

45 (1982) Nr. 3

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1997 Nr. 85

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en het Sultanaat
Oman inzake luchtdiensten tussen en via hun onderscheiden
grondgebieden, met bijlage;
Muscate, 23 november 1982*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1983, 1.

C. VERTALING

Zie *Trb.* 1983, 1.

D. PARLEMENT

Zie *Trb.* 1984, 56. zie ook rubriek J hieronder.

G. INWERKINGTREDING

Zie *Trb.* 1984, 56.

J. GEGEVENS

Zie *Trb.* 1983, 1.

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

Wijziging

Op 20 oktober en 17 november 1996 zijn te Muscate nota's gewisseld
tot wijziging van de onderhavige Overeenkomst. De tekst van de nota's
luidt als volgt:

ROYAL NETHERLANDS EMBASSY
MUSCAT

No. 234/96

The Royal Netherlands Embassy presents its compliments to the Ministry of Foreign Affairs of the Sultanate of Oman and with reference to the consultations between the Kingdom of the Netherlands and the Sultanate of Oman held in Muscat on 23 and 24 October 1994, has the honour to propose the following to the Ministry.

The Kingdom of the Netherlands and the Sultanate of Oman have agreed, in accordance with Article 15, paragraph 2, of the Agreement between the Government of the Kingdom of the Netherlands and the Government of the Sultanate of Oman for air services between and beyond their respective territories of 23 November 1982 (hereinafter referred to as "the Agreement"), to amend Article 3, paragraph 1 of the Agreement, and to add to the Agreement a new paragraph 3 after Article 6, paragraph 2, as well as a new Article 7 bis, as set out in the Attachment hereto.

If the amendment of the Agreement is acceptable to the Sultanate of Oman, it is suggested that this Note and the Ministry's reply to that effect shall be regarded as constituting an agreement between the Kingdom of the Netherlands and the Sultanate of Oman on this matter, which shall be approved by each State in accordance with its constitutional procedure and shall come into effect when the approval is confirmed by both States.

The Royal Netherlands Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Sultanate of Oman, the assurances of its highest consideration.

Muscat, 20 October 1996

*To the Ministry of Foreign Affairs
of the Sultanate of Oman
Muscat*

Attachment

I. Article 3, paragraph 1, of the Agreement shall read as follows:

"Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or two airlines for the purpose of operating the agreed services on the specified routes."

- II. After Article 6, paragraph 2, of the Agreement, a new paragraph 3 shall be added, reading as follows:

“Airlines designated by each Contracting Party shall comply with the laws of the other State as to the admission to, or taking out from its land of animals and plants, while its aircraft enter into, stay in, or depart from the territory of that Contracting State.”

- III. Article 7 bis shall be added to the Agreement, reading as follows:

“1. Consistent with their rights and obligations under international law, the Contracting Parties reaffirm that their obligation to each other to protect the security of civil aviation against acts of unlawful interference forms an integral part of this Agreement. Without limiting the generality of their rights and obligations under international law, the Contracting Parties shall in particular act in conformity with the provisions of the Convention on offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 and the Convention for the suppression on Unlawful Acts against the safety of Civil Aviation, signed at Montreal on 23 September 1971.

2. The Contracting Parties shall provide upon request all necessary assistance to each other to prevent acts of unlawful seizure of civil aircraft and other unlawful acts against the safety of such aircraft, their passengers and crew, airports and air navigation facilities, and any other threat to the security of civil aviation.

3. The parties shall, in their mutual relations, act in conformity with the aviation security provisions established by the International Civil Aviation Organization and designated as Annexes to the Convention on International Civil Aviation to the extent that such security provisions are applicable to the parties; they shall require that operators of aircraft of their registry or operators of aircraft who have their principal place of business or permanent residence in their territory and the operators of airports in their territory act in conformity with such aviation security provisions.

4. Each Contracting Party agrees that such operators of aircraft may be required to observe the aviation security provisions referred to in paragraph 3. above required by the other Contracting Party for entry into, departure from, or while within, the territory of that other Contracting Party. Each Contracting Party shall ensure that adequate measures are effectively applied within its territory to protect the aircraft and to inspect passengers, crew, carry-on items, baggage, cargo and aircraft stores prior to and during boarding or loading. Each Contracting Party shall also give sympathetic consideration to

any request from the other Contracting Party for reasonable special security measures to meet a particular threat.

5. When an accident or threat of an incident of unlawful seizure of civil aircraft or other unlawful acts against the safety of such aircraft, their passengers and crew, airports or air navigation facilities occurs, the Contracting Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate rapidly and safely such incident or threat thereof.”

Nr. II

No. 801/24255/14250/3617
17 November, 1996

The Ministry of Foreign Affairs of the Sultanate of Oman presents their compliments to the Embassy of the Kingdom of the Netherlands and have honour to refer to the embassy's note No. 234/96 on 20 October 1996, regarding air traffic agreement between the Sultanate of Oman and the Kingdom of the Netherlands.

The Ministry would like to convey to the embassy that the Omani concerned authorities have agreed to the amendments stated in the Embassy's note because they are in conformity with what the two parties agreed on in their meeting in Muscat on 24 October 1994.

Royal Decree No. 33/96 was issued on 22 May 1996 to ratify the amendments to the agreement. Therefore, the Sultanate has completed the procedures to put the amendments into force.

The Ministry avails themselves of this opportunity to renew to the Embassy of the Kingdom of the Netherlands the assurance of their highest consideration.

Het in de nota's vervatte verdrag behoeft ingevolge artikel 91 van de Grondwet de goedkeuring der Staten-Generaal, alvorens het Koninkrijk aan het verdrag kan worden gebonden.

De bepalingen van het in de nota's vervatte verdrag zullen ingevolge het in de voorlaatste alinea van brief Nr. I gestelde in werking treden op de datum dat beide Staten elkaar hebben bevestigd dat het verdrag is goedgekeurd in overeenstemming met de onderscheiden grondwettelijke procedures.

Wat het Koninkrijk der Nederlanden betreft, zal de wijziging, evenals de Overeenkomst, alleen voor Nederland gelden.

Uitgegeven de *tiende* april 1997.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO