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Contactpersoon

Onze referentie
MinBuza-2014.715751

Datum 16 december 2014
Betreft Wob-verzoek

Geachte

Bij brief van 20 oktober 2014 heeft u bij het ministerie van Buitenlandse Zaken een brief op grond van de Wet openbaarheid van bestuur ingediend. Naar aanleiding van dit verzoek heeft een medewerkster van het ministerie contact met u opgenomen om nadere informatie te vragen over het verzoek. Bij brief van 25 november 2014 heeft u in reactie hierop een nieuwe brief gestuurd.

U verzoekt om een brief c.q. nota die door Buitenlandse Zaken op 29 april 2004 is opgesteld en naar de ICAO verzonden met de daarbij behorende stukken en correspondentie met de ICAO.

In reactie op uw verzoek bericht ik u als volgt.

Met betrekking tot uw verzoek zijn de volgende documenten geïnventariseerd:

- Nota van 29 april 2004 van BZ aan de ICAO;
- Memorandum van BZ van 3 mei 2004 inzake ICAO/ Verdrag tot het brengen van eenheid in enige bepalingen inzake het internationale luchtvervoer bij de Internationale Burgerluchtvaartorganisatie;
- Brief van ICAO d.d. 29 april 2004 met bijlagen.

Deze documenten besluit ik openbaar te maken en treft u als bijlage bij dit besluit aan. In het memo en de brief van de ICAO is de naam van de betrokkene ambtenaar onleesbaar gemaakt met een beroep op artikel 10, tweede lid, onder e, van de Wob (eerbiediging van de persoonlijke levenssfeer).

Voor de volledigheid verwijs ik u nog naar de publicatie van het Verdrag tot het brengen van eenheid in enige bepalingen inzake het internationale luchtvervoer in het Tractatenblad (*Trb* 2004, 167).

De minister van Buitenlandse Zaken,
Namens deze,
Het hoofd van de Afdeling Verdragen van de Directie Juridische Zaken,

mr. J.F.M.A. Damoiseaux

Tegen dit besluit kan binnen zes weken na verzending van het besluit schriftelijk bezwaar worden aangetekend bij de Minister van Buitenlandse Zaken (t.a.v. DJZ/NR), postbus 20061, 2500 EB Den Haag. Het bezwaarschrift moet op grond van artikel 6:5 van de Algemene wet bestuursrecht zijn ondertekend en tenminste bevatten: naam en adres van de indiener, de dagtekening, de omschrijving van het besluit waartegen het bezwaar is gericht en de gronden waarop het bezwaarschrift berust. Zo mogelijk dient een kopie van het bestreden besluit te worden bijgevoegd.

Datum

16 december 2014

Onze referentie

MinBuza-2014.715751



Treaties Division
DJZ/VE-362/04

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the International Civil Aviation Organization (ICAO) and has the honour to inform the ICAO that in accordance with article 53, paragraph 5, of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999, in the Kingdom of the Netherlands, for the Kingdom in Europe, the internal requirements for entry into force have been complied with.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands has the honour to present to the ICAO the instrument of ratification of the Kingdom of the Netherlands, for the Kingdom in Europe.
Under the following declaration.

“The Kingdom of the Netherlands, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.”

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the International Civil Aviation Organization the assurances of its highest consideration.

The Hague, 29 April 2004



To the International Civil Aviation Organization
Montreal

Memorandum

Van CdP Montreal *W 3/5*
Aan DJZ/VE
C.c. CdP Ottawa (m.b.)
Datum 3 mei 2004
Kenmerk
Betreft ICAO/Verdrag tot het brengen van eenheid in
enige bepalingen inzake het internationale
luchtvervoer bij de Internationale
Burgerluchtvaartorganisatie.

Ref. mijn e-mail bericht van 29 april jl.

Op 29 dezer werden tijdens een korte plechtigheid in de zetel van de Internationale Burgerluchtvaartorganisatie door de lidstaten van de Europese Unie en de Europese Gemeenschap 13 instrumenten van ratificatie neergelegd bij het Verdrag van Montreal van 1999. Nederland werd vertegenwoordigd door Hr Ms Ambassadeur in Ottawa.

