

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2016 Nr. 159

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en Japan betreffende luchtdiensten (met bijlage en nota's);
's-Gravenhage, 17 februari 1953*

Voor een overzicht van de verdragsgegevens, zie verdragsnummers 007997 en 011143 in de Verdragenbank.

B. TEKST

Op 26 september 2016 zijn te 's-Gravenhage brieven gewisseld tussen het Koninkrijk der Nederlanden en Japan inzake een wijziging van de bijlage bij de Overeenkomst. De Engelse tekst van de brieven luidt als volgt:

Nr. I

MINISTER OF FOREIGN AFFAIRS

The Hague, 26 September 2016

Your Excellency,

With reference to the consultations held in The Hague on 21 and 22 August 2012 between the aeronautical authorities of the Kingdom of the Netherlands and Japan in accordance with Articles 13 and 15 of the Agreement between the Kingdom of the Netherlands and Japan for Air Services, signed at The Hague on 17 February 1953 (hereinafter referred to as "the Agreement"), I have the honour to state that, as a result of the said consultations, the aeronautical authorities of the Kingdom of the Netherlands and Japan agreed to revise the Schedule to the Agreement as set out in the Attachment.

Accordingly, I have the honour to propose, on behalf of the Government of the Kingdom of the Netherlands, that the new Schedule as set out in the Attachment shall replace the existing Schedule to the Agreement.

If the above proposal is acceptable to the Government of Japan, it is suggested that this Note and Your Excellency's reply to that effect shall be regarded as constituting an agreement between the two Governments on this matter, which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Yours sincerely,

BERT KOENDERS
Minister of Foreign Affairs of the Kingdom of the
Netherlands

*His Excellency Mr. Hiroshi Inomata
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Kingdom of the Netherlands
THE HAGUE*

Attachment

Schedule

- I. Routes to be served by the designated airline or airlines of Japan.
- (a) Points in Japan – Points on the Mainland of China and/or on the island of Formosa – Hong Kong or Manila – Points in Cambodia, Laos and/or Myanmar – Bangkok – Yangon – Points in Bangladesh – Points in India – Colombo – Points in Pakistan – Points in the Middle and Near East – Cairo – Athens – Rome – Geneva, Zurich or Madrid – Frankfurt am Main – Paris or Brussels – Two other intermediate points – Amsterdam – Points beyond, in both directions.
 - (b) Points in Japan – Points in the Aleutians – Points in Alaska – Points in Canada – Points in Greenland – Points in Iceland – Points in Scandinavia – Points in England – Points in Germany – A point to be specified later – Milan – Amsterdam – Points beyond, in both directions.
 - (c) Points in Japan – Five points other than points specified in this route to be specified later – Moscow – Points in Europe – Amsterdam – Points beyond, in both directions.
 - (d) Tokyo – Four points in the United States of America – Amsterdam – Points in Europe – Moscow – Tokyo, in one direction only and in the order specified.
 - (e) Osaka – Delhi – Dubai – Amsterdam – Anchorage – Osaka, in one direction only and in the order specified.
 - (f) Points in Japan – Almaty and/or One point in Central Asia – Amsterdam – Points beyond, in both directions.
 - (g) Points in Japan – Intermediate points – Points in the Netherlands – Points beyond, in both directions.
 - (h) Points in Japan other than Tokyo – Points in the Netherlands, in both directions.

Notes:

- 1. On Route (a), the designated airline or airlines of Japan may use “Two other intermediate points” only for all-cargo services without exercising fifth freedom traffic rights.
- 2. On Route (d),
 - (1) the designated airline or airlines of Japan may only operate all-cargo services without exercising fifth freedom traffic rights between “Four points in the United States of America” and Amsterdam; and
 - (2) the designated airline or airlines of Japan may use Moscow only to make stops for non-traffic purposes.
- 3. On Route (e),
 - (1) the designated airline or airlines of Japan may only operate all-cargo services; and
 - (2) the designated airline or airlines of Japan may use Anchorage only to make stops for non-traffic purposes.
- 4. On Route (g), the designated airline or airlines of Japan may serve “Intermediate points” and/or “Points beyond” only for code sharing services as a marketing airline or marketing airlines.

The agreed services provided by the designated airline or airlines of Japan shall begin at a point in the territory of Japan, but other points on the route may at the option of the designated airline be omitted on any or all flights.

