

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

---

---

JAARGANG 1979 Nr. 159

---

---

A. TITEL

*Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en de Noord-Atlantische Verdragsorganisatie houdende een overeenkomst inzake het functioneren in Nederland van het NATO Airborne Early Warning and Control Programme Management Agency (NAPMA); 's-Gravenhage/Brussel, 31 augustus en 11 september 1979*

B. TEKST

Nr. I

MINISTRY OF FOREIGN AFFAIRS  
THE HAGUE

31 August 1979.

Dear Secretary-General,

I have the honour to refer to the Agreement on the Status of the North Atlantic Treaty Organization, National Representatives and International Staff signed at Ottawa on 20 September 1951, hereinafter called the Ottawa Agreement.

Considering that my Government has offered to collocate the NATO AEW&C (Airborne Early Warning and Control) Programme Management Agency (NAPMA), the executive body of the NATO AEW&C Programme Management Organization (NAPMO), together with the Headquarters of the Allied Forces Central Europe at Brunsum in the Netherlands and considering that my Government is prepared to grant privileges and exemptions to NAPMO on conditions that are as a whole no less favourable than those granted to date by the Belgian Government my Government deems it desirable to formulate certain provisions together with you as a supplement

to the Ottawa Agreement. In order to facilitate the collocation, my Government deems it desirable to come to such arrangements that the privileges and exemptions accorded to NAPMO and its officials and experts will be on a par with those already established for AFCENT and his personnel.

To this end I have the honour to propose the following provisions:

1. NAPMO shall be exempt from taxes and excise duties which form part of the price of goods purchased by and of services rendered to NAPMO for its official use;
2. NAPMO shall be exempt from insurance tax levied in connection with the insurance of movable and immovable property for official use;
3. NAPMO shall be exempt from motorvehicle tax on vehicles owned by NAPMO for its official use. These vehicles will bear the RC registration plate;
4. The categories of officials of the Organization referred to in Article 17 of the Ottawa Agreement in the Netherlands comprise the unclassified officials as well as the grade A, L, B and C members of the staff in the Netherlands;
5. The immunity from legal process referred to in Article 18(a) and 21(b) of the Ottawa Agreement shall not apply in case of civilian or criminal actions arising from the use of motorvehicles;
6. The aforementioned officials shall have the same privileges as AFCENT personnel with respect to the exemption of taxes levied on goods sold in the messes, bars and canteens. The kinds and quantities of goods that may be procured free of duty and/or tax are those determined in agreement with the competent Netherlands authorities for AFCENT personnel. They shall also be exempt from motorvehicle tax in the same manner as AFCENT personnel.  
Their motorvehicles shall be registered and licensed by AFCENT in accordance with the agreed procedures;
7. The General Manager of NAPMA and his deputy will enjoy in the Netherlands the privileges and immunities referred to in Article 20 of the Ottawa Agreement. They shall be authorised to use CD plates which will be delivered to them, it being understood that the registrationmark shall consist of the letters CD and a number of two digits preceded by the letter N;
8. The experts referred to in Article 21 of the Ottawa Agreement who are employed in the Netherlands in direct support of NAPMO for a minimum period of 6 months and whose salaries are paid by NAPMO either direct to the individual concerned

or to the institution by whom the individual is provided will also be accorded the privileges and exemptions referred to in paragraph 6;

9. Officials and experts of Netherlands nationality shall be granted solely the privileges and immunities mentioned in Article 19 and 23 a, b and c of the Ottawa Agreement;
10. The General Manager shall notify the Netherlands Government as soon as possible, and thereafter with respect to any change, of the names, grades and addresses of officials and experts;
11. The General Manager may recruit directly and employ in the Netherlands civilian labour not enjoying international status at local wage rates in the same manner as AFCENT;
12. The General Manager shall be responsible in agreement with the authorities of the Netherlands Government for implementing the provisions laid down on the present exchange of letters.

I have the honour to propose that if the provisions set forth above are acceptable to you the present letter and your affirmative reply constitute a supplementary Agreement to the Ottawa Agreement with retroactive effect as from 1 July 1979 between the Kingdom of the Netherlands and the North Atlantic Treaty Organization.

Sincerely yours,

(sd.) C. A. VAN DER KLAUW

*The Secretary General  
of the North Atlantic Treaty Organization  
Mr. J. M. A. H. Luns*

---

Nr. II

NORTH ATLANTIC TREATY ORGANIZATION

SG/79/533

Brussels, 11th September, 1979

Dear Mr. Minister,

By your letter dated 31st August, 1979 you were good enough to describe the manner in which Parts II and IV of the Agreement on the status of the North Atlantic Treaty Organization, National Representatives and International Staff, signed in Ottawa on 20th September, 1951, will be applied to NAPMA and its staff in the Netherlands.

I am pleased to inform you that the provisions set out in this letter meet with my approval and may consequently take effect as from 1st July, 1979.

Yours sincerely,  
(sd.) J. LUNS  
(Dr. J. M. A. H. Luns)

*His Excellency  
Mr. C. A. van der Klaauw,  
Minister of Foreign Affairs,  
The Hague,  
Netherlands.*

---

#### D. PARLEMENT

Op grond van artikel 3 van de Wet van 24 december 1947 (*Stb.* H 452), houdende goedkeuring van de toetreding tot het door de Algemene Vergadering van de Verenigde Naties op 13 februari 1946 aangenomen Verdrag nopens de voorrechten en immuniteiten van de Verenigde Naties (*Stb.* I 224), juncto artikel 62, eerste lid, onder a, van de Grondwet behoefden de onderhavige brieven niet de goedkeuring der Staten-Generaal, alvorens in werking te kunnen treden. Dit artikel 3 luidt: „Wij behouden Ons voor verdragen te bekrachtigen en andere maatregelen te nemen teneinde aan andere internationale organisaties overeenkomstige voorrechten en immuniteiten toe te kennen als in het in artikel 1 bedoelde Verdrag worden toegekend aan de Verenigde Naties.⁹. Deze Wet is gecontrasigneerd door de Minister van Buitenlandse Zaken W. VAN BOETZELAER, de Minister van Justitie J. H. VAN MAARSEVEEN, de Minister van Financiën P. LIEFTINCK en de Minister van Overzeese Gebiedsdelen a.i. GÖTZEN. Zie voor de behandeling in de Staten-Generaal: Bijl. Hand. II 1947/48 - 629; Hand. II 1947/48, blz. 636; Bijl. Hand. I 1947/48, nr. 30; Hand. I 1947/48, blz. 48.

#### G. INWERKINGTREDING

De bepalingen van de in de brieven vervatte overeenkomst zijn ingevolge het gestelde in de laatste alinea met terugwerkende kracht vanaf 1 juli 1979 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt de overeenkomst alleen voor Nederland.

J. GEGEVENS

Van het op 20 september 1951 te Ottawa tot stand gekomen Verdrag nopens de rechtspositie van de Noord-Atlantische Verdragsorganisatie, van de Nationale Vertegenwoordigers bij haar organen en van haar Internationale Staf, tot aanvulling van welk Verdrag de onderhavige briefwisseling strekt, is de tekst geplaatst in *Trb.* 1951, 139; zie ook *Trb.* 1954, 82.

Van het op 13 februari 1946 te Londen tot stand gekomen Verdrag nopens de voorrechten en immuniteiten van de Verenigde Naties is de tekst bekendgemaakt bij Koninklijk besluit van 31 mei 1948 in *Sib.* I 224; zie ook *Trb.* 1979, 35.

Uitgegeven de veertiende november 1979.

*De Minister van Buitenlandse Zaken,*  
C. A. VAN DER KLAUW