

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 228

A. TITEL

*Verdrag betreffende de burgerlijke rechtsvordering;
's-Gravenhage, 17 juli 1905*

B. TEKST

De tekst van het Verdrag is bekendgemaakt bij Koninklijk Besluit van 14 mei 1909 in *Stb.* 1909, 120.

De Franse tekst van het Protocol van 4 juli 1924 betreffende de toetreding tot het Verdrag is bekendgemaakt bij Koninklijk Besluit van 18 juni 1926 in *Stb.* 1926, 205.

C. VERTALING

Zie *Stb.* 1909, 120 en *Stb.* 1926, 205.

D. PARLEMENT

Zie de rubrieken D en F van *Trb.* 1952, 70 en *Trb.* 1959, 177.

E. PARTIJGEGEVENS

Zie de rubrieken E, F en H van *Trb.* 1952, 70.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
België	30-09-08	24-04-09	R	27-04-09		
Denemarken	13-07-08	24-04-09	R	27-04-09		
Duitsland	17-07-05	24-04-09	R	27-04-09		
Estland		22-11-29	T	22-01-30		
Finland		23-11-26	T	23-01-27		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Frankrijk	17-07-05	24-04-09	R	27-04-09		
Hongarije		24-08-23	VG	16-11-18		
IJsland		31-07-62	VG	01-12-18		
Israël		17-03-52	T	16-05-52		
Italië	17-07-05	24-04-09	R	27-04-09		
Joegoslavië (< 25-06-1991)		07-04-30	T	07-06-30		
Letland		26-03-30	T	26-05-30		
Luxemburg	17-07-05	03-08-09	R	03-08-09		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	17-07-05	24-04-09 – – – – – –	R	27-04-09 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Noorwegen	05-07-07	24-04-09	R	27-04-09		
Oostenrijk		27-07-21	VG	12-11-18		
Oostenrijk/ Hongarije	23-11-08	24-04-09	R	27-04-09		
Polen		09-06-26	T	09-08-26		
Portugal	17-07-05	24-04-09	R	27-04-09		
Roemenië	17-07-05	24-04-09	R	27-04-09		
Slowakije		15-03-93	VG	01-01-93		
Spanje	17-07-05	24-04-09	R	27-04-09		
Tsjechië		28-01-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)		20-10-26	T	20-12-26		
Zweden	17-07-05	24-04-09	R	27-04-09		
Zwitserland	14-11-08	24-04-09	R	27-04-09		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Uitbreidingen

Denemarken

Uitgebreid tot	In werking	Buiten werking
Faeröer	27-04-1909	

Frankrijk

Uitgebreid tot	In werking	Buiten werking
Frans Guyana	05-05-1956	
Guadeloupe	05-05-1956	
Martinique	05-05-1956	

Nederlanden, het Koninkrijk der

Uitgebreid tot	In werking	Buiten werking
Suriname (< 25-11-1975)	04-09-1955	25-11-1975

Verklaringen, voorbehouden en bezwaren

Frankrijk, 24 april 1909

Article 287 of the Peace Treaty of Versailles (article 238 of the Treaty of St. Germain and article 221 of the Treaty of Trianon) states:

As soon as the present Treaty comes into force (i.e. 10 July 1920 for the Treaty of Versailles, 16 July 1920 for the Treaty of St. Germain and 26 July 1921 for the Treaty of Trianon), the High Contracting Parties shall, insofar as they are concerned, apply the Hague Convention relating to Civil Procedure of 17 July 1905.

Such revival however remains and shall remain without legal force for France, Portugal and Romania.

Compare, however, the Agreement between Hungary and Rumania of 16 April 1924 (Recueil des Traités, volume XLII page 165 ff.), the Declaration of Germany and Portugal of 21 July 1927 (Recueil des Traités, volume LXXV, page 375 ff.) and the Declaration of Germany and

Rumania of 28 February 1929 (Recueil des Traités, volume XC, page 61 ff.).

Frankrijk, 4 juli 1924

This Convention is not applicable in relations between France and the acceding States not represented at the fourth Conference on Private International Law, in virtue of the reservation entered by France on signing the Hague Protocol of 4 July 1924.

Nederlanden, het Koninkrijk der, 18 oktober 2010

The Kingdom of the Netherlands consisted of three parts: the Netherlands, the Netherlands Antilles and Aruba. The Netherlands Antilles consisted of the islands of Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba.

With effect from 10 October 2010, the Netherlands Antilles ceased to exist as a part of the Kingdom of the Netherlands. Since that date, the Kingdom consists of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten enjoy internal self-government within the Kingdom, as Aruba and, up to 10 October 2010, the Netherlands Antilles do.