- II. Routes to be served by the designated airline or airlines of the Kingdom of the Netherlands.
- (a) Amsterdam – Points in Europe – Points in the Middle and Near East – Points in Pakistan – Colombo – Points in India – Points in Bangladesh – Yangon – Bangkok – Manila – One point among Hong Kong, Nanjing or Tianjin – Tokyo – Nagoya – Points beyond, in both directions.
 - (b) Amsterdam – Points in Iceland – Points in Greenland – Points in Alaska and the Aleutians – Sapporo – Tokyo – Nagoya – Osaka – Points beyond, in both directions.

- (c) Points in the Netherlands – Points in Europe – Moscow – Five points other than points specified in this route to be specified later – Sapporo – Tokyo – Nagoya – Osaka – Points beyond, in both directions.
- (d) Amsterdam – Points in Europe – Moscow – Tokyo – Four points in the United States of America – Amsterdam, in one direction only and in the order specified.
- (e) Amsterdam – Anchorage – Osaka – Delhi – Dubai – Amsterdam, in one direction only and in the order specified.
- (f) Amsterdam – Almaty and/or One point in Central Asia – Tokyo or Osaka – Points beyond, in both directions.
- (g) Points in the Netherlands – Intermediate points – Points in Japan – Points beyond, in both directions.
- (h) Points in the Netherlands – Points in Japan other than Tokyo, in both directions.

Notes:

1. On Route (a),
 - (1) the designated airline or airlines of the Kingdom of the Netherlands may use “One point among Hong Kong, Nanjing or Tianjin” only for all-cargo services without exercising fifth freedom traffic rights; and
 - (2) intermediate points other than “One point among Hong Kong, Nanjing or Tianjin” may not be served on the route involving Nagoya.
2. On Routes (b) and (c), no two points in Japan shall be served on the same flight other than Sapporo and Nagoya.
3. On Route (d),
 - (1) the designated airline or airlines of the Kingdom of the Netherlands may only operate all-cargo services without exercising fifth freedom traffic rights between Tokyo and “Four points in the United States of America”; and
 - (2) the designated airline or airlines of the Kingdom of the Netherlands may use Moscow only to make stops for non-traffic purposes.
4. On Route (e),
 - (1) the designated airline or airlines of the Kingdom of the Netherlands may only operate all-cargo services; and
 - (2) the designated airline or airlines of the Kingdom of the Netherlands may use Anchorage only to make stops for non-traffic purposes.
5. On Route (g), the designated airline or airlines of the Kingdom of the Netherlands may serve “Intermediate points” and/or “Points beyond” only for code sharing services as a marketing airline or marketing airlines.

The agreed services provided by the designated airline or airlines of the Kingdom of the Netherlands shall begin at a point in the territory of the Kingdom of the Netherlands, but other points on the route may at the option of the designated airline be omitted on any or all flights.

Nr. II

AMBASSADOR OF JAPAN
THE NETHERLANDS

The Hague, September 26, 2016

Excellency,

I have the honour to acknowledge the receipt of Your Excellency’s Note of today’s date, which reads as follows:

(Zoals in Nr. I)

I have the honour to inform Your Excellency, on behalf of the Government of Japan, that the Government of Japan accepts the above proposal of the Government of the Kingdom of the Netherlands and to confirm that Your Excellency’s Note and this reply shall be regarded as constituting an agreement between the two Governments on this matter, which shall enter into force on the date of this reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

HIROSHI INOMATA
Ambassador Extraordinary and Plenipotentiary of
Japan to the Kingdom of the Netherlands

*His Excellency Mr. Bert Koenders
Minister of Foreign Affairs
of the Kingdom of the Netherlands*

D. PARLEMENT

De in de brieven vervatte wijziging van 26 september 2016 van de bijlage bij de Overeenkomst behoeft ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen, niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De in de brieven vervatte wijziging van 26 september 2016 van de bijlage bij de Overeenkomst is ingevolge het gestelde in de op één na laatste alinea van zowel brief Nr. I als brief Nr. II op 26 september 2016 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt de in de brieven vervatte wijziging, evenals de Overeenkomst, voor het gehele Koninkrijk.

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		24-07-1953		
Nederland (Bonaire)		10-10-2010		
Nederland (Sint Eustatius)		10-10-2010		
Nederland (Saba)		10-10-2010		
Aruba		01-01-1986		
Curaçao		10-10-2010		
Sint Maarten		10-10-2010		
Het Verdrag gold sinds 24-07-1953 voor de Nederlandse Antillen.				

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de in de brieven vervatte wijziging van 26 september 2016 van de bijlage bij de Overeenkomst zal zijn bekendgemaakt in het gehele Koninkrijk op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *vijfde* oktober 2016.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS