

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1954 No. 8

A. TITEL

*Notawisseling tussen de Nederlandse en de Amerikaanse Regering
nopens de aan een Staat toekomende immuniteit met
betrekking tot luchtvaartmaatschappijen;
Washington, 19 Juni 1953*

B. TEKST

No. I

ROYAL NETHERLANDS EMBASSY
WASHINGTON

EA-8166

June 19, 1953.

Sir:

With reference to your note of September 5, 1952, and in accordance with subsequent conversations between officials of your Department and this Embassy, I have the honor to inform you that it is my understanding that the following has been agreed upon by our two Governments:

The Governments of the United States of America and of the Kingdom of the Netherlands agree that neither Government will assert on behalf of any air carrier enterprise of its nationality, which engages in air transport operations into or through the territory of the other, the defense of sovereign immunity from suit in any action or proceeding entered into against such air carrier enterprise in any court or other tribunal of the other Government (or in the latter's territories or possessions) based upon any claim arising out of the air carrier's operations to and from the territory of the United States or the Netherlands, as the case may be, and further agree that neither Government will authorize any such air carrier to assert any such defense in its own behalf.

Please accept, Sir, the renewed assurances of my highest consideration.

(sd.) J. H. van ROIJEN.

*The Honorable
The Secretary of State,
Washington D.C.*

No. II

DEPARTMENT OF STATE
WASHINGTON

June 19, 1953

Excellency:

I have the honour to acknowledge the receipt of your note of June 19, 1953, stating that it is the understanding of The Netherlands Government that the Governments of the United States of America and of the Kingdom of the Netherlands agree that neither Government will assert on behalf of any air carrier enterprise of its nationality which engages in air transport operations into or through the territory of the other, the defense of sovereign immunity from suit in any action or proceeding entered into against such air carrier enterprise in any court or other tribunal of the other Government (or in the latter's territories or possessions) based upon any claim arising out of the air carrier's operations to and from the territory of the United States or The Netherlands, as the case may be, and further agree that neither Government will authorize any such air carrier to assert any such defense in its own behalf.

The Government of the United States concurs in the understanding of The Netherlands Government with regard to this matter and the Embassy's note of June 19, 1953, and this reply will constitute an agreement between the two Governments on this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
(sd.) Samuel C. WAUGH.

*His Excellency
Dr. J. H. van Roijen,
Ambassador of the Netherlands.*

G. INWERKINGTREDDING

De bepalingen, in deze notawisseling vervat, zijn op 19 Juni 1953 in werking getreden.

Uitgegeven de acht en twintigste Januari 1954.

*De Minister van Buitenlandse Zaken,
J. W. BEYEN.*