These changes constitute a modification of the internal constitutional relations within the Kingdom of the Netherlands. The Kingdom of the Netherlands will accordingly remain the subject of international law with which agreements are concluded. The modification of the structure of the Kingdom will therefore not affect the validity of the international agreements ratified by the Kingdom for the Netherlands Antilles. These agreements, including any reservations made, will continue to apply to Curaçao and Sint Maarten.

The other islands that have formed part of the Netherlands Antilles – Bonaire, Sint Eustatius and Saba – became part of the Netherlands, thus constituting 'the Caribbean part of the Netherlands'. The agreements that applied to the Netherlands Antilles will also continue to apply to these islands; however, the Government of the Netherlands will now be responsible for implementing these agreements.

Portugal, 10 januari 1920

Article 287 of the Peace Treaty of Versailles (article 238 of the Treaty of St. Germain and article 221 of the Treaty of Trianon) states:

As soon as the present Treaty comes into force (i.e. 10 July 1920 for the Treaty of Versailles, 16 July 1920 for the Treaty of St. Germain and 26 July 1921 for the Treaty of Trianon), the High Contracting Parties shall, insofar as they are concerned, apply the Hague Convention relating to Civil Procedure of 17 July 1905.

Such revival however remains and shall remain without legal force for France, Portugal and Romania.

Compare, however, the Agreement between Hungary and Rumania of 16 April 1924 (Recueil des Traités, volume XLII page 165 ff.), the Decla-

ration of Germany and Portugal of 21 July 1927 (Recueil des Traités, volume LXXV, page 375 ff.) and the Declaration of Germany and Rumania of 28 February 1929 (Recueil des Traités, volume XC, page 61 ff.).

Roemenië, 10 januari 1920

Article 287 of the Peace Treaty of Versailles (article 238 of the Treaty of St. Germain and article 221 of the Treaty of Trianon) states:

As soon as the present Treaty comes into force (i.e. 10 July 1920 for the Treaty of Versailles, 16 July 1920 for the Treaty of St. Germain and 26 July 1921 for the Treaty of Trianon), the High Contracting Parties shall, insofar as they are concerned, apply the Hague Convention relating to Civil Procedure of 17 July 1905.

Such revival however remains and shall remain without legal force for France, Portugal and Rumania.

Compare, however, the Agreement between Hungary and Rumania of 16 April 1924 (Recueil des Traités, volume XLII page 165 ff.), the Declaration of Germany and Portugal of 21 July 1927 (Recueil des Traités, volume LXXV, page 375 ff.) and the Declaration of Germany and Rumania of 28 February 1929 (Recueil des Traités, volume XC, page 61 ff.).

Depositaire mededelingen

Denemarken, 18 april 1912

By an instrument dated 29 February 1912 the Government of Denmark notified its intention to bring the Convention into force to the Danish Antilles, in accordance with article 26, paragraph 2, of the Convention. An affirmative declaration was deposited with the Netherlands Government by the following States:

18-04-1912 Belgium
 24-04-1912 France
 30-04-1912 Italy
 30-04-1912 Portugal
 06-05-1912 Luxemburg
 08-05-1912 Norway
 30-05-1912 Germany
 30-05 1912 Switzerland
 31-05-1912 Sweden
 03-08-1912 Austria-Hungary
 25-02-1913 the Kingdom of the Netherlands
 07-03-1913 Spain
 30-03-1913 Rumania
 19-04-1913 Russia

The Convention entered into force in the relations between the above-mentioned States and the Danish Antilles four months after the dates indicated.

Entry into force between the Danish Antilles and

18-08-1912 Belgium
 24-08-1912 France
 30-08-1912 Italy
 30-08-1912 Portugal
 06-09-1912 Luxemburg
 08-09-1912 Norway
 30-09-1912 Germany
 30-09-1912 Switzerland
 30-09-1912 Sweden
 03-12-1912 Austria-Hungary
 25-06-1913 the Kingdom of the Netherlands
 07-07-1913 Spain
 30-07-1913 Romania
 19-08-1913 Russia

Frankrijk, 15 november 1955

By an instrument dated 15 November 1955 the French Government notified its intention to bring the Convention into force to the Departments Martinique, Guadeloupe and Guyana, in accordance with article 26, paragraph 2, of the Convention.

An affirmative declaration was deposited with the Netherlands Government by the following States:

05-01-1956 Luxemburg
 19-01-1956 Switzerland
 28-01-1956 Denmark
 28-01-1956 Italy
 28-01-1956 Spain
 07-02-1956 Norway
 10-02-1956 Sweden
 14-02-1956 Belgium
 01-03-1956 the Kingdom of the Netherlands
 05-04-1956 Portugal
 28-06-1957 Romania

The Convention entered into force in the relations between the above-mentioned States and the Departments Martinique, Guadeloupe and Guyana four months after the dates indicated.

