

**No. 31057**

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**NEW ZEALAND  
and  
FRANCE**

**Exchange of letters constituting an agreement relating to an  
inspection visit to Hao Atoll. Paris, 11 March 1988**

*Authentic texts: French and English.*

*Registered by New Zealand on 27 June 1994.*

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**NOUVELLE-ZÉLANDE  
et  
FRANCE**

**Échange de lettres constituant un accord concernant une  
visite d'inspection à Hao Atoll. Paris, 11 mars 1988**

*Textes authentiques : français et anglais.*

*Enregistré par la Nouvelle-Zélande le 27 juin 1994.*

ÉCHANGE DE LETTRES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LE GOUVERNEMENT DE LA NOUVELLE-ZÉLANDE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE CONCERNANT UNE VISITE D'INSPECTION À HAO ATOLL

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF THE FRENCH REPUBLIC RELATING TO AN INSPECTION VISIT TO HAO ATOLL

I

MINISTÈRE DES AFFAIRES ÉTRANGÈRES  
RÉPUBLIQUE FRANÇAISE

Paris, le 11 mars 1988

Madame l'Ambassadeur,

L'accord qui est contenu dans les échanges de lettres entre la France et la Nouvelle-Zélande du 9 juillet 1986<sup>2</sup>, et qui fait suite au règlement du Secrétaire-Général des Nations Unies rendu public le 7 juillet 1986, prévoit que, si le gouvernement néo-zélandais le demande, une visite de l'installation militaire de Hao pourra, par commun accord entre les deux gouvernements, être effectuée par un tiers agréé.

La France et la Nouvelle-Zélande ont donné leur accord pour qu'une visite de Hao soit effectuée par M. Adrian Bos, Conseiller juridique adjoint du ministère des affaires étrangères du Royaume des Pays-Bas.

Le but de cette visite est de s'assurer de la présence sur l'île de Hao du Capitaine Prieur.

La visite s'effectuera dans les conditions suivantes :

A M. Bos fera connaître au ministère des affaires étrangères de la République française, avec un délai approprié, la date à laquelle il compte arriver à Papeete, afin de per-

<sup>1</sup> Entré en vigueur le 11 mars 1988, conformément aux dispositions desdites lettres.

<sup>2</sup> Nations Unies, *Recueil des Traités*, vol. 1546, n° I-26849.

<sup>1</sup> Came into force on 11 March 1988, in accordance with the provisions of the said letters.

[TRANSLATION — TRADUCTION]

MINISTRY OF FOREIGN AFFAIRS  
FRENCH REPUBLIC

Paris, 11 March 1988

Excellency:

The agreement comprised, etc.

*[See letter II]*

I should be grateful, etc.

JEAN-PIERRE PUISSOCHET  
Director of Legal Affairs

Her Excellency Mrs. J. C. Trotter  
Ambassador of New Zealand  
Paris

## II

NEW ZEALAND EMBASSY  
PARIS

11 March 1988

Dear Mr Puissochet

I have the honour to refer to your letter of today's date which in the English language reads as follows:

"The agreement comprised in the exchanges of letters between France and New Zealand of 9 July 1986<sup>1</sup> pursuant to the ruling of the United Nations Secretary General made public on 7 July 1986 provides that, if the New Zealand Government so requests, a visit to the military installation on Hao may, by mutual agreement between the two Governments, be made by an agreed third party.

"France and New Zealand have given their agreement for a visit to Hao to be made by Mr Adrian Bos, Deputy Legal Adviser of the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

"The purpose of this visit is to confirm the presence on Hao Island of Captain Prieur.

"The visit will be made under the following conditions:

- A Mr Bos will give appropriate advance notice to the Ministry of Foreign Affairs of the Republic of France of the date on which he intends to arrive in Papeete so as to allow the French authorities to arrange his transfer to Hao Island and his return to Papeete. The total cost of his return travel to Hao will be borne by New Zealand. Mr Bos will be the responsibility of the French authorities during his stay on Hao.
- B Mr Bos's stay on Hao will not exceed 24 hours. The military commander of the installation will be the French authority responsible for greeting Mr Bos on arrival, for organising his visit, and for generally being his sole authorised point of liaison.

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<sup>1</sup> United Nations, *Treaty Series*, vol. 1546, No. I-26849.

- C Mr Bos will meet Captain Frieur and will be able to talk to her in the presence of the military commander of Hao. He will be able, if he so wishes, to verify her identity by reference to her identity documents as well as the photographs provided to him.
- D Mr Bos, accompanied by the military commander of Hao, will visit the installation with the objective of verifying that the accommodation and living conditions of Captain Prieur, as well as her social contacts, are in accordance with the provisions of the agreement of 9 July 1986, particularly those relating to isolation and prohibition of contact with the media. Given the nature of Hao Base he will not be able to take photographs.
- E Mr Bos will undertake, by letters he will give before the start of his mission to the French and New Zealand Ambassadors to the Kingdom of the Netherlands, to abide by the totality of the clauses which appear in these terms of reference. Before, during, and after completion of his mission, Mr Bos will refrain from making any statement. He may, however, confirm publicly that he has fulfilled the mission. At the end of his mission he will prepare a report in two copies which he will give personally to the French and New Zealand Ambassadors to the Kingdom of the Netherlands.
- F The report and its contents may not give rise to publication or information except with the mutual agreement of both Governments.
- G Any dispute concerning the interpretation or application of this agreement which has been unable to be settled through diplomatic channels shall, at the request of either of the two Governments, be submitted to an arbitral tribunal under the conditions set out in the exchange of letters dated 9 July 1986 between the Prime Minister of the Republic of France and the New Zealand Ambassador in Paris relating to the setting up of arbitration machinery.

"I should be grateful if you would let me know if the arrangements set out above are acceptable to the New Zealand Government. If so, this letter and your reply will constitute an agreement between our two Governments with effect from today's date."

