

No. 756

**BELGIUM
and
NETHERLANDS**

Exchange of letters constituting an agreement amending article 3 of the Provisional Convention between Belgium and the Netherlands relating to navigation on the canal from Maestricht to Bois-le-Duc, signed at Maestricht on 6 November 1839. Brussels, 25 January and 17 February 1950

Official text : French.

Registered by Belgium on 29 March 1950.

**BELGIQUE
et
PAYS-BAS**

Echange de lettres constituant un accord modifiant le tertio de la Convention provisoire entre la Belgique et les Pays-Bas relative à la navigation du canal de Maestricht à Bois-le-Duc, signé à Maestricht le 6 novembre 1839. Bruxelles, 25 janvier et 17 février 1950

Texte officiel français.

Enregistré par la Belgique le 29 mars 1950.

TRANSLATION — TRADUCTION

No. 756. EXCHANGE OF LETTERS BETWEEN THE GOVERNMENTS OF BELGIUM AND THE NETHERLANDS CONSTITUTING AN AGREEMENT¹ AMENDING ARTICLE 3 OF THE PROVISIONAL CONVENTION BETWEEN THE TWO COUNTRIES RELATING TO NAVIGATION ON THE CANAL FROM MAESTRICHT TO BOIS-LE-DUC, SIGNED AT MAESTRICHT ON 6 NOVEMBER 1839. BRUSSELS, 25 JANUARY AND 17 FEBRUARY 1950

I

DIRECTORATE-GENERAL OF POLITICAL AFFAIRS

Section 1

No. 452/1-22/357

Brussels, 25 January 1950

Your Excellency,

I have the honour to refer to note Sch. II 16 — 12,949 addressed by the Netherlands Embassy to my Department on 11 October 1949, concerning the amendment to be made in the Provisional Agreement concluded on 6 November 1839 between Belgium and the Netherlands to implement article 10 of the Treaty of 19 April 1839², concerning navigation on the canal from Maestricht to Bois-le-Duc, known as the Zuid-Willemsvaart.

The Belgian Government takes note that the Netherlands Government agrees that article 3 of the said Agreement should be amended to read as follows :

“ Article 3.—The administrative authorities of each Government shall be entitled, either because of the nature of the cargo, or because of the lack of hatches, or for any other reason, to place on board boats and vessels, during their passage through the territory in question, a number of watchmen which may not exceed two and which must in all cases be stated in the document to be carried by the boatmen; nevertheless, such watchmen may not demand from the boatmen or navigators remuneration of any kind whatsoever, other than fire and light, in addition to the food and drink necessary for their sustenance, and that only for such time as they are required to remain on board. As regards the supply of such food and

¹ Came into force on 1 March 1950, by the exchange and according to the terms of the said letters.

² De Martens, *Nouveau Recueil de Traités*, tome XVI (2), page 773.

drink, and also the right to make payment in lieu thereof and the amount of such payment in lieu, the general provisions in force on the Belgian waterways shall be applied on the Belgian section of the canal and the general provisions in force on the Netherlands waterways shall be applied on the Netherlands section thereof. Nothing shall be owed in respect of the return journey of the said watchmen."

I have the honour to propose that this amendment should come into effect as from 1 March 1950.

In accordance with the proposals which form the subject of the third paragraph of the aforementioned note from the Netherlands Embassy and in which I have great pleasure in concurring, the present letter and your reply thereto will be regarded by the Belgian and Netherlands Governments as constituting their agreement to the amendment, in the terms indicated above, of article 3 of the Agreement concluded on 6 November 1839 to implement article 10 of the Treaty of 19 April 1839, concerning navigation on the canal from Maestricht to Bois-le-Duc.

I have the honour to be, etc.

(Signed) P. VAN ZEELAND

His Excellency
Baron B. Ph. van Harinxma thoe Slooten
Netherlands Ambassador
in Brussels

II

NETHERLANDS EMBASSY

G/W
Sch. II 16-965

Brussels, 17 February 1950

Sir,

With reference to the note which Your Excellency sent me on 25 January 1950—Directorate-General P., Section 1, No. 452/1-22/357—I have the honour to inform Your Excellency that the Netherlands Government is glad to accept the Belgian proposal that 1 March 1950 should be fixed as the date of entry into force of the amendment to paragraph 3 of the Agreement of 6 November 1839 relating to the levying of dues in respect of Customs supervision on the Zuid-Willemsvaart.

I have the honour to be, etc.

(Signed) VAN HARINXMA THOE SLOOTEN

His Excellency Mr. P. van Zeeland
Minister for Foreign Affairs and External Trade
Brussels