

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1952 No. 22

Overgelegd aan de Staten-Generaal door de Minister
van Buitenlandse Zaken

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden
en de Verenigde Staten van Amerika tot economische
samenwerking, met bijlage en briefwisseling;
's-Gravenhage, 2 Juli 1948*

B. TEKST

De Nederlandse en de Engelse tekst zijn bekendgemaakt bij
Koninklijk besluit van 11 Augustus 1948 en afgedrukt in *Staatsblad*
No. I 365.

G. INWERKINGTREDING

Zie *Tractatenblad* 1951 No. 89.

J. GEGEVENS

Zie *Tractatenblad* 1951 No. 89.

Voor het Statuut van het Internationale Gerechtshof, naar welk
Gerechtshof in artikel X van de onderhavige Overeenkomst wordt
verwezen, zie *Tractatenblad* 1952 No. 9.

De onderhavige Overeenkomst is voor de derde maal gewijzigd
bij de op 8 Januari 1952 te 's-Gravenhage tussen de Nederlandse
en de Amerikaanse Regering gewisselde nota's.

Door deze notawisseling is eveneens gewijzigd het op 27 Januari
1950 te Washington tussen het Koninkrijk der Nederlanden en de

Verenigde Staten van Amerika gesloten Verdrag tot wederzijdse hulpverlening inzake verdediging (*Tractatenblad* 1952 No. 19).

De tekst van de hierbedoelde nota's is, ter kennisneming door de leden, overgelegd aan de Staten-Generaal bij brief van 9 Januari 1952 (Bijlagen *Handelingen Tweede Kamer* 1951—1952, 2402, No. 1). De tekst van de nota's luidt:

No. I

American Embassy

The Hague, January 8, 1952.

No. 385

Excellency:

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the Economic Cooperation Agreement between the United States of America and the Kingdom of the Netherlands signed at The Hague on July 2, 1948, as heretofore amended, to the Mutual Defense Assistance Agreement between our two Governments, signed at Washington, D.C. on January 27, 1950, and to the enactment by the Congress of the United States of the Mutual Security Act of 1951, Public Law 165, 82nd Congress. I also have the honor to confirm the understandings reached as a result of these conversations, as follows:

The Government of the Netherlands has expressed adherence to the purposes and policies of the Economic Cooperation Act of 1948 as heretofore amended, including the statement of purpose contained in Section 2 of the Mutual Security Act of 1951, which recognizes the primary importance of strengthening the mutual security and individual and collective defenses of the free world, developing their resources in the interest of the security and independence and national interest of friendly countries and facilitating the effective participation of those countries in the United Nations system for collective security.

Whenever reference is made in any of the articles of such Economic Cooperation Agreement to the Economic Cooperation Act of 1948, or of such Mutual Defense Assistance Agreement to the Mutual Defense Assistance Act of 1949, as amended, such reference shall be construed as meaning the Economic Cooperation Act of 1948, or the Mutual Defense Assistance Act of 1949, respectively, as heretofore amended.

1. The Government of the Netherlands has by reason of earlier international acts and undertakings agreed to:

- a. Join in promoting international understanding and good will, and maintaining world peace;
- b. Take such action as may be mutually agreed upon to eliminate causes of international tension;

c. Fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party;

d. Make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic conditions to the development and maintenance of its own defensive strength and the defensive strength of the free world;

e. Take all reasonable measures which may be needed to develop its defense capacities; and

f. Take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

2. The two Governments will establish procedures under which equipment and materials furnished by the Government of the United States under the Mutual Defense Assistance Act of 1949, as amended, or by either Government under the Mutual Defense Assistance Agreement of January 27, 1950, other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available will be offered for return to the Government which furnished such assistance for appropriate disposition.

3. Sums allocated to the use of the Government of the United States of America pursuant to paragraph 4 of Article IV of the Economic Cooperation Agreement may be used by the Government of the United States of America for its expenditures in any area.

4. Paragraph 6 of Article IV of the Economic Cooperation Agreement shall include expenditures for military production, construction, equipment and material. It shall also include expenditures for the encouragement of emigration from participating countries having permanent surplus manpower to areas, particularly the undeveloped and dependent areas, where such manpower can be effectively utilized.

5. In lieu of the date referred to in paragraph 7 of Article IV of the Economic Cooperation Agreement, the amount of unencumbered balances referred to in that paragraph shall be determined as of the date of the termination of the assistance program under this Agreement.

6. The two Governments will establish procedures whereby the Government of the Netherlands will so deposit, segregate, or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States so that such funds shall not be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organization or government, when the Government of the Netherlands is advised by the Government of the United States that any such legal process would interfere with the attainment of the objectives of the program of assistance.

Upon receipt of a Note from your Government indicating that the foregoing provisions are acceptable to the Netherlands Government, the Government of the United States of America will consider that this Note and your reply thereto constitute an agreement between the two Governments on this subject which shall enter into force on the date of your Note in reply.

Accept, Excellency, the assurances of my highest consideration.

(s.) WILLIAM C. TRIMBLE
Chargé d'Affaires, ad interim.

*His Excellency Mr. D. U. Stikker,
Royal Netherlands Minister for Foreign Affairs,
Plein 23, The Hague.*

No. II

Ministry of Foreign Affairs

The Hague, January 8, 1952.

Sir,

I have the honor to acknowledge receipt of your note no. 385 dated January 8, 1952, and reading as follows:

(zoals in No. I)

I have the honor to confirm that the provisions contained in the note quoted above are acceptable to her Majesty's Government and that the aforementioned note and the present reply constitute an agreement between the Governments of the United States of America and of the Netherlands.

Accept, Sir, the renewed assurance of my highest consideration.

(s.) STIKKER
Minister of Foreign Affairs.

Uitgegeven de *dertiende* Februari 1952.

De Minister van Buitenlandse Zaken,
STIKKER.