Tijdens de plechtigheid wezen de voorzitter van de Raad en de vertegenwoordiger van het Ierse Vz.schap (ook vertegenwoordiger van de ABIS groep in de ICAO-raad) op het unieke karakter van het gelijktijdig depot van de instrumenten van ratificatie door de EU-lidstaten; de vertegenwoordiger van de Europese Commissie in Ottawa, legde in zijn opmerkingen de nadruk op het belang van de uniformiteit van de regelgeving voor de EU. De Raadsvoorzitter sprak in zijn dankwoord de hoop uit dat het voorbeeld van de EU tot navolging bij andere groepen van staten zou leiden en daarmee de zo noodzakelijke uniformiteit van regelgeving in de luchtvaart zou bevorderen.

Alle sprekers vermeldden het belang van de aanpassing van het oorspronkelijke uit 1929 daterende verdrag dat een grotere transparantie paart aan een betere bescherming van passagiers.

Voor de goede orde zij vermeld dat de Voorzitter van de Raad meedeelde dat van de 10 tot de EU toetredende lidstaten reeds 5

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10/6/04 DJZ/VE

het verdrag hebben geratificeerd. Tegelijkertijd maakte hij bekend dat ook Noorwegen dezelfde morgen zijn instrument van ratificatie had gedeponneerd (hetgeen problemen voorkomt in de toepassing van het verdrag voor de partners in de SAS).

Hiernevens gaat u de brief (in originali) toe van de Secretaris-Generaal van de ICAO aan Hr Ms Ambassadeur te Ottawa bevestiging van de ontvangst van het instrument van ratificatie en van de verklaring van CdP Ottawa.

Opgesteld door

Toestel 26



International
Civil Aviation
Organization

Organisation
de l'aviation civile
internationale

Organización
de Aviación Civil
Internacional

Международная
организация
гражданской
авиации

منظمة الطيران
المدني الدولي

国际民用
航空组织

THE SECRETARY GENERAL

Ref.: LE 3/38

29 April 2004

His Excellency Jacques G. van Hellenberg Hubar
Ambassador of the Kingdom of the Netherlands
Ottawa

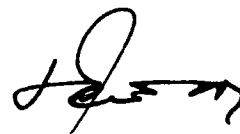
Excellency,

I have the honour to refer to your visit this day when you deposited an instrument of ratification by the Government of the Netherlands of the *Convention for the Unification of Certain Rules for International Carriage by Air*, done at Montreal on 28 May 1999.

The purpose of this letter is to confirm officially that this instrument of ratification was duly deposited with ICAO on **29 April 2004**. In accordance with its Article 53, paragraph 7, the Convention shall enter into force for the Netherlands on **28 June 2004**, being 60 days after the date of deposit.

Enclosed herewith are an up-to-date list of parties to the Convention and a form indicating the current status of the Netherlands with regard to international air law instruments.

Please accept, Excellency, the assurances of my highest consideration.



Taleb Chérif

Enclosures

cc:

Consul General of the Kingdom of the Netherlands
in Montréal

**CONVENTION FOR THE UNIFICATION OF CERTAIN RULES
FOR INTERNATIONAL CARRIAGE BY AIR
DONE AT MONTREAL ON 28 MAY 1999
(Status as of 29 April 2004)**

Entry into force:	The Convention entered into force on 4 November 2003.
Status:	51 Parties.

State	Date of signature	Date of deposit of instrument of ratification, acceptance (A), approval (AA) or accession (a)	Date of entry into force
Austria (10)		29/04/04 (a)	28/06/04
Bahamas	28/05/99		
Bahrain		02/02/01(a)	04/11/03
Bangladesh	28/05/99		
Barbados		02/01/02 (a)	04/11/03
Belgium (1)	28/05/99	29/04/04	28/04/04
Belize	28/05/99	24/08/99	04/11/03
Benin	28/05/99	30/03/04	29/05/04
Bolivia	28/05/99		
Botswana		28/03/01 (a)	04/11/03
Brazil	03/08/99		
Bulgaria		10/11/03 (a)	09/01/04
Burkina Faso	28/05/99		
Cambodia	28/05/99		
Cameroon	27/09/01	05/09/03	04/11/03
Canada (6)	01/10/01	19/11/02	04/11/03
Central African Republic	25/09/01		
Chile	28/05/99		
China	28/05/99		
Colombia	15/12/99	28/03/03	04/11/03
Costa Rica	20/12/99		
Côte d'Ivoire	28/05/99		
Cuba	28/05/99		
Cyprus		20/11/02 (a)	04/11/03
Czech Republic (3)	28/05/99	16/11/00	04/11/03
Denmark (1)(11)	28/05/99	29/04/04	28/06/04
Dominican Republic	28/05/99		
Estonia	04/02/02	10/04/03	04/11/03
Finland (4)	09/12/99	29/04/04	28/06/04
France (1)	28/05/99	29/04/04	28/06/04
Gabon	28/05/99		
Gambia		10/03/04	09/05/04
Germany (1)(12)	28/05/99	29/04/04	28/06/04
Ghana	28/05/99		
Greece (1)	28/05/99	22/07/02	04/11/03
Iceland	28/05/99		
Ireland (1)	16/08/00	29/04/04	28/06/04
Italy (1)	28/05/99	29/04/04	28/06/04
Jamaica	28/05/99		
Japan (8)		20/06/00 (A)	04/11/03
Jordan	05/10/00	12/04/02	04/11/03
Kenya	28/05/99	07/01/02	04/11/03
Kuwait	28/05/99	11/06/02	04/11/03
Lithuania	28/05/99		

State	Date of signature	Date of deposit of instrument of ratification, acceptance (A), approval (AA) or accession (a)	Date of entry into force
Luxembourg (2)	29/02/00	29/04/04	28/06/04
Madagascar	28/05/99		
Malta	28/05/99		
Mauritius	28/05/99		
Mexico	28/05/99	20/11/00	04/11/03
Monaco	28/05/99		
Mozambique	28/05/99		
Namibia	28/05/99	27/09/01	04/11/03
Netherlands	30/12/99	29/04/04	28/06/04
New Zealand (5)	13/07/01	18/11/02	04/11/03
Niger	28/05/99		
Nigeria	28/05/99	10/05/02	04/11/03
Pakistan	28/05/99		
Panama	28/05/99	13/09/02	04/11/03
Paraguay	17/03/00	29/03/01	04/11/03
Peru	07/09/99	11/04/02	04/11/03
Poland	28/05/99		
Portugal (1)	28/05/99	28/02/03	04/11/03
Romania	18/11/99	20/03/01	04/11/03
Saint Vincent and the Grenadines		29/03/04 (a)	28/05/04
Saudi Arabia	28/05/99	15/10/03	14/12/03
Senegal	28/05/99		
Slovakia	28/05/99	11/10/00	04/11/03
Slovenia	28/05/99	27/03/02	04/11/03
South Africa	28/05/99		
Spain (13)	14/01/00	29/04/04	28/06/04
Sudan	28/05/99		
Swaziland	28/05/99		
Sweden (1)	27/08/99	29/04/04	28/06/04
Switzerland	28/05/99		
Syrian Arab Republic		18/07/02 (a)	04/11/03
The former Yugoslav Republic of Macedonia		15/05/00 (a)	04/11/03
Togo	28/05/99		
Tonga		20/11/03 (a)	19/01/04
Turkey	28/05/99		
United Kingdom (1)	28/05/99	29/04/04	28/06/04
United Republic of Tanzania		11/02/03 (a)	04/11/03
United States (7)	28/05/99	05/09/03	04/11/03
United Arab Emirates		07/07/00 (a)	04/11/03
Uruguay	09/06/99		
Zambia	28/05/99		
Regional Economic Integration Organisations			
European Community (9)	09/12/99	29/04/04 (AA)	28/06/04

- (1) Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

- (2) On 3 October 2000, ICAO received from Luxembourg the following declaration (original in French): "The Grand Duchy of Luxembourg, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".
- (3) Upon deposit of its instrument of ratification, the Czech Republic notified ICAO that "as a Member of the International Monetary Fund, [the Czech Republic] shall proceed in accordance with Article 23, paragraph 1 of the Convention".
- (4) By a note dated 13 July 2000, Finland transmitted a declaration dated 7 July 2000 signed by the Minister for Foreign Trade, setting forth the wording quoted in note (1) above.
- (5) Upon deposit of its instrument of accession (deemed to be an instrument of ratification), New Zealand declared "that this accession shall extend to Tokelau".
- (6) At the time of ratification, Canada made the following declaration: "Canada declares, in accordance with Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999 and signed by Canada on 1 October 2001, that the Convention does not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Canada, the whole capacity of which has been reserved by or on behalf of such authorities [Article 57(b)]."
- (7) The instrument of ratification of the United States contains the following declaration:
"Pursuant to Article 57 of the Convention, the United States of America declares that the Convention shall not apply to international carriage by air performed and operated directly by the United States of America for non-commercial purposes in respect to the functions and duties of the United States of America as a sovereign State."
- (8) By a Note dated 24 October 2003 signed by the Minister for Foreign Affairs, Japan informed ICAO "that, in accordance with Article 57(a) of the Convention by Air, done at Montreal on 28 May 1999, the Government of Japan declares that this Convention shall not apply to international carriage by air performed and operated directly by the Government of Japan for non-commercial purposes in respect to its functions and duties as a sovereign State."
- (9) The instrument of approval by the European Community contains the following declaration:
"Declaration concerning the competence of the European Community with regard to matters governed by the Convention of 28 May 1999 for the unification of certain rules for international carriage by air (the Montreal Convention):
 1. The Montreal Convention provides that Regional Economic Integration Organisations constituted by sovereign States of a given region, which have competence in respect of certain matters governed by this Convention, may become parties to it.
 2. The current Member States of the European Community are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.
 3. This declaration is not applicable to the territories of the Member States in which the Treaty establishing the European Community does not apply and is without prejudice to such acts or positions as may be adopted under the Convention by the Member States concerned on behalf of and in the interests of those territories.
 4. In respect of matters covered by the Convention, the Member States of the European Community have transferred competence to the Community for liability for damage sustained in case of death or injury of passenger. The Member States have also transferred competence for liability for damage caused by delay

and in the case of destruction, loss, damage or delay in the carriage of baggage. This includes requirements on passenger information and a minimum insurance requirement. Hence, in this field, it is for the Community to adopt the relevant rules and regulations (which the Member States enforce) and within its competence to enter into external undertakings with third States or competent organisations*.

5. The exercise of competence which the Member States have transferred to the Community pursuant to the EC Treaty is, by its nature, liable to continuous development. In the framework of the Treaty, the competent institutions may take decisions which determine the extent of the competence of the European Community. The European Community therefore reserves the right to amend the present declaration accordingly, without this constituting a prerequisite for the exercise of its competence with regard to matters governed by the Montreal Convention.

*Sources:

- 1) Council Regulation (EC) No 2027/97 of 9 October 1997 on air carrier liability in the event of accidents, Official Journal of the European Union, L 285, 17.10.1997, p. 1;
 - 2) Regulation (EC) No 889/2002 of the European Parliament and of the Council of 13 May 2002 amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents, Official Journal of the European Union, L 140, 30.05.2002, p. 2.”
- (10) The instrument of accession by Austria contains the following declaration:
“The Republic of Austria declares according to Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air of 28 May 1999 that this Convention shall not apply to:
a) international carriage by air performed and operated directly by the Republic of Austria for non-commercial purposes in respect to its functions and duties as a sovereign State;
b) the carriage of persons, cargo and baggage for the military authorities on aircraft registered in or leased by the Republic of Austria, the whole capacity of which has been reserved on behalf of such authorities.”
- (11) The instrument of ratification by Denmark contains a declaration that until later decision, the Convention will not be applied to the Faroe Islands.
- (12) The instrument of ratification by Germany was accompanied by the following declaration:
“In accordance with Article 57 of the Convention of for the Unification of Certain Rules for International Carriage by Air of 28 May 1999, the Federal Republic of Germany declares that this convention shall not apply to international carriage by air performed and operated directly by the Federal Republic of Germany for non-commercial purposes in respect to its functions and duties as a sovereign State or to the carriage of persons, cargo and baggage for the military authorities of the Federal Republic of Germany on aircraft registered in or leased by the Federal Republic of Germany, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (13) The instrument of ratification by Spain contains the following declarations (original in Spanish):
“The Kingdom of Spain, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.”
“In accordance with the provisions of Article 57, the Convention shall not apply to:
a) international carriage by air performed and operated directly by Spain for non-commercial purposes in respect to its functions and duties as a sovereign State;
b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Spain, the whole capacity of which has been reserved by or on behalf of such authorities.”

STATUS OF THE NETHERLANDS
WITH REGARD TO INTERNATIONAL AIR LAW INSTRUMENTS
(as at 29 April 2004)

		Date of Signature	Date of Ratification or Accession	Effective Date
1.	Convention on International Civil Aviation Chicago, 7/12/44	7/12/44	26/3/47	25/4/47 ¹
2.	International Air Services Transit Agreement Chicago, 7/12/44	7/12/44	12/1/45	30/1/45 ¹
3.	International Air Transport Agreement Chicago, 7/12/44	7/12/44	12/1/45	8/2/45 ¹
4.	Protocol on the Authentic Trilingual Text of the Convention on International Civil Aviation Buenos Aires, 24/9/68	20/4/70 ²	-	20/4/70
5.	Protocol on the Authentic Quadrilingual Text of the Convention on International Civil Aviation Montreal, 30/9/77	15/5/79 ²	-	16/9/99
*6.	Protocol on the Authentic Quinquelingual Text of the Convention on International Civil Aviation Montreal, 29/9/95	26/9/96 ²	-	-
*7.	Protocol on the Authentic Six-Language Text of the Convention on International Civil Aviation Montreal, 1/10/98		-	-
8.	Article 93 <i>bis</i> Montreal, 27/5/47		24/2/55	20/3/61
9.	Article 45 Montreal, 14/6/54		14/12/55	16/5/58
10.	Articles 48(a), 49(e) and 61 Montreal, 14/6/54		31/5/55	12/12/56
11.	Article 50(a) Montreal, 21/6/61		8/5/62	17/7/62
12.	Article 48(a) Rome, 15/9/62		26/8/64	11/9/75
13.	Article 50(a) New York, 12/3/71		29/6/71	16/1/73
14.	Article 56 Vienna, 7/7/71		29/6/72	19/12/74
15.	Article 50(a) Montreal, 16/10/74		20/11/75	15/2/80
16.	Protocol of Amendment (Final Clause, Russian Text) Montreal, 30/9/77		17/5/79	17/8/99
17.	Article 83 <i>bis</i> Montreal, 6/10/80		5/11/81	20/6/97
18.	Article 3 <i>bis</i> Montreal, 10/5/84		18/12/86	1/10/98
*19.	Article 56 Montreal, 6/10/89		14/8/90	-
20.	Article 50(a) Montreal, 26/10/90		22/10/91	28/11/02

STATUS OF THE NETHERLANDS
WITH REGARD TO INTERNATIONAL AIR LAW INSTRUMENTS
(as at 29 April 2004)

