

No. 3480

**NETHERLANDS
and
THAILAND**

**Exchange of notes constituting an agreement for the
resumption of normal friendly relations and the
re-establishment of diplomatic intercourse. Bangkok,
30 January 1947**

Official text: English.

Registered by the Netherlands on 27 July 1956.

**PAYS-BAS
et
THAÏLANDE**

**Échange de notes constituant un accord concernant la
reprise des relations amicales et diplomatiques entre
les deux pays. Bangkok, 30 janvier 1947**

Texte officiel anglais.

Enregistré par les Pays-Bas le 27 juillet 1956.

No. 3480. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE NETHERLANDS AND THAILAND FOR THE RESUMPTION OF NORMAL FRIENDLY RELATIONS AND THE RE-ESTABLISHMENT OF DIPLOMATIC INTERCOURSE. BANGKOK, 30 JANUARY 1947

I

MINISTRY OF FOREIGN AFFAIRS
SARANROM PALACE

No. 991/2490

30th January, 1947

Monsieur le Conseiller,

I have the honour to propose that an agreement shall be concluded between the Government of Siam on the one and hand the Government of the Netherlands on the other for the resumption of normal friendly relations and the re-establishment of diplomatic intercourse, which have been interrupted by the recent war between the Netherlands and Japan, under the following terms :

1. The Government of Siam and the Government of the Netherlands agree to regard as continued in force between them the following treaties and convention :

- a) The Consular Convention of the 1st of April 1867.
- b) The Treaty of Judicial Settlement and Conciliation of the 27th of October 1928.²
- c) The Treaty of Friendship, Commerce and Navigation of the 1st of February 1938³ which specifically provides for "most favoured nation treatment" and prescribes the measures essential to the maintenance and development of import and export trade between the two countries as well as the maintenance of a good neighbourly policy in all matters of mutual or general interest. It is understood that both Governments will give sympathetic consideration to the restoration, where reasonably feasible, of facilities previously enjoyed, and will favour as far as possible the establishment of new commercial, industrial, shipping and other enterprises by their respective subjects.

The Siamese Government recognise that where, as a consequence of the war, Netherlands properties, rights and interests in Siam have suffered any loss, damage or injury through the actions, omissions or negligence of the Siamese Government, their officers or subjects, the Siamese Government will assume liability. The claims shall be presented

¹ Came into force on 30 January 1947 by the exchange of the said notes.

² League of Nations, *Treaty Series*, Vol. XCIII, p. 131.

³ League of Nations, *Treaty Series*, Vol. CXCI, p. 13.

through diplomatic channels ; the settlement shall be based on the principles of equity and justice and not less favourable than that accorded any other nation.

2. Desirous to play their full part in mitigating the effects of the war during which the diplomatic relations between the two countries have been interrupted, the Government of Siam and the Government of the Netherlands will take such measures as may be designed to assist in the restoration of international security and general economic welfare.

3. In regard to civil air transportation, both Governments shall accord to the companies of the other country, on a basis of reciprocity, the rights and facilities now enjoyed, pending the early conclusion of an aviation agreement.

4. As evidence of their friendly attitude towards the Netherlands, the Government of Siam are prepared to consider sympathetically proposals for the maintenance and future care of Netherlands war graves in Siam.

5. The Government of Siam agree to render all possible assistance, within the limits permitted by local law, in the apprehension of persons of having committed war crimes against the subjects of the Netherlands.

Should this proposal be acceptable to the Government of the Netherlands, I have the honour further to propose that this Note and your reply to the above effect shall be regarded as constituting and placing upon record the agreement reached between our two Governments.

I avail myself of this opportunity, Monsieur le Conseiller, to express to you the assurance of my high consideration.

(Signed) DIRCEK JAYANUÂMA
Minister of Foreign Affairs

Monsieur A. J. D. Steenstra Toussaint
Netherlands Plenipotentiary
Head of the Netherlands Diplomatic Delegation
Bangkok

II

NETHERLANDS DIPLOMATIC DELEGATION

Bangkok, January 30th, 1947

Monsieur le Ministre,

I have the honour to acknowledge the receipt of Your Excellency's Note of to-day's date reading as follows :

[See note I]

In reply, I have the honour to inform Your Excellency that the Government of the Netherlands agree to the above proposals.

