

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2000 Nr. 132

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A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de Staat  
Qatar inzake luchtdiensten tussen en via hun onderscheiden  
grondgebieden, met bijlage;  
's-Gravenhage, 6 december 1980*

B. TEKST

De tekst van Overeenkomst en bijlage is geplaatst in *Trb.* 1981, 17.

C. VERTALING

Zie *Trb.* 1981, 17.

D. PARLEMENT

Zie *Trb.* 1982, 37.

G. INWERKINGTREDING

Zie *Trb.* 1982, 37.

J. GEGEVENS

Zie *Trb.* 1981, 17.

Voor het op 7 december 1944 te Chicago tot stand gekomen Verdrag inzake de internationale burgerluchtvaart zie ook, laatstelijk, *Trb.* 1999, 108.

Op 11 september 1998 en 30 oktober 2000 zijn tussen de Nederlandse en de Qatarese regering nota's gewisseld tot wijziging van de Overeenkomst. De tekst van de nota's luidt als volgt:

Nr. I

## MINISTERIE VAN BUITENLANDSE ZAKEN

c.c.: RLD, KLM, CdP/Koeweit

Transport Adviser  
VADV-1508/98

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Embassy of the State of Qatar and has the honour to refer to the meeting of delegations of the Government of the State of Qatar and the Government of the Kingdom of the Netherlands at The Hague on 29 and 30 June 1998, in which the bilateral air transport relations between their countries were discussed in accordance with article XV of the Bilateral Air Services Agreement (further to be referred to as "the Agreement") of 6 December 1980.

The Ministry of Foreign Affairs has the honour to state that the Government of the Kingdom of the Netherlands and the Government of the State of Qatar agreed, in accordance with Article XV, paragraph 2, of the Agreement, to modify Article II, paragraphs 1 and 2, Article III, paragraphs 1, 2, 3, 4 and 6, Article IV, paragraph 1, Article V, paragraphs 1, 2 and 4, Article VI, paragraphs 1 and 2, Article VIII, paragraph 2, Article IX, paragraphs 1 and 2, Article X, paragraphs 1 and 4 and Article XII, paragraph 2, of the Agreement, and to add seven new paragraphs regarding Safety to Article VII of the Agreement, as set out in the attachment.

If the modification of the Agreement is acceptable to the Government of the State of Qatar, it is suggested that this Note and the Government's reply to that effect shall be regarded as constituting an agreement between the two Governments on this matter, which shall, in accordance with Article XV, paragraph 2, of the Agreement, be provisionally applied from the date of your reply, pending the Government of the Kingdom of the Netherlands and the Government of the State of Qatar informing each other in writing that the formalities constitutionally required in their respective countries have been complied with.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the State of Qatar the assurances of its highest consideration.

The Hague, 11 September 1998

*The Embassy of the State of Qatar*  
*The Hague*

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**Attachment**

## Article 1

Article III, 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 two airlines for the purpose of operating the agreed services on the specified routes.”

## Article 2

In Article II, paragraphs 1 and 2, Article III, paragraphs 2, 3, 4 (in “the designated airline”) and 6, Article V, paragraphs 1, 2 (twice) and 4 (four times), Article VI, paragraphs 1 and 2, Article VIII, paragraph 2 (in “the designated airline”), Article IX, paragraphs 1 and 2 (in “the designated airline”), Article X, paragraph 1, Article XI, paragraph 1, and Article XII, paragraph 2, of the Agreement, respectively, the word “airline” shall be replaced by “airlines”.

## Article 3

In Article IV of the Agreement, paragraph 1, the word “Airline” shall be replaced by “airlines”.

## Article 4

In Article X of the Agreement, paragraph 4, the word “concerned” shall be added after “If the designated airlines”.

## Article 5

Seven new paragraphs shall be added to Article VII of the Agreement, which reads as follows:

3. Each Contracting Party may request consultations at any time concerning safety standards in any area relating to aircrew, aircraft or their operation adopted by the other Contracting Party. Such consultations shall take place within 30 days of that request.

4. If, following such consultations, one Contracting Party finds that the other Contracting Party does not effectively maintain and administer safety standards in any such area that are at least equal to the minimum standards established at that time pursuant to the Convention, the first Contracting Party shall notify the other Contracting Party of those findings and the steps considered necessary to conform with those minimum standards, and that other Contracting Party shall take appropriate corrective action. Failure by the other Contracting Party to take appropriate action within 15 days or such longer period as may be agreed, shall be

grounds for the application of Article IV of this Agreement (revocation or suspension of operating authorizations).

5. Notwithstanding the obligations mentioned in Article 33 of the Convention it is agreed that any aircraft operated by the airline or airlines of one Contracting Party on services to or from the territory of another Contracting Party may, while within the territory of the other Contracting Party, be made the subject of an examination by the authorised representatives of the other Contracting Party, on board and around the aircraft, to check both the validity of the aircraft documents and those of its crew and the apparent conditions of the aircraft and its equipment (in this Article called ramp inspections), provided this does not lead to unreasonable delay.

6. If any such ramp inspection or series of ramp inspections gives rise to:

a) serious concerns that an aircraft or the operation of an aircraft does not comply with the minimum standards established at that time pursuant to the Convention, or

b) serious concerns that there is a lack of effective maintenance and administration of safety standards established at that time pursuant to the Convention, the Contracting Party carrying out the inspection shall, for the purpose of Article 33 of the Chicago Convention, be free to conclude that the requirements under which the certificate or license in respect of that aircraft or in respect of the crew of that aircraft had been issued or rendered valid, or that the requirements under which that aircraft is operated, are not equal to or above the minimum standards established pursuant to the Convention.

7. In the event that access for the purpose of undertaking a ramp inspection of an aircraft operated by the airline or airlines of one Contracting Party in accordance with paragraph 5 above is denied by the representative of that airline or airlines, the other Contracting Party shall be free to infer that serious concerns of the type referred to in paragraph 6 above arise and draw the conclusions referred to in that paragraph.

8. Each Contracting Party reserves the right to suspend or vary the operating authorization of an airline or airlines of the other Contracting Party immediately in the event the first Contracting Party concludes, whether as a result of a ramp inspection, a series of ramp inspections, a denial of access for ramp inspection, consultations or otherwise, that immediate action is essential to the safety of an airlines operation.

9. Any action by one Contracting Party in accordance with paragraphs 4 or 8 above shall be discontinued once the basis for the taking of that action ceases to exist.

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## Nr. II

EMBASSY OF THE STATE OF QATAR  
LONDON

QEL 9-2000/1

The Embassy of the State of Qatar present its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to acknowledge receipt of the Note no. VADV-1508/98 of 11 September 1998, which reads as follows:

(Zoals in Nr. I)

The Embassy of the State of Qatar has further the honour to confirm that the foregoing is acceptable to the Government of the State of Qatar and that the Ministry's Note and this reply shall constitute an agreement between the two Governments on this matter, which shall, in accordance with Article XV, paragraph 2, of the Agreement, be provisionally applied from the date of this reply, pending the Government of the State of Qatar and the Government of the Kingdom of the Netherlands informing each other in writing that the formalities constitutionally required in their respective countries have been complied with.

The Embassy of the State of Qatar avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurances of its highest consideration.

London 30th October 2000

*Ministry of Foreign Affairs  
The Hague*

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

De voorlopige toepassing van het verdrag is medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal bij brieven van 15 november 2000.

Het verdrag zal ingevolge het gestelde in de voorlaatste alinea van nota Nr. I in werking treden wanneer de regeringen elkaar schriftelijk ervan op de hoogte hebben gesteld dat aan de constitutioneel vereiste formaliteiten in hun landen is voldaan.

Het verdrag wordt ingevolge het gestelde in bovengenoemde alinea voorlopig toegepast vanaf 30 oktober 2000.

De Nederlandse en de Qatarese regering hebben op 11 september 1998 en 30 oktober 2000 tevens nota's gewisseld tot vervanging van de bijlage bij de Overeenkomst. De tekst van die nota's luidt als volgt:

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Nr. III

MINISTERIE VAN BUITENLANDSE ZAKEN

c.c.: RLD, KLM, CdP/Koeweit

Transport Adviser  
VADV-1509/98

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Embassy of the State of Qatar and has the honour to refer to the meeting of delegations of the Government of the State of Qatar and the Government of the Kingdom of the Netherlands at The Hague on 29 and 30 June 1998, in which the bilateral air transport relations between their countries were discussed in accordance with article XV of the Bilateral Air Services Agreement (further to be referred to as "the Agreement") of 6 December 1980.

The Ministry of Foreign Affairs has the honour to state that the Government of the Kingdom of the Netherlands and the Government of the State of Qatar agreed, in accordance with Article XV, paragraph 3, to replace the Annex to the Agreement, as set out in the attachment.

If the replacement of the Annex to the Agreement is acceptable to the Government of the State of Qatar, it is suggested that this Note and the Government's reply to that effect shall be regarded as constituting an agreement between the two Governments on this matter, which shall, in accordance with Article XV, paragraph 3, of the Agreement, take immediate effect on the date of your reply.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the State of Qatar the assurances of its highest consideration.

The Hague, 11 September 1998

*The Embassy of the State of Qatar*  
*The Hague*

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**Attachment**

- I. Routes to be operated by the designated airline(s) of the State of Qatar:  
Doha – any intermediate points – Amsterdam and one other point in the Netherlands – any points beyond – and vice versa.
- II. Routes to be operated by the designated airline(s) of the Kingdom of the Netherlands:  
Points in The Netherlands – any intermediate points – Doha – any points beyond – and vice versa.

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Nr. IV

EMBASSY OF THE STATE OF QATAR  
LONDON

QEL 9-2000/2

The Embassy of the State of Qatar presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to acknowledge receipt of the Note no. VADV-1509/98 of 11 September 1998, which reads as follows:

(Zoals in Nr. I)

The Embassy of the State of Qatar has further the honour to confirm that the foregoing is acceptable to the Government of the State of Qatar and that the Ministry's Note and this reply shall constitute an agreement between the two Governments on this matter, which shall, in accordance with Article XV, paragraph 3, take immediate effect on the date of this reply.

The Embassy of the State of Qatar avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurances of its highest consideration.

London 30th October 2000

*Ministry of Foreign Affairs  
The Hague*

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Het in de nota's vervatte verdrag tot vervanging van de bijlage is ingevolge het gestelde in de voorlaatste alinea van brief Nr. III op 30 oktober 2000 in werking getreden.

De nieuwe bijlage geldt, evenals de Overeenkomst, alleen voor Nederland.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de in rubriek J afgedrukte verdragen zullen zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *eerste* december 2000.

*De Minister van Buitenlandse Zaken,*

J. J. VAN AARTSEN