

**No. 5586**

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**UNITED STATES OF AMERICA  
and  
NETHERLANDS**

**Exchange of notes constituting an arrangement relating to the disposition of equipment and materials. The Hague, 12 and 26 November 1953**

**Exchange of notes constituting an arrangement amending the above-mentioned Arrangement. The Hague, 10 and 13 August 1960**

*Official text: English.*

*Registered by the United States of America on 23 February 1961.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
PAYS-BAS**

**Échange de notes constituant un arrangement relatif à la liquidation de matériel et d'équipement. La Haye, 12 et 26 novembre 1953**

**Échange de notes constituant un arrangement modifiant l'Arrangement susmentionné. La Haye, 10 et 13 août 1960**

*Texte officiel anglais.*

*Enregistrés par les États-Unis d'Amérique le 23 février 1961.*

No. 5586. EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS RELATING TO THE DISPOSITION OF EQUIPMENT AND MATERIALS. THE HAGUE, 12 AND 26 NOVEMBER 1953

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I

*The American Chargé d'Affaires ad interim to the Netherlands Minister of Foreign Affairs*

No. 218

The Chargé d'Affaires of the United States of America presents his compliments to the Royal Netherlands Minister of Foreign Affairs and has the honor to refer to the Ministry's letter of October 22, 1953 (DMA-530F)<sup>2</sup> and the Embassy's letter of July 17, 1953,<sup>2</sup> relating to a memorandum of understanding<sup>2</sup> on surplus and redistributable property under the Mutual Defense Assistance Program.

The mutual undertaking to return surplus equipment and materials already exists and is incorporated specifically in the exchange of notes of January 8, 1952 between the Governments of the United States of America and the Kingdom of the Netherlands.<sup>3</sup> Therefore, the following implementing procedures are proposed under which equipment and materials furnished by the Government of the United States of America under the Mutual Defense Assistance Act of 1949, as amended, or by either Government under the Mutual Defense Assistance Agreement of January 27, 1950,<sup>4</sup> other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available will be offered for return to the Government which furnished such assistance for appropriate disposition.

*Article 1*

The Government of the Kingdom of the Netherlands will report to the United States Military Assistance Advisory Group (Netherlands) such equipment and material furnished under end item programs as are no longer required for the fulfilment of its commitments under the Mutual Defense Assistance Agreement of January 27, 1950.

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<sup>1</sup> Came into force on 26 November 1953 by the exchange of the said notes.

<sup>2</sup> Not printed by the Department of State of the United States of America.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 179, p. 175.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 80, p. 219.

*Article 2*

The Government of the United States of America may accept title to such equipment and material for transfer to a third country or for such other disposition as may be made by the Government of the United States of America.

*Article 3*

When title is accepted by the Government of the United States of America, such equipment and material will be delivered free alongside ship in the Netherlands in case ocean shipment is required, or delivered free on board inland carrier at a shipping point in the Netherlands designated by the MAAG in the event ocean shipping is not required.

*Article 4*

Such property reported no longer required by the Government of the Kingdom of the Netherlands to fulfil its commitments under the Mutual Defense Assistance Agreement of January 27, 1950, and not accepted by the Government of the United States of America for redistribution or return will be disposed of in a manner to be agreed upon between the two Governments.

*Article 5*

Any salvage or scrap from property furnished under the Mutual Defense Assistance Agreement of January 27, 1950 shall be reported to the Government of the United States of America in accordance with Article 1 and shall be disposed of in accordance with Articles 2, 3 and 4 of this Note. Salvage or scrap which is not accepted by the Government of the United States of America will be used to support the defense effort of the Netherlands or other countries to whom military assistance is being furnished by the Government of the United States of America.

It is proposed further, that this note and the Ministry's affirmative reply constitute the implementing procedures as outlined above.

American Embassy

The Hague, November 12, 1953

## II

*The Netherlands Minister of Foreign Affairs to the American Ambassador*

MINISTRY OF FOREIGN AFFAIRS  
THE HAGUE

No. DMA 141240—9249 G.S.

