

No. 3509

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**BELGIUM, LUXEMBOURG  
and  
NETHERLANDS**

**Protocol concerning commercial policy. Signed at Luxembourg, on 9 December 1953**

*Official texts: French and Dutch.*

*Registered by Belgium on 4 September 1956.*

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**BELGIQUE, LUXEMBOURG  
et  
PAYS-BAS**

**Protocole relatif à la politique commerciale. Signé à Luxembourg, le 9 décembre 1953**

*Textes officiels français et néerlandais.*

*Enregistré par la Belgique le 4 septembre 1956.*

[TRANSLATION — TRADUCTION]

No. 3509. PROTOCOL<sup>1</sup> BETWEEN BELGIUM, THE GRAND-DUCHY OF LUXEMBOURG AND THE NETHERLANDS CONCERNING COMMERCIAL POLICY. SIGNED AT LUXEMBOURG, ON 9 DECEMBER 1953

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The Governments of the Netherlands, Belgium and Luxembourg have agreed on the following provisions :

*Article 1*

With a view to achieving closer economic co-operation, the three Governments shall adopt and pursue in their economic relations with other countries a common policy governing foreign trade and payments.

This common policy governing foreign trade and payments shall be accompanied, in the domestic field and without prejudice to the provisions of article 7 of the present Protocol, by a removal of all quota restrictions on the movement of goods, regardless of the country of origin or export, and on the exchange of services between the three countries.

*Article 2*

The common commercial policy shall be designed to develop to the fullest extent possible the exchange of goods and services with other countries, taking into account the international agreements to which the three countries are parties and the monetary position of the three countries as a whole in relation to other countries.

The objectives of this policy can best be attained if the principle of freedom in the exchange of goods and services is observed equally by the three countries in their relations with other countries and by other countries in their relations with the three countries.

If the policy of free trade pursued by the three Governments, in the manner indicated in the preceding paragraph, should fail to meet with adequate response from some countries, appropriate measures shall be introduced by mutual agreement with a view to encouraging the exchange of goods and services with the countries concerned.

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<sup>1</sup> Came into force on 18 August 1956, the date of the deposit of the third instrument of ratification, in accordance with article 8. The instruments of ratification were deposited with the Belgian Government as follows : Belgium, 9 July 1956; Luxembourg, 24 July 1954; Netherlands, 18 August 1956. This Protocol is not applicable to the Territories of the Belgian Congo and Ruanda-Urundi, or to the Netherlands overseas territories.

*Article 3*

The three Governments undertake, in so far as may be possible, to negotiate and conclude joint commercial agreements, with corresponding joint or parallel payments agreements, on the understanding that this common policy shall be carried into effect within a period not exceeding two years.

The quotas to be established in the aforementioned agreements for either imports or exports shall be joint quotas, except in the case of products which may not be freely exchanged between the three countries.

The Committee of Ministers established pursuant to article 12 of the Protocol concerning the Co-ordination of Economic and Social Policies, signed at The Hague on 24 July 1953, may authorize exceptions to the above rules.

*Article 4*

The Governments shall consult one another regarding the measures they propose to introduce to encourage exports.

*Article 5*

The Governments agree to co-ordinate the currency and payments regulations in the three countries, in order to ensure that the nationals of any of the three countries are not placed, by virtue of such regulations, in a more favourable competitive position than the nationals of the other two countries.

*Article 6*

With respect to international organizations and conferences dealing with foreign trade and international payments, the three Governments shall co-ordinate their policy in order to adopt a common attitude.

*Article 7*

The Committee of Ministers established pursuant to article 12 of the Protocol concerning the Co-ordination of Economic and Social Policies, signed at The Hague on 24 July 1953, shall lay down the principles of the common commercial policy mentioned in articles 1 to 6 inclusive and shall determine the means of carrying it into effect. The Committee shall also determine the exceptions to the free movement of goods and the free exchange of services between the territories of the three countries, with due regard to existing Protocols and other arrangements.

*Article 8*

The present Protocol shall be ratified and the instruments of ratification shall be deposited with the Government of Belgium.

The present Protocol shall enter into force on the date of the deposit of the third instrument of ratification.

The present Protocol is concluded for an indefinite period. It may only be denounced after the expiry of one year and the notice of denunciation shall only become effective one year after the date of service. However, no Party shall have the right to denounce the Protocol until the Committee of Ministers has had an opportunity to consider any difficulties that may have arisen and to seek a solution enabling the Protocol to remain in force.

It is understood that the aforesaid period shall be subject to the existence of the Agreement on the establishment of a European Payments Union.

If this Agreement is terminated, or if its application is suspended or terminated with regard to the Belgium-Luxembourg Economic Union and/or the Netherlands, the three countries shall immediately consult one another with a view to introducing the necessary modifications in the present Protocol and devising a system of payments offering satisfactory possibilities of settlement between themselves and with other countries.

If this system cannot be introduced within three months from the date on which the European Payments Union Agreement ceases to be applicable, the present Protocol shall automatically cease to have effect on the expiry of that period.

#### *Article 9*

The application of the present Protocol is limited to the territories of the three countries in Europe.

However, each partner reserves the right to insert in the agreements mentioned in article 3 of the Protocol clauses concerning the overseas countries or territories to which it is linked by individual political, economic or monetary arrangements.

IN FAITH WHEREOF the undersigned representatives, duly authorized for that purpose, have signed the present Protocol.

DONE at Luxembourg, on 9 December 1953, in triplicate, in the French and Dutch languages, both texts being equally authentic.

For the Government of Belgium :  
P. VAN ZEELAND

For the Government of Luxembourg :  
BECH

For the Government of the Netherlands :  
J. LUNS