

20 (2008) Nr. 1

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2008 Nr. 131**

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A. TITEL

*Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Verenigd Koninkrijk betreffende de status van militair en burgerpersoneel van de Britse strijdkrachten in de Nederlandse Antillen en Aruba voor het uitvoeren van luchtverkenningstaken met toestellen van de Royal Air Force ter ondersteuning van en in samenwerking met de Nederlandse Koninklijke Marine, in het kader van drugsbestrijdingsoperaties; Londen, 1 april 2008*

B. TEKST

**Nr. I**

ROYAL NETHERLANDS EMBASSY  
LONDON

London, 14 August 2007

The Royal Netherlands Embassy presents its compliments to the Foreign and Commonwealth Office and has the honour to propose an agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the "Parties") regarding the status of military and civilian personnel of the UK Armed Forces who will be present in the Netherlands Antilles and Aruba for aerial surveillance flights with military aircraft of the Royal Air Force in support of and in cooperation with the Royal Netherlands Navy for the purpose of counterdrug operations on the following terms:

## Article I

*Temporary stationing of UK Armed Forces*

For the purposes of this Agreement, military and civilian personnel of the UK Armed Forces, military aircraft and military equipment may be stationed temporarily in the Netherlands Antilles and Aruba for the purpose of aerial surveillance flights in support of counterdrug operations.

## Article II

*Aircraft and aircraft overflight clearance procedures*

Aircraft operated in connection with this Agreement by or for the United Kingdom are authorized to overfly, land at and depart from airports in the Netherlands Antilles and Aruba without diplomatic clearance. Such activities shall be in accordance with agreed aviation procedures.

## Article III

*Use of facilities*

Military and civilian personnel of the UK Armed Forces may use military facilities provided by the Flag Officer Royal Netherlands Forces in the Caribbean under conditions to be agreed upon between the Flag Officer Royal Netherlands Forces in the Caribbean and the Commander in Chief Air Command of the United Kingdom of Great Britain and Northern Ireland.

## Article IV

*Security of personnel and information*

All classified information and material exchanged or generated in connection with this Agreement will be used, handled and safeguarded in accordance with the General Security Arrangement between the Parties dated 29 September 1994.

## Article V

*Applicability of NATO SOFA*

Except as otherwise provided for in this Agreement, the provisions of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, done at London on 19 June 1951 (hereafter, the NATO SOFA) shall apply, mutatis mutandis.

## Article VI

*Settlement of disputes*

Any disputes or disagreements that may arise from the application or implementation of this Agreement shall be settled through consultation between the appropriate authorities of the Parties, including, as necessary, through diplomatic channels.

## Article VII

*Territorial applicability*

With regard to the Kingdom of the Netherlands, this Agreement shall apply to its territory in the Netherlands Antilles and Aruba.

## Article VIII

*Interpretation*

For the purposes of this Agreement, references and provisions in the NATO SOFA to the North Atlantic Treaty, the North Atlantic Council and the North Atlantic Treaty Organization shall be inapplicable.

## Article IX

*Duration*

This Agreement shall remain in effect for the duration of the presence of the military and civilian personnel of the UK Armed Forces in the Netherlands Antilles and Aruba during the deployment of the military aircraft and its supporting elements of the Royal Air Force, but for no longer than one year from the date this Agreement enters into force. Notwithstanding, the provisions of this Agreement regarding the adjudication and payment of claims shall remain in force for such time as is necessary to resolve any outstanding claims arising under the Agreement.

If the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, the Royal Netherlands Embassy has the honour to propose that this Note and the Note in reply to the Embassy shall constitute an Agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which shall enter into force as of the date of the Note in reply to the Embassy, with retroactive effect as of 10 April 2007.

The Royal Netherlands Embassy avails itself of this opportunity to

renew to the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland the assurances of its highest consideration.

*Foreign and Commonwealth Office  
London*

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**Nr. II**

FOREIGN AND COMMONWEALTH OFFICE  
LONDON

London, 1 April 2008

The Foreign and Commonwealth Office presents its compliments to the Embassy of the Kingdom of the Netherlands in London and has the honour to refer to the proposed agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the "Parties") regarding the status of military and civilian personnel of the UK Armed Forces who will be present in the Netherlands Antilles and Aruba for aerial surveillance flights with military aircraft of the Royal Air Force in support of and in cooperation with the Royal Netherlands Navy for the purpose of counterdrug operations on the following terms:

(Goals in Nr. I)

The Foreign and Commonwealth office has the honour to confirm that the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, and this Note and your note of 14 August 2007 shall constitute an Agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which shall enter into force as of the date of this Note, with retroactive effect as of 10 April 2007.

The Foreign and Commonwealth Office avails itself of this opportu-

nity to renew to the Royal Netherlands Embassy the assurances of its highest consideration.

*Royal Netherlands Embassy  
London*

D. PARLEMENT

Het in de nota's vervatte verdrag behoeft ingevolge artikel 7, onderdeel c, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zijn ingevolge het gestelde in de een-na-laatste alinea van nota's I en II in werking getreden op 1 april 2008, met terugwerkende kracht tot 10 april 2007.

Het in de nota's vervatte verdrag is ingevolge artikel IX juncto het gestelde in de een-na-laatste alinea van nota's I en II op 10 april 2008 buiten werking getreden.

Wat het Koninkrijk der Nederlanden betreft, gold het in nota's vervatte verdrag voor de Nederlandse Antillen en Aruba.

J. VERWIJZINGEN

- Titel : Verdrag tussen de Staten die partij zijn bij het Noord-Atlantisch Verdrag, nopens de rechtspositie van hun krijgsmachten;  
London, 19 juni 1951
- Tekst : *Trb.* 1951, 114 (Engels en Frans)  
*Trb.* 1953, 10 (vertaling)
- Laatste *Trb.* : *Trb.* 2001, 28

Uitgegeven de zestiende juni 2008.

*De Minister van Buitenlandse Zaken,*

M. J. M. VERHAGEN