		Date of Signature	Date of Ratification or Accession	Effective Date
*21.	Protocol of Amendment (Final Clause, Arabic Text) Montreal, 29/9/95		5/2/97	-
*22.	Protocol of Amendment (Final Clause, Chinese Text) Montreal, 1/10/98		31/8/99	-
23.	Convention on the International Recognition of Rights in Aircraft Geneva, 19/6/48	19/6/48	1/9/59	30/11/59 ³
24.	Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface Rome, 7/10/52	7/10/52	-	-
25.	Protocol to Amend the Rome Convention of 1952 Montreal, 23/9/78	-	-	-
26.	Convention for the Unification of Certain Rules relating to International Carriage by Air Warsaw, 12/10/29	12/10/29	1/7/33	29/9/33 ⁴
27.	Protocol to Amend the Warsaw Convention of 1929 The Hague, 28/9/55	28/9/55	21/9/60	1/8/63 ^{5, 4}
28.	Convention, Supplementary to the Warsaw Convention, for the Unification of Certain Rules relating to International Carriage by Air Performed by a Person Other than the Contracting Carrier Guadalajara, 18/9/61	18/9/61	25/2/64	25/5/64
*29.	Protocol to Amend the Warsaw Convention of 1929 as Amended by The Hague Protocol of 1955 Guatemala City, 8/3/71	10/6/82	7/1/83 ⁶	-
30.	Additional Protocol No. 1 Montreal, 25/9/75	19/5/82	7/1/83 ⁶	15/2/96
31.	Additional Protocol No. 2 Montreal, 25/9/75	19/5/82	7/1/83 ⁶	15/2/96
*32.	Additional Protocol No. 3 Montreal, 25/9/75	19/5/82	7/1/83 ⁶	-
33.	Montreal Protocol No. 4 Montreal, 25/9/75	19/5/82	7/1/83 ⁶	14/6/98
34.	Convention for the Unification of Certain Rules for International Carriage by Air Montreal, 28 May 1999	30/12/99	29/4/04	28/6/04
35.	Convention on Offences and Certain Other Acts Committed on Board Aircraft Tokyo, 14/9/63	9/6/67	14/11/69	12/2/70 ⁷
36.	Convention for the Suppression of Unlawful Seizure of Aircraft The Hague, 16/12/70	16/12/70	27/8/73	26/9/73 ⁸
37.	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation Montreal, 23/9/71	23/9/71	27/8/73	26/9/73 ⁸

**STATUS OF THE NETHERLANDS
WITH REGARD TO INTERNATIONAL AIR LAW INSTRUMENTS**
(as at 29 April 2004)

		Date of Signature	Date of Ratification or Accession	Effective Date
38.	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23/9/71 Montreal, 24/2/88	13/4/88 ⁹	11/7/95 ⁹	10/8/95
39.	Convention on the Marking of Plastic Explosives for the Purpose of Detection Montreal, 1/3/91	2/8/91	4/5/98 ¹⁰	3/7/98
*40.	Convention on International Interests in Mobile Equipment Cape Town, 16/11/01	-	-	-
*41.	Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment Cape Town, 16/11/01	-	-	-
42.	Agreement on the Joint Financing of Certain Air Navigation Services in Greenland, Geneva, 25/9/56	25/9/56	6/6/58	6/6/58
43.	Agreement on the Joint Financing of Certain Air Navigation Services in Iceland, Geneva, 25/9/56	25/9/56	6/6/58	6/6/58
44.	Protocol for the Amendment of the 1956 Agreement on the Joint Financing of Certain Air Navigation Services in Greenland, Montreal, 3/11/82	3/11/82	2/8/83	17/11/89
45.	Protocol for the Amendment of the 1956 Agreement on the Joint Financing of Certain Air Navigation Services in Iceland, Montreal, 3/11/82	3/11/82	2/8/83	17/11/89
46.	International Agreement on the procedure for the establishment of tariffs for intra-European scheduled air services, Paris, 16/6/87	-	-	-
47.	International Agreement on the sharing of capacity on intra-European scheduled air services, Paris, 16/6/87	-	-	-
48.	Convention on the Privileges and Immunities of the Specialized Agencies, 21/11/47		2/12/48	2/12/48

FOOTNOTES

* Not in force

¹ Applicable, as of 1/1/86, to the Netherlands Antilles (without Aruba) and to Aruba.

² Effected without reservation as to acceptance

³ Acceptance of the Geneva Convention applies only to the Kingdom of the Netherlands in Europe.

In a **Declaration** annexed to its Instrument of Ratification of the Geneva Convention, the Government of the Kingdom of the Netherlands stated "that it is unable to accept the reservation made by the Government of Mexico when depositing its Instrument of Ratification on April 5, 1950, and therefore it will not regard this Convention as

having entered into force between the Government of the Kingdom of the Netherlands and the Government of Mexico”.

On 31/3/88, the Government of the Kingdom of the Netherlands deposited with the International Civil Aviation Organization an Instrument of Adherence on behalf of the Netherlands Antilles and Aruba to the Geneva Convention in accordance with Article XXIII, paragraph 4, thereof. The Convention takes effect for the Netherlands Antilles and Aruba on 29/6/88.

⁴ By a Note dated 27/12/85, the Government of the Kingdom of the Netherlands informed the Government of the Polish People's Republic (now the Republic of Poland) that as of 1/1/86 the Warsaw Convention and The Hague Protocol are applicable to the Netherlands Antilles (without Aruba) and to Aruba.

