

No. 7975

**NETHERLANDS
and
LUXEMBOURG**

Treaty concerning co-operation in diplomatic representation. Signed at The Hague, on 24 March 1964

Official texts: Dutch and French.

Registered by the Netherlands on 17 November 1965.

**PAYS-BAS
et
LUXEMBOURG**

Traité relatif à la coopération dans le domaine de la représentation diplomatique. Signé à La Haye, le 24 mars 1964

Textes officiels néerlandais et français.

Enregistré par les Pays-Bas le 17 novembre 1965.

[TRANSLATION — TRADUCTION]

No. 7975. TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE GRAND DUCHY OF LUXEMBOURG CONCERNING CO-OPERATION IN DIPLOMATIC REPRESENTATION. SIGNED AT THE HAGUE, ON 24 MARCH 1964

Her Majesty the Queen of the Netherlands and

Her Royal Highness the Grand Duchess of Luxembourg,

Considering that, in accordance with long-standing tradition, Netherlands diplomatic missions assume responsibility for the representation of the Grand Duchy of Luxembourg and the protection of its interests in States in which the Grand Duchy of Luxembourg does not maintain a diplomatic mission ;

Having regard to the Arrangement concluded in that connexion at The Hague on 6 and 7 January 1880 by means of an exchange of notes ;

Desiring to establish a new basis for their co-operation in this sphere in the light of the rules laid down in the Vienna Convention of 18 April 1961² on diplomatic relations ;

Have decided to conclude a treaty for that purpose and have to that end appointed as their plenipotentiaries :

Her Majesty the Queen of the Netherlands :

His Excellency Mr. J. M. A. H. Luns, Minister for Foreign Affairs ;

Her Royal Highness the Grand Duchess of Luxembourg :

His Excellency Mr. Eugène Schaus, Vice-President of the Government and Minister for Foreign Affairs ;

His Excellency Mr. P. Schulté, Ambassador Extraordinary and Plenipotentiary of Luxembourg at The Hague,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

Article 1

1. The High Contracting Parties shall co-operate, in accordance with the provisions of the following articles, with a view to ensuring, in States to which the Grand

¹ In accordance with article 13, the Treaty came into force on 8 October 1965, one month after the exchange of the instruments of ratification, which took place at Luxembourg on 8 September 1965.

² United Nations, *Treaty Series*, Vol. 500, p. 95.

Duchy of Luxembourg has not accredited a diplomatic representative or in which there is temporarily no authorized diplomatic representative of Luxembourg, the representation of the Grand Duchy of Luxembourg or the protection of Luxembourg interests by the Netherlands diplomatic representatives accredited to the States concerned.

2. The application of the provisions of this Treaty shall be subject to the consent of interested third States where such consent is required under international law.

Article 2

1. At the request of the Government of the Grand Duchy of Luxembourg, the Government of the Kingdom of the Netherlands shall make the necessary arrangements to ensure that in a State to which the Grand Duchy of Luxembourg has not accredited a diplomatic representative :

- a. The head of the Netherlands diplomatic mission accredited to the State in question may also be accredited by the Grand Duchy of Luxembourg, or
- b. The Netherlands diplomatic mission accredited to the State in question assumes responsibility for the protection of Luxembourg interests.

2. The two Governments shall decide, by agreement between them, which of the two forms of co-operation referred to above is to be employed in each case.

Article 3

The Government of the Grand Duchy of Luxembourg may request the Government of the Kingdom of the Netherlands to instruct the Netherlands diplomatic representative to assume responsibility for the protection of Luxembourg interests in a State to which the Grand Duchy of Luxembourg has accredited a diplomatic mission, if there is temporarily no authorized Luxembourg diplomatic representative present or able to perform his functions.

Article 4

A head of a Netherlands diplomatic mission who is also accredited by the Grand Duchy of Luxembourg may, in the latter capacity, instruct the members of the Netherlands diplomatic mission to represent him or to assist him. If a chargé d'affaires *ad interim* is acting as head of the Netherlands diplomatic mission, he shall also act as chargé d'affaires *ad interim* of the Grand Duchy of Luxembourg.

Article 5

1. In the various cases referred to in the preceding articles, Netherlands diplomatic representatives shall exercise such powers as are vested, in accordance with international law and usage and with the laws and usages of the Grand Duchy of Luxembourg, as the case may be, in heads or members of diplomatic missions.

2. It is understood, however, that where Luxembourg interests do not in their opinion require immediate action, Netherlands diplomatic representatives shall limit their activities to those which the Government of the Grand Duchy of Luxembourg requests them to carry out.

Article 6

1. The Government of the Kingdom of the Netherlands shall not be bound to comply with a request made by the Government of the Grand Duchy of Luxembourg under the terms of this Treaty if it considers that to do so would be contrary to its own interests.

2. Either of the two Governments may terminate at any time, in particular cases, arrangements made under the terms of this Treaty.

3. In the cases referred to in this article, the Government of the Grand Duchy of Luxembourg shall be free to ensure the representation of Luxembourg or the protection of its interests by other means. The same shall apply in cases where the Kingdom of the Netherlands has not accredited a diplomatic mission to a State in which the Government of the Grand Duchy of Luxembourg wishes to ensure the representation of the Grand Duchy or the protection of its interests.

Article 7

The Grand Duchy of Luxembourg shall reimburse to the Kingdom of the Netherlands any expenditure incurred by Netherlands diplomatic missions in the exclusive interest of the Grand Duchy of Luxembourg and its nationals.

Article 8

At the request of the Government of the Grand Duchy of Luxembourg, the two Governments may, by agreement between them, apply the provisions of this Treaty in respect of the representation of the Grand Duchy of Luxembourg or the protection of Luxembourg interests in international organizations.

Article 9

The Ministers for Foreign Affairs of the High Contracting Parties shall agree on the arrangements necessary to ensure the application of this Treaty, particularly with regard to communications between the Luxembourg Government and Netherlands diplomatic missions.

Article 10

Where Netherlands diplomatic representatives are not acting as representatives of the Grand Duchy of Luxembourg, the Kingdom of the Netherlands alone shall be regarded as their sending State.

Article 11

1. As from the date of the entry into force of this Treaty, the Arrangement concerning the diplomatic and consular representation of the Grand Duchy of Luxembourg by the Kingdom of the Netherlands concluded at The Hague on 6 and 7 January 1880 by means of an exchange of notes shall cease to have effect.

2. This Treaty shall not affect any arrangements made under the Convention establishing the Belgo-Luxembourg Economic Union¹ in regard to the consular representation of the Grand Duchy of Luxembourg and the protection of the economic and financial interests of the Union.

Article 12

Either of the High Contracting Parties may denounce this Treaty at any time, subject to three months' notice, by so informing the other Party in writing.

Article 13

This Treaty shall be ratified ; the instruments of ratification shall be exchanged at Luxembourg as soon as possible.

This Treaty shall enter into force one month after the exchange of the instruments of ratification.

IN WITNESS WHEREOF the aforementioned plenipotentiaries of the High Contracting Parties have signed this Treaty and have thereto affixed their seals.

DONE at The Hague on 24 March 1964, in duplicate in the Dutch and French languages, both texts being equally authentic.

For the Kingdom
of the Netherlands :

(Signed) J. LUNS

(Signed) REUCLIN

For the Grand Duchy
of Luxembourg :

(Signed) E. SCHAUS

(Signed) P. SCHULTÉ

¹ League of Nations, *Treaty Series*, Vol. IX, p. 223 ; Vol. CXXXIV, p. 394, and Vol. CLX, p. 327.