

**No. 5470**

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**BELGIUM, LUXEMBOURG and NETHERLANDS**

**Labour Treaty (with Protocol of Signature and Protocol).  
Signed at The Hague, on 7 June 1956**

*Official texts: French and Dutch.*

*Registered by Belgium on 5 December 1960.*

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**BELGIQUE, LUXEMBOURG et PAYS-BAS**

**Traité de travail (avec Protocole de signature et Protocole).  
Signé à La Haye, le 7 juin 1956**

*Textes officiels français et néerlandais.*

*Enregistré par la Belgique le 5 décembre 1960.*

## [TRANSLATION — TRADUCTION]

No. 5470. LABOUR TREATY<sup>1</sup> BETWEEN BELGIUM,  
LUXEMBOURG AND THE NETHERLANDS. SIGNED  
AT THE HAGUE, ON 7 JUNE 1956

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His Majesty the King of the Belgians,

Her Royal Highness the Grand Duchess of Luxembourg, and

Her Majesty the Queen of the Netherlands,

Being equally desirous of making progress towards the attainment of a common labour market for their subjects,

Desiring to grant to the nationals of the other Contracting Parties conditions of work equal to those enjoyed by their own nationals;

For the purpose of promoting the free movement of workers and full employment in the territory of the three countries and of developing and utilizing to the greatest extent possible the productive capacities of these countries;

Have decided for this purpose to conclude a Treaty and have appointed plenipotentiaries who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

*Article 1*

In this Treaty, the term " wage-earners " means nationals of the High Contracting Parties who are employed for wages by a private employer.

Under this Treaty, apprentices and trainees are treated as wage-earners.

*Article 2*

Without regard to the state of the labour market of the receiving Party and without any need to obtain a permit to work not required of that Party's own nationals, any national of one of the High Contracting Parties shall be permitted to offer or to accept, on an equal footing, any work with a private employer in the territory of one of the other High Contracting Parties.

Persons deemed undesirable from the point of view of the maintenance of public order and morals, national security and public health, shall not be eligible to benefit under this provision.

*Article 3*

If the state of the labour market does not allow the employment of wage-earners in certain periods, regions or trades, the High Contracting Parties shall

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<sup>1</sup> Came into force on 1 November 1960, the date of the deposit with the Belgian Government of the third instrument of ratification, in accordance with article 19; the instruments of ratification were deposited at Brussels by the Netherlands on 14 July 1960, by Luxembourg on 12 September 1960 and by Belgium on 1 November 1960. This Treaty is not applicable to the Trust Territory of Ruanda-Urundi.

immediately consult one another in order to determine by agreement what temporary measures are required.

In applying these measures, the High Contracting Parties undertake to limit as far as possible any disadvantages which might result for the wage-earners concerned.

#### *Article 4*

The competent administrative authorities shall keep one another informed of the state and development of the national labour markets. The information to be communicated shall cover both national and regional conditions and conditions in the various sectors of activity and trades.

They shall endeavour to make the information comparable and uniform, in particular by using a standard classification of trades.

#### *Article 5*

The High Contracting Parties shall endeavour to offset, as rapidly and effectively as possible, shortages and surpluses of labour in the three countries. In order to promote the attainment of this objective, they shall harmonize to the greatest extent possible the organization and working methods of their employment services and shall take all measures calculated to increase the geographical and occupational mobility of labour from country to country.

#### *Article 6*

Working procedures governing placement operations shall be established by agreement between the competent administrative authorities, taking into account the respective national laws.

#### *Article 7*

The High Contracting Parties shall accord all administrative facilities for the temporary or permanent entry or departure of wage-earners and their families and for the transfer of furniture and other necessary property.

#### *Article 8*

The wage-earners concerned shall receive for equal work remuneration equal to that of wage-earners of the same category of the receiving Party employed in the same undertaking.

If there are no such wage-earners, they shall receive the standard remuneration currently paid to wage-earners of the same category in the same region.

#### *Article 9*

Wage-earners of each of the High Contracting Parties shall enjoy in the territory of each of the other Parties the same protection and treatment as wage-earners of the receiving Party in all matters relating to conditions of work.

*Article 10*

Any complaints by wage-earners of one of the High Contracting Parties concerning conditions of work imposed on them by employers in the territory of one of the other Parties or difficulties of any kind calling for action by the public authorities may be addressed or transmitted, either direct or through diplomatic or consular agents, to the competent authorities of the latter Party. The competent administrative authorities of that Party shall make the necessary inquiries and shall have the exclusive right to intervene.

*Article 11*

Wage-earners who become unemployed while resident in the territory of one of the High Contracting Parties shall be entitled, on the same conditions as nationals, to unemployment benefits and to all measures adopted by public institutions with a view to re-employment.

*Article 12*

The High Contracting Parties undertake to adopt all necessary measures to ensure the implementation of this Treaty and to punish violations of the foregoing provisions.