⁵ In the document of ratification of The Hague Protocol, it is stipulated that ratification concerns the Kingdom in Europe, the Netherlands Antilles and Dutch New Guinea. See also footnote 4.

⁶ Ratification concerns the Kingdom in Europe and the Netherlands Antilles.

⁷ **Declaration** with regard to the Tokyo Convention: “... the Convention, with respect to the Kingdom of the Netherlands, shall not enter into force for Suriname and/or the Netherlands Antilles until the ninetieth day after the date on which the Government of the Kingdom of the Netherlands will have notified the International Civil Aviation Organization that in Suriname and/or in the Netherlands Antilles the necessary steps for giving effect to the provisions of the above-mentioned Convention have been taken”.

On 4/6/74, a **Declaration** dated 10/5/74 was deposited with the International Civil Aviation Organization by the Government of the Kingdom of the Netherlands stating that the necessary steps for giving effect to the provision of the Tokyo Convention have been taken in regard to making the Convention applicable to Suriname and the Netherlands Antilles. Accordingly, the Convention takes effect for Suriname and the Netherlands Antilles on 2/9/74.

By a Note dated 30/12/85, the Government of the Kingdom of the Netherlands informed the International Civil Aviation Organization that as of 1/1/86 the Tokyo Convention is applicable to the Netherlands Antilles (without Aruba) and to Aruba.

⁸ **Declaration** that the Convention cannot enter into force for the Netherlands Antilles until thirty days after the date on which the Government of the Kingdom of the Netherlands shall have notified the depositary Governments that the necessary measures to give effect to the provisions of the Convention have been taken in the Netherlands Antilles.

On 11/6/74, a **Declaration** was deposited with the Government of the United States by the Government of the Kingdom of the Netherlands stating that in the interim the measures required to implement the provisions of the Convention have been taken in the Netherlands Antilles and, consequently, the Convention will enter into force for the Netherlands Antilles on the thirtieth day after the date of deposit of this **Declaration**.

By a Note dated 9/1/86, the Government of the Kingdom of the Netherlands informed the Government of the United States that as of 1/1/86 the Hague Convention is applicable to the Netherlands Antilles (without Aruba) and to Aruba.

⁹ The Government of the Kingdom of the Netherlands made the following interpretive statement at the time of signature of the Montreal Supplementary Protocol:

“The Government of the Kingdom of the Netherlands hereby declares that, in the light of the preamble, it understands the provisions laid down in Articles II and III of the Protocol to signify the following:

- only those acts which, in view of the nature of the weapons used and the place where they are committed cause or are likely to cause incidental loss of life or serious injury among the general public or users of

international civil aviation in particular, shall be classed as acts of violence within the meaning of the new paragraph 1 *bis* (a), as contained in Article II of the Protocol;

- only those acts which, in view of the damage which they cause to buildings or aircraft at the airport or the disruption of the services provided by the airport, endanger or are likely to endanger the safe operation of the airport in relation to international civil aviation, shall be classed as acts of violence within the meaning of the new paragraph 1 *bis* (b), as contained in Article II of the Protocol.”

On depositing its instrument of ratification, the Kingdom of the Netherlands made the following declaration:

“The Government of the Kingdom of the Netherlands hereby declares that, in the light of the preamble, it understands the provisions laid down in Article II and III of the Protocol to signify the following:

- only those acts which, in the view of the nature of the weapons used and the place where they are committed, cause or are likely to cause incidental loss of life or serious injury among the general public or users of international civil aviation in particular, shall be classed as acts of violence within the meaning of the new paragraph 1 *bis* (a), as contained in Article II of the Protocol;
- only those acts which, in view of the damage which they cause to buildings or aircraft at the airport or the disruption of the services provided by the airport, endanger or are likely to endanger the safe operation of the airport in relation to international civil aviation, shall be classed as acts of violence within the meaning of the new paragraph 1 *bis* (b), as contained in Article II of the Protocol.”

¹⁰ Declaration, in accordance with Article XIII, paragraph 2, of the Convention, that it is not a producer State.