Entry into force between the Departments Martinique, Guadeloupe and Guyana and

05-05-1956 Luxembourg
 19-05-1956 Switzerland
 28-05-1956 Denmark
 28-05-1956 Spain
 28-05-1956 Italy

07-06-1956 Norway
 10-06-1956 Sweden
 14-06-1956 Belgium
 01-07-1956 Netherlands
 05-08-1956 Portugal
 28-10-1957 Romania

Nederlanden, het Koninkrijk der, 8 juli 1954

By an instrument dated 8 July 1954 the Government of the Kingdom of the Netherlands notified its intention to bring the Convention into force to the Netherlands Antilles, in accordance with article 26, paragraph 2, of the Convention.

An affirmative declaration was deposited with the Netherlands Government by the following States:

16-08-1954 Austria
 02-09-1954 Norway
 09-09-1954 Denmark
 14-09-1954 Switzerland
 22-09-1954 Luxemburg
 24-09-1954 Spain
 30-09-1954 Finland
 28-10-1954 Czechoslovakia
 10-11-1954 Israel
 18-11-1954 Hungary
 18-11-1954 Sweden
 30-11-1954 France
 14-12-1954 Belgium
 18-02-1955 Portugal
 06-04-1955 the Federal Republic of Germany
 02-05-1955 Poland
 20-07-1955 Yugoslavia
 27-10-1955 Romania
 29-03-1956 Italy

The Convention entered into force in the relations between the above-mentioned States and the Netherlands Antilles four months after the dates indicated.

Entry into force between the Netherlands Antilles and

16-12-1954 Austria
 02-01-1955 Norway
 09-01-1955 Denmark
 14-01-1955 Switzerland
 22-01-1955 Luxembourg
 24-01-1955 Spain
 30-01-1955 Finland
 28-02-1955 Czechoslovakia
 10-03-1955 Israel
 18-03-1955 Hungary

18-03-1955 Sweden
 30-03-1955 France
 14-04-1955 Belgium
 18-06-1955 Portugal
 06-08-1955 Germany
 02-09-1955 Poland
 20-11-1955 Yugoslavia
 27-02-1956 Romania
 29-07-1956 Italy

Nederlanden, het Koninkrijk der, 26 maart 1955

By an instrument dated 26 March 1955 the Government of the Kingdom of the Netherlands notified its intention to bring the Convention into force to Surinam, in accordance with article 26, paragraph 2, of the Convention.

An affirmative declaration was deposited with the Netherlands Government by the following States:

04-05-1955 Finland
 11-05-1955 Switzerland
 23-05-1955 Belgium
 25-05-1955 Spain
 30-05-1955 Hungary
 31-05-1955 Norway
 06-06-1955 Czechoslovakia
 10-06-1955 the Federal Republic of Germany
 14-06-1955 Denmark
 14-06-1955 Israel
 20-06-1955 Austria
 30-06-1955 Sweden
 13-07-1955 Portugal
 20-07-1955 Yugoslavia
 05-08-1955 France
 27-10-1955 Romania
 08-02-1956 Poland
 27-02-1956 Luxemburg
 29-03-1956 Italy

The Convention entered into force in the relations between the above-mentioned States and Surinam four months after the dates indicated.

Entry into force between Surinam and

04-09-1955 Finland
 11-09-1955 Switzerland
 23-09-1955 Belgium
 25-09-1955 Spain
 30-09-1955 Hungary
 30-09-1955 Norway
 06-10-1955 Czechoslovakia
 10-10-1955 Germany

14-10-1955 Denmark
 14-10-1955 Israel
 20-10-1955 Austria
 30-10-1955 Sweden
 13-11-1955 Portugal
 20-11-1955 Yougoslavia
 05-12-1955 France
 27-02-1956 Romania
 08-06-1956 Poland
 27-06-1956 Luxembourg
 29-07-1956 Italy

Spanje, 23 februari 1924

By an instrument dated 23 February 1924 the Spanish Government notified its intention to bring the Convention into force to the Spanish Zone of Morocco, in accordance with article 26, paragraph 2, of the Convention.

An affirmative declaration was deposited with the Netherlands Government by the following States:

12-07-1924 Belgium
 18-07-1924 Portugal
 23-08-1924 Norway
 26-08-1924 Luxemburg
 05-09-1924 Sweden
 11-09-1924 Switzerland
 12-09-1924 Denmark
 19-09-1924 Italy
 27-09-1924 Austria
 18-11-1924 France
 17-12-1924 Hungary
 22-12-1924 Germany
 12-02-1925 the Kingdom of the Netherlands
 09-05-1925 Romania

The Convention entered into force in the relations between the above-mentioned States and the Spanish Zone of Morocco four months after the dates indicated.