The necessary administrative measures shall be agreed upon by the competent administrative authorities of the High Contracting Parties.

*Article 13*

The High Contracting Parties shall establish a Joint Advisory Committee which shall meet, as required, alternately in the Netherlands, Belgium and Luxembourg at the request of any one of the High Contracting Parties.

The Committee shall be competent to consider matters relating to the implementation of this Treaty and of the laws and regulations of each State which apply to wage-earners of the other States.

It shall also have the task of proposing, where necessary, any revision or extension of the provisions of this Treaty and of the laws and regulations referred to in the preceding paragraph.

The Committee shall be composed of not more than two representatives of each State. Experts may be attached to any delegation.

*Article 14*

This Treaty shall apply only to the European territories of the High Contracting Parties.

*Article 15*

Any dispute concerning the interpretation, application or implementation of this Treaty which cannot be resolved through administrative channels shall be settled on the basis of arrangements to be agreed between the High Contracting Parties.

*Article 16*

The following shall be abrogated with effect from the date of entry into force of this Treaty :

(a) the provisions of the Convention regarding establishment and labour, concluded on 20 February 1933<sup>1</sup> at Geneva between the Netherlands and Belgium, in so far as they apply to the activities of wage-earners;

(b) the provisions of the Convention concerning establishment and labour, concluded on 1 April 1933<sup>2</sup> at The Hague between the Netherlands and the Grand Duchy of Luxembourg, in so far as they apply to the activities of wage-earners;

(c) all the provisions of the Labour Treaty concluded on 20 October 1926<sup>3</sup> at Luxembourg between Belgium and the Grand Duchy of Luxembourg.

*Article 17*

The High Contracting Parties shall take appropriate measures to facilitate the transfer of wages and savings.

*Article 18*

This Treaty shall remain in force for an indefinite period and may be denounced at any time by any one of the High Contracting Parties by means of a declaration addressed to the Belgian Government, which shall notify the other High Contracting Parties of the contents. The Treaty shall cease to have effect for all the High Contracting Parties one year after receipt by the Belgian Government of the declaration of denunciation.

*Article 19*

This Treaty shall be ratified and the instruments of ratification shall be deposited with the Belgian Government as soon as possible. The Treaty shall enter into force on the date of deposit of the third instrument of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Treaty.

DONE in triplicate at The Hague, on 7 June 1956, in the French and Dutch languages, both texts being equally authentic.

For the Kingdom of Belgium :

L. E. TROCLET

For the Grand Duchy of Luxembourg :

KREMER

BIEVER

For the Kingdom of the Netherlands :

J. W. BEYEN

J. LUNS

J. G. SUURHOFF

<sup>1</sup> League of Nations, *Treaty Series*, Vol. CLXV, p. 383.

<sup>2</sup> League of Nations, *Treaty Series*, Vol. CLXXIX, p. 11.

<sup>3</sup> League of Nations, *Treaty Series*, Vol. LXXVIII, p. 375.

## PROTOCOL OF SIGNATURE

Having signed this day a Labour Treaty,<sup>1</sup> the High Contracting Parties have agreed :

(a) with respect to article 3,

that this article establishes a transitional regime which may be terminated by agreement between the High Contracting Parties, it being understood that article 3 shall in any event cease to apply five years after the entry into force of the Treaty of Economic Union<sup>2</sup> which the High Contracting Parties propose to conclude;

(b) with respect to article 19,

that the High Contracting Parties shall take all necessary steps under their domestic laws to ensure that the Labour Treaty takes effect not later than the date of the entry into force of the Treaty of Economic Union which the High Contracting Parties propose to conclude.

DONE in triplicate at The Hague, on 7 June 1956, in the French and Dutch languages, both texts being equally authentic.

For the Kingdom of Belgium :

L. E. TROCLET

For the Grand Duchy of Luxembourg :

KREMER

BIEVER

For the Kingdom of the Netherlands :

J. W. BEYEN

J. LUNS

J. G. SUURHOFF

## PROTOCOL

The High Contracting Parties have agreed as follows :

The Labour Treaty concluded at The Hague on 7 June 1956<sup>1</sup> between Belgium, Luxembourg and the Netherlands shall, provisionally, not apply to workers engaged as members of a ship's crew.

This Protocol shall enter into force at the same time as the Labour Treaty. It shall be valid for a period of one year and shall be automatically renewed from year to year.

<sup>1</sup> See p. 158 of this volume.

<sup>2</sup> See p. 165 of this volume.

It may be denounced or amended at any time by agreement between the High Contracting Parties.

DONE in triplicate at The Hague, on 7 June 1956, in the French and Dutch languages, both texts being equally authentic.

For the Kingdom of Belgium :

L. E. TROCLET

For the Grand Duchy of Luxembourg :

KREMER

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For the Kingdom of the Netherlands :

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