

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1998 Nr. 269

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A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de Federale Volksrepubliek Zuidslavië betreffende geregelde luchtdiensten, met Bijlage;  
Belgrado, 13 maart 1957*

B. TEKST

De tekst van Overeenkomst en Bijlage is geplaatst in *Trb.* 1957, 70.

C. VERTALING

Zie *Trb.* 1957, 70.

D. PARLEMENT

Zie *Trb.* 1958, 37.

G. INWERKINGTREDING

Zie *Trb.* 1958, 37.

In verband met het uiteenvallen van Joegoslavië zijn op 25 februari en 21 april 1992 tussen de Regering van het Koninkrijk der Nederlanden en de Regering van Kroatië nota's gewisseld inzake de bilaterale verhoudingen. In deze nota's wordt geconcludeerd dat alle voor 15 januari 1992 tussen het Koninkrijk der Nederlanden en de voormalige Socialistische Federatieve Republiek Joegoslavië gesloten verdragen, onder zekere voorbehouden, van toepassing blijven tussen Kroatië en het Koninkrijk der Nederlanden. (Voor de voor verdragen relevante passages uit de beide nota's zie rubriek J van *Trb.* 1995, 98). De voortgezette toepassing van de onderhavige Overeenkomst is op 30 mei 1996 beëindigd gezien de voorlopige toepassing vanaf die datum van het in rubriek J hieronder genoemde Verdrag met Kroatië van 30 april 1996.

Op 31 juli 1992 is te Ljubljana ondertekend een gezamenlijke verkla-

ring van het Koninkrijk der Nederlanden en Slovenië met betrekking tot de bilaterale verdragsverhoudingen. In deze verklaring wordt vastgesteld dat o.a. de onderhavige Overeenkomst tussen het Koninkrijk der Nederlanden en Slovenië van kracht is gebleven (zie voor bedoelde verklaring rubriek J van *Trb.* 1995, 98). De toepassing van het onderhavige Verdrag is in de verhouding het Koninkrijk der Nederlanden-Slovenië beëindigd op 1 februari 1995 gezien de inwerkingtreding op die datum van het in rubriek J hieronder genoemde Verdrag met Slovenië van 24 november 1993.

Op 27 juni en 11 juli 1994 zijn tussen de Regering van het Koninkrijk der Nederlanden en de Regering van De Voormalige Joegoslavische Republiek Macedonië nota's gewisseld waarin wordt vastgesteld dat de onderhavige Overeenkomst niet langer van kracht is tussen het Koninkrijk der Nederlanden en De Voormalige Joegoslavische Republiek Macedonië (zie voor de tekst van de nota's rubriek J van *Trb.* 1997, 278).

Op 21 september 1995, 29 februari 1996 en 25 augustus 1998 zijn nota's gewisseld tussen de Regering van het Koninkrijk der Nederlanden en de Regering van Bosnië-Herzegovina waarin wordt bevestigd de voortgezette toepassing van bilaterale verdragen, waaronder de onderhavige Overeenkomst, tussen het Koninkrijk der Nederlanden en de voormalige Socialistische Republiek Joegoslavië (zie rubriek J hieronder).

#### J. GEGEVENS

Zie *Trb.* 1957, 70 en *Trb.* 1958, 37.

De onderhavige Overeenkomst is in overeenstemming met artikel 102 van het Handvest der Verenigde Naties op 20 april 1959 geregistreerd bij het Secretariaat van de Verenigde Naties onder nr. 4723. De tekst van de Overeenkomst, alsmede een vertaling in het Engels, zijn afgedrukt in „Recueil des Traités” van de Verenigde Naties, deel 327, blz. 228 e.v.

Voor het op 7 december 1944 te Chicago tot stand gekomen Verdrag inzake de internationale burgerluchtvaart zie ook, laatstelijk, *Trb.* 1996, 32.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof zie ook, laatstelijk, *Trb.* 1998, 145.

Op 24 november 1993 is te Ljubljana tot stand gekomen het Verdrag tussen het Koninkrijk der Nederlanden en de Republiek Slovenië inzake luchtdiensten tussen en via hun onderscheiden grondgebieden. Tekst en vertaling van dat Verdrag zijn geplaatst in *Trb.* 1994, 9; zie ook, laatstelijk, *Trb.* 1995, 17.