Entry into force between the Spanish Zone of Morocco and

12-11-1924 Belgium
 18-11-1924 Portugal
 23-12-1924 Norway
 26-12-1924 Luxembourg
 05-01-1925 Sweden
 11-01-1925 Switzerland
 12-01-1925 Denmark
 19-01-1925 Italy
 27-01-1925 Austria
 18-03-1925 France

17-04-1925 Hungary
 22-04-1925 Germany
 12-06-1925 Netherlands
 09-09-1925 Romania

G. INWERKINGTREDING

Zie de rubrieken F en G van *Trb.* 1952, 70, rubriek H van *Trb.* 1956, 73 en rubriek G van *Trb.* 1975, 148.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, dat vanaf 1 januari 1986 voor Nederland (het Europese deel), de Nederlandse Antillen en Aruba gold, vanaf 10 oktober 2010 voor Nederland (het Europese en het Caribische deel), Aruba, Curaçao en Sint Maarten.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1952, 70, *Trb.* 1956, 73, *Trb.* 1956, 135, *Trb.* 1959, 177, *Trb.* 1963, 21 en *Trb.* 1975, 148.

Verbanden

Het Verdrag wordt tussen partijen vervangen door:

Titel : Verdrag betreffende de burgerlijke rechtsvordering;
 's-Gravenhage, 1 maart 1954
 Laatste *Trb.* : *Trb.* 2011, 236

Het Verdrag wordt tussen partijen gedeeltelijk vervangen door:

Titel : Verdrag inzake de betekening en de kennisgeving in
 het buitenland van gerechtelijke en buitengerechtelijke
 stukken in burgerlijke en in handelszaken;
 's-Gravenhage, 15 november 1965
 Laatste *Trb.* : *Trb.* 2008, 161

Titel : Verdrag inzake de verkrijging van bewijs in het buiten-
 land in burgerlijke en in Handelszaken;
 's-Gravenhage, 18 maart 1970
 Tekst : *Trb.* 1979, 38 (Frans, Engels en vertaling)
 Laatste *Trb.* : *Trb.* 2010, 238

Overige verwijzingen

- Titel : Verdrag betreffende de wetsconflicten met betrekking tot de gevolgen van het huwelijk ten opzichte van de rechten en verplichtingen der echtgenoten in hun persoonlijke betrekkingen en ten opzichte van hun goederen;
's-Gravenhage, 17 juli 1905
- Laatste *Trb.* : *Trb.* 1977, 59
- Titel : Verdrag betreffende de curatele en soortgelijke maatregelen van bescherming;
's-Gravenhage, 17 juli 1905
- Laatste *Trb.* : *Trb.* 1977, 60
- Titel : Verklaring namens de Nederlandse en de Duitse Regering, in aansluiting aan het op 17 juli 1905 te 's-Gravenhage gesloten Verdrag betreffende de burgerlijke rechtsvordering, ter verdere vereenvoudiging der rechtsbetrekkingen;
Berlijn, 31 juli 1909
- Laatste *Trb.* : *Trb.* 1964, 51
- Titel : Verdrag tussen Nederland en Groot-Brittannië, houdende bepalingen tot het vergemakkelijken van het voeren van rechtsgedingen in burgerlijke en handelszaken;
Londen, 31 mei 1932
- Laatste *Trb.* : *Trb.* 2012, 106
- Titel : Vredesverdrag tussen de Geallieerde en Geassocieerde Mogendheden en Italië;
Parijs, 10 februari 1947
- Laatste *Trb.* : *Trb.* 1952, 32
- Titel : Statuut van de Haagse Conferentie voor Internationaal Privaatrecht;
's-Gravenhage, 31 oktober 1951
- Laatste *Trb.* : *Trb.* 2011, 199
- Titel : Verdrag tot regeling van de conflicten tussen de nationale wet en de wet van de woonplaats;
's-Gravenhage, 15 juni 1955
- Laatste *Trb.* : *Trb.* 1963, 25

- Titel : Verdrag nopens de op de internationale koop van roerende lichamelijke zaken toepasselijke wet;
's-Gravenhage, 15 juni 1955
- Laatste *Trb.* : *Trb.* 1973, 68
- Titel : Verdrag nopens de erkenning van de rechtspersoonlijkheid van vreemde vennootschappen, verenigingen en stichtingen;
's-Gravenhage, 1 juni 1956
- Laatste *Trb.* : *Trb.* 1965, 203
- Titel : Verdrag tussen het Koninkrijk der Nederlanden en de Italiaanse Republiek betreffende de erkenning en de tenuitvoerlegging van rechterlijke beslissingen in burgerlijke en handelszaken;
Rome, 17 april 1959
- Laatste *Trb.* : *Trb.* 2005, 60

Uitgegeven de *elfde* december 2012.

De Minister van Buitenlandse Zaken,

F.C.G.M. TIMMERMANS