The Minister of Foreign Affairs presents his compliments to the Ambassador extraordinary and plenipotentiary of the United States of America and has the

honour to refer to Note No. 218, dated November 12, 1953, of the American Chargé d'Affaires relating to surplus and redistributable property under the Mutual Defense Assistance Program.

The mutual undertaking to return surplus equipment and materials already existing and having been incorporated specifically in the exchange of notes of January 8, 1952, between the Government of the Kingdom of the Netherlands and the Government of the United States of America, the Minister agrees that the following implementing procedures are to be conformed to when equipment and materials, furnished by the Government of the United States of America under the Mutual Defense Assistance Act of 1949, as amended, or by either Government under the Mutual Defense Assistance Agreement of January 27, 1950, other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available, will be offered for return to the Government which furnished such assistance, for appropriate disposition.

[See note I]

It is agreed further that Note No. 218, dated November 12, 1953, of the Chargé d'Affaires of the United States of America and this reply constitute the implementing procedures as outlined above.

[SEAL]

The Hague, November 26, 1953

To the Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
The Hague

EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS AMENDING THE ARRANGEMENT OF 12 AND 26 NOVEMBER 1953<sup>2</sup> RELATING TO THE DISPOSITION OF EQUIPMENT AND MATERIALS. THE HAGUE, 10 AND 13 AUGUST 1960

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I

*The American Ambassador to the Netherlands Minister of Foreign Affairs ad interim*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 81

The Hague, August 10, 1960

Excellency :

I have the honor to refer to the arrangements between our two Governments effected by an exchange of notes signed at The Hague on November 12 and 26, 1953,<sup>2</sup> concerning surplus and redistributable property under the Mutual Defense Assistance Program, and to propose that those arrangements be amended by adding a new Article 6, reading as follows :

*Article 6*

Notwithstanding the other provisions of these arrangements, the Government of the Kingdom of the Netherlands may from time to time offer to the NATO Maintenance Supply Services System, through the NATO Maintenance Supply Services Agency (NMSSA), for redistribution, such spare parts as are no longer required by any of the armed forces of the Government of the Kingdom of the Netherlands which are supported by military assistance from the Government of the United States of America. Each offer of spare parts to NMSSA shall be submitted in advance by the Government of the Kingdom of the Netherlands in adequate detail to the appropriate military representatives of the Government of the United States of America for their approval. The approval of the Government of the United States of America shall not be withheld if the spare parts are no longer required by any of the armed forces of the Government of the Kingdom of the Netherlands which are supported by military assistance from the Government of the United States of America. The Government of the Kingdom of the Netherlands shall comply with the other provisions of these arrangements with regard to such spare parts as are offered to, but not accepted by, NMSSA.

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<sup>1</sup> Came into force on 13 August 1960 by the exchange of the said notes.

<sup>2</sup> See p. 304 of this volume.

I have the honor to propose that, if the foregoing is acceptable to Your Excellency's Government, this note and Your Excellency's note in reply concurring therein shall constitute an amendment, agreed between our two Governments, to the arrangements of November 12 and 26, 1953, which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Philip YOUNG

His Excellency J. E. de Quay  
Minister of Foreign Affairs ad interim  
The Hague

## II

*The Netherlands Minister of Foreign Affairs ad interim to the American Ambassador*

MINISTRY OF FOREIGN AFFAIRS  
THE HAGUE

NATO— and WEU— Affairs  
NA—14334

The Hague, August 13, 1960

Sir,

I have the honour to acknowledge receipt of your Note No. 81, dated August 10, 1960, which reads as follows :

[*See note I*]

I have the honour to confirm that the Government of the Netherlands accept your proposal and consider your note and this reply as an amendment to the arrangements of November 12 and 26, 1953, between our two Governments.

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

J. DE QUAY

His Excellency Philip Young  
Ambassador of the United States of America  
The Hague