Op 30 april 1996 is te Zagreb tot stand gekomen het Verdrag tussen het Koninkrijk der Nederlanden en de Republiek Kroatië inzake luchtdiensten. De tekst van dat Verdrag is geplaatst in *Trb.* 1996, 133; zie ook *Trb.* 1996, 316.

Op 21 september 1995, 29 februari 1996 en 25 augustus 1998 zijn te

Serajawo en 's-Gravenhage nota's gewisseld tussen de Regering van Bosnië-Herzegowina en het Koninkrijk der Nederlanden inzake de bilaterale verdragsverhoudingen. De tekst van de nota's luidt als volgt:

Nr. I

REPUBLIC OF BOSNIA AND HERZEGOVINA  
MINISTRY OF FOREIGN AFFAIRS

Note: No. 11-9881/95

The Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to notify, on behalf of the Government of the Republic of Bosnia and Herzegovina, that the Republic of Bosnia and Herzegovina, in conformity with general rules of international law on succession of states and the provisions of the Vienna Convention on succession of states in respect of treaties, signed on August 23, 1978, considers itself, as a legal successor State of the former Socialist Federal Republic of Yugoslavia, bound by the following bilateral treaties concluded between the former Socialist Federal Republic of Yugoslavia and the Kingdom of the Netherlands which were in force on the date of succession of States in respect to the territory of the Republic of Bosnia and Herzegovina:

1. Agreement on the extradition of criminals, Belgrade, 28 February/ 11 March 1896, entered into force on 28 January 1897
2. Convention on trade and navigation, Belgrade, 28 May 1930, entered into force on 17 April 1932
3. Convention on the settlement of disputes through adjudication, arbitration or conciliation, The Hague, 11 March 1931, entered into force on 2 April 1932
  - members of a Permanent Conciliation Committee will be designated in due time
4. Exchange of notes concerning the reciprocal submission of information on criminal judgements against foreigners (reciprocity regulation), Belgrade, 9 October 1953/8 June 1954
5. Agreement on compensation for interests of the Netherlands in Yugoslavia which have been affected by nationalisation measures, Belgrade, 22 July 1958, entered into force 25 August 1959
6. Agreement concerning the regulation of certain financial claims of the Netherlands, The Hague, 9 February 1961, entered into force 21 November 1961
7. Cultural Agreement between the Kingdom of the Netherlands and

the Socialist Federal Republic of Yugoslavia, Belgrade, 11 August 1966, entered into force 29 May 1967

– a joint committee will be set up in due time

8. Agreement concerning economic, industrial and technical cooperation, Belgrade, 13 March 1968, entered into force 2 August 1968

– joint committee meetings to be held in The Hague and Sarajevo

9. Agreement on the protection of investments between the Kingdom of the Netherlands and the Socialist Federal Republic of Yugoslavia, Belgrade, 16 February 1976, entered into force 1 April 1977

10. Convention between the Kingdom of the Netherlands and the Socialist Federal Republic of Yugoslavia on social security, Belgrade, 11 May 1977, entered into force 1 April 1979

11. Administrative arrangement concerning the modalities of application of the Convention on Social Security, Belgrade, 16 May 1977, entered into force 1 April 1979

– liaison body is the Ministry for Refugees and Social Welfare

12. Convention between the Kingdom of the Netherlands and the Socialist Federal Republic of Yugoslavia for the avoidance of double taxation with respect to taxes on income and capital, with a Protocol, Belgrade, 22 February 1982, entered into force 6 February 1983

– the competent authority is the Ministry of Finance

These treaties should remain in force between the Republic of Bosnia and Herzegovina and the Kingdom of the Netherlands until the two parties agree otherwise.

The Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina would appreciate the notification of the Ministry of Foreign Affairs of the Kingdom of the Netherlands on the acceptance of this notification.

The Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

Sarajevo, September 21, 1995

*The Ministry of Foreign Affairs  
of the Kingdom of the Netherlands  
The Hague*

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## Nr. II

Treaties Department  
DVE-111545

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina, and with reference to the Latter's Note, No. 11-9881/95, dated September 21, 1995, has the honour to inform the Ministry as follows.

The Government of the Kingdom of the Netherlands welcomes the notification of the Government of the Republic of Bosnia and Herzegovina that the Republic of Bosnia and Herzegovina considers itself bound by the bilateral treaties, listed in the abovementioned Note, which were concluded between the former Socialist Federal Republic of Yugoslavia and the Kingdom of the Netherlands and were in force on the date of succession of States in respect to the territory of the Republic of Bosnia and Herzegovina.