This note and Your Excellency's Note under reference shall be regarded as constituting and placing on record the agreement reached in this matter.

I avail myself of this opportunity, Monsieur le Ministre, to express to Your Excellency the assurance of my highest consideration.

(Signed) A. J. D. STEENSTRA TOUSSAINT
Netherlands Plenipotentiary

His Excellency Nai Direck Jayanuâma
Minister of Foreign Affairs
Saranrom Palace
Bangkok

III

NETHERLANDS DIPLOMATIC DELEGATION

Bangkok, January 30th, 1947

Monsieur le Ministre,

Upon exchanging notes to-day with Your Excellency by which the ties of friendship, diplomatic relations and the bonds of economic intercourse between our two countries have been renewed, I have the honour to inform Your Excellency that in view of the extraordinary circumstances tending to hamper the normal re-establishment of import and export trade between the territories of the respective countries, the Netherlands Government would much appreciate an understanding with the Government of Siam on the following points :

1. As long as foreign exchange regulations in Siam are necessary and, therefore, the trade between Siam and Netherland territories in Europe, Asia and America, is dependent on the issuance of licenses, the Siamese Government will give due consideration to applications concerning this trade and a treatment on a basis no less favourable than the treatment accorded to applications for trade between Siam and any other country.

2. Inasmuch as the export of rice and other produce will be influenced or controlled by the Siamese Government, a fair share of the exportable quantities will be made available for export to Netherlands territories.

3. The Netherlands Government have taken note that in regard to tin and rubber, the Siamese Government have undertaken to participate in any general international arrangements.

I shall appreciate to be advised by Your Excellency whether the terms of the above understanding will meet with the approval of your Government.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Signed) A. J. D. STEENSTRA TOUSSAINT
Netherlands Plenipotentiary

His Excellency Nai Direck Jayanuâma
Minister of Foreign Affairs
Saranrom Palace
Bangkok

IV

MINISTRY OF FOREIGN AFFAIRS
SARANROM PALACE

N° 992/2490

30th January, 1947

Monsieur le Conseiller,

I have the honour to acknowledge the receipt of your letter of today's date in regard to the exchange of letters by which the ties of friendship, the diplomatic relations and the bonds of economic intercourse between our two countries have been renewed and in regard to the three points on which your Government desires clarification.

In reply, I have the honour to inform you of the understanding of my Government in regard to the three points as follows :

1. The Exchange Control accords due consideration to all applications for import and export permits with the objective of expediting and expanding exports for the foreign exchange necessary to import those commodities needed for the rehabilitation of the country and of facilitating the largest possible volume, with the shortest possible delay, of commodities essential to the early reconstitution of the normal surplus economy of Siam. Applications for import and export permits from Netherlands firms will be dealt with on exactly the same basis as those from firms of other nationalities.

2. The export of rice is now regulated by allocations made by the International Emergency Food Council over which Siam has no control. When this international control is terminated, the exports of rice as well as of other products not under international allocation will be governed by such regulations as the Government of Siam may institute, subject, in the case of the Netherlands, to the provisions of the penultimate paragraph of Article 8 (*b*) of the Treaty of Friendship, Commerce and Navigation, the validity of which is now recognised, and

which provides that "In the event of any form of quantitative limitation being established for the importation or exportation of articles restricted, each of the High Contracting Parties agrees to grant equitable quotas for the importation from or exportation to the territories of the other Party of restricted goods which may be authorized for importation or exportation."

3. In the matter of tin and rubber the Siamese Government have undertaken to participate in any general international arrangement which conforms with such principles regarding commodity arrangements as may be agreed by the United Nations Organisation or its Economic and Social Council.

I avail myself of this opportunity, Monsieur le Conseiller, to renew to you the assurance of my high consideration.

(Signed) Direck JAYANUÂMA
Minister of Foreign Affairs

Monsieur A. J. D. Steenstra Toussaint
Netherlands Plenipotentiary
Head of the Netherlands Diplomatic Delegation
Bangkok