to instruct any technical staff the Government of the Overseas Part of the Kingdom receiving assistance may associate with them, in their professional methods, techniques and practices, and in the principles on which these are based, and the Government concerned shall, wherever practicable, arrange for such technical staff to be attached to the experts for this purpose.

5. Any technical equipment or supplies which may be furnished by the Organisation(s) shall remain their property unless and until such time as title may be transferred on terms and conditions mutually agreed upon between the Organisation(s) concerned and the Government of the Overseas Part of the Kingdom receiving assistance.

6. The technical assistance rendered pursuant to the terms of this agreement is in the interest and for the benefit of the peoples and Governments of the Overseas Parts of the Kingdom receiving assistance. In recognition thereof, the Governments of the Overseas Parts of the Kingdom concerned shall undertake to bear all risks and claims resulting from, occurring in the course of, or otherwise connected with any operation covered by this agreement or by arrangements for programmes of operation. Without restricting the generality of the preceding sentence, the Governments of the Overseas Parts of the Kingdom receiving assistance shall indemnify and hold harmless the Organisation(s) and their experts, agents or employees against any and all liability suits, actions, demands, damages, costs or fees on account of death, injuries to person or property, or any other losses resulting from or connected with any act or omission performed in the course of operations covered by this Agreement.

Article II

CO-OPERATION OF THE GOVERNMENT(S) CONCERNING TECHNICAL ASSISTANCE

1. The Governments of the Overseas Parts of the Kingdom receiving assistance shall do everything within their means to ensure the effective use of the technical assistance provided, and, in particular, shall apply to the fullest possible extent the provisions set forth in annex I to resolution 222 A (IX) of the Economic and Social Council under the heading "Participation of Requesting Governments".

2. The Governments of the Overseas Parts of the Kingdom receiving assistance and the Organisation(s) concerned shall consult together regarding the publication, as appropriate, of any findings and reports of experts that may prove of benefit to other countries and to the Organisation(s) themselves.

3. In any case, the Governments of the Overseas Parts of the Kingdom receiving assistance shall, as far as practicable, make available to the Organisation(s) concerned, information on the actions taken as a consequence of the assistance rendered and on the results achieved, if requested by the Organisation(s).

Article III

ADMINISTRATIVE AND FINANCIAL OBLIGATIONS OF THE ORGANISATION(S)

1. The Organisation(s) shall defray, in full or in part, as may be mutually agreed upon, the costs necessary to the technical assistance which are payable outside the recipient Overseas Parts of the Kingdom as follows :

- (a) the salaries of the experts;
- (b) the costs of transportation and subsistence of the experts during their travel to and from the point of entry into the Overseas Parts of the Kingdom;
- (c) the cost of any other travel outside the Overseas Part of the Kingdom;
- (d) insurance of the experts;
- (e) purchase and transport to and from the point of entry into the Overseas Part of the Kingdom of any equipment or supplies provided by the Organisation;
- (f) any other expenses outside the Overseas Parts of the Kingdom approved by the Organisation(s) concerned.

2. The Organisation(s) concerned shall defray such expenses in local currency of the Overseas Parts of the Kingdom as are not payable by the Govern-