The Government of the Kingdom of the Netherlands subscribes to the continued application of all treaties in force on the date of the succession of States, unless it appears from a treaty or is otherwise established that the application of a treaty would be incompatible with the object and purpose of the treaty or would radically change the conditions for its operation.

The Government of the Kingdom of the Netherlands therefore concludes that with the abovementioned Note and the present Note it is established that the treaties mentioned in the First Note under the numbers 1 to 7 and 9 to 12 have continued to apply between the Kingdom of the Netherlands and the Republic of Bosnia and Herzegovina after the date of succession of States in respect to the territory of the Republic of Bosnia and Herzegovina.

The Government of the Kingdom of the Netherlands is of the opinion that the Agreement concerning economic, industrial and technical cooperation of March 13, 1968, mentioned under number 8 in the abovementioned Note, should be considered as no longer operational due to the change of circumstances, as this agreement was based on the situation of the centrally planned economy in the former Socialist Federal Republic of Yugoslavia, in which the Government played a prominent part in the economy. Initiatives to convene the joint commission within the framework of the Agreement, were normally taken by the Government instead of the business community. This situation does not apply anymore. In the current situation arrangements between both countries can be best met on an ad hoc basis, if:

the business community puts forward its concrete interest, and agreement has been reached on the desirability of a meeting of authorities of both countries, and an agenda with concrete points has been set which has been agreed upon by the business community.

Furthermore there were in force between the Kingdom of the Netherlands and the former Socialist Federal Republic of Yugoslavia the Agreement concerning regular air services (Belgrade, March 13, 1957, entered into force March 3, 1958), and the Agreement concerning the international roadtransport (Belgrade, September 1966, entered into force April 4, 1967), supplemented by exchange of notes (Belgrade, November 20, 1972, entered into force November 15, 1973).

The Government of the Kingdom of the Netherlands is of the opinion that these agreements, pending the conclusion of new agreements between both States in the field of air services and international roadtransport, should be considered as also having remained in force and should be applied as far as possible in the current situation.

The Ministry would appreciate the notification of the Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina that the Government of Bosnia and Herzegovina concurs with the above concerning the agreements on economic cooperation, air services, and international road transport.

The Ministry avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Bosnia and Herzegovina the assurances of its highest consideration.

The Hague, 29 February 1996

*To the Ministry of Foreign Affairs  
of the Republic of Bosnia and Herzegovina  
at Sarajewo*

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Nr. III

BOSNIA AND HERZEGOVINA  
MINISTRY OF FOREIGN AFFAIRS

Note: No. 11-9881-1/98

The Ministry of Foreign Affairs of Bosnia and Herzegovina presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands, and with reference to the Latter's Note No. DJZ/VE-079/98 dated April 20, 1998 has the honour to inform the Ministry that the proposal on termination of the Agreement concerning economic, industrial and technical cooperation dated March 13, 1968, entered into force August 2, 1968, has been accepted.

Furthermore, the Ministry of Foreign Affairs of Bosnia and Herzegovina endorses its approval of the proposal as mentioned in the above said Note of the Ministry of Foreign Affairs of the Kingdom of the Netherlands regarding the Agreement concerning regular air services dated

March 13, 1957, entered into force March 3, 1958 as well as the Agreement concerning the international roadtransport dated September 1966, entered into force April 4, 1967, supplemented by exchange of Notes dated November 20, 1972, entered into force November 15, 1975, and it stipulates hereby that the abovementioned Note of the Ministry of Foreign Affairs of the Kingdom of the Netherlands and the present Note of the Ministry of Foreign Affairs of Bosnia and Herzegovina in reply thereto, will constitute continuation of effectiveness of these Treaties. The Treaties would continue to be applied between Bosnia and Herzegovina and the Kingdom of the Netherlands until the Parties otherwise agree.

The Ministry of Foreign Affairs of Bosnia and Herzegovina avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

Sarajevo, August 25, 1998

*The Ministry of Foreign Affairs  
of the Kingdom of the Netherlands  
The Hague*

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Uitgegeven de zeventwintigste november 1998.

*De Minister van Buitenlandse Zaken,*

J. J. VAN AARTSEN