

No. 8636

NETHERLANDS
and
BELGIUM

Treaty concerning the mining of coal in certain areas, parallel to the frontier, of the coal mines situated along the Meuse (with map attached). Signed at The Hague, on 27 April 1965

Official texts: Dutch and French.

Registered by the Netherlands on 5 June 1967.

PAYS-BAS
et
BELGIQUE

Traité relatif à l'exploitation de la houille dans des zones, parallèles à la frontière, des charbonnages situés le long de la Meuse (avec carte jointe). Signé à La Haye, le 27 avril 1965

Textes officiels néerlandais et français.

Enregistré par les Pays-Bas le 5 juin 1967.

[TRANSLATION — TRADUCTION]

No. 8636. TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF BELGIUM CONCERNING THE MINING OF COAL IN CERTAIN AREAS, PARALLEL TO THE FRONTIER, OF THE COAL MINES SITUATED ALONG THE MEUSE. SIGNED AT THE HAGUE, ON 27 APRIL 1965

Her Majesty the Queen of Netherlands, on the one hand, and
His Majesty the King of the Belgians, on the other,

Desirous of making it possible for the coal mines situated on both sides of the mining boundary fixed by the treaty between the Kingdom of the Netherlands and the Kingdom of Belgium, signed at Brussels on 23 October 1950,² to work the coal in a given mine by starting from the mines situated on the other side of the said boundary from a point up to 500 metres from the latter;

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

Her Majesty the Queen of the Netherlands :

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

His Majesty the King of the Belgians :

His Excellency Baron F. X. van der Stratén-Waillet, Ambassador Extraordinary and Plenipotentiary at The Hague,

who, having produced their full powers, found to be in good and due form, have agreed upon the following provisions :

Article 1

This Treaty shall apply :

- (a) To the part of the Maurits State Mine situated east of the mining boundary fixed by the treaty between the Kingdom of the Netherlands and the Kingdom of Belgium signed at Brussels on 23 October 1950; the part is shown in blue on the map appended hereto³ and is bounded :

On the south by a line perpendicular to the stretch of the mining boundary falling between points 64a and 66, such line passing through the first point;

¹ Came into force on 23 March 1967, the date of the exchange of the instruments of ratification at Brussels, in accordance with article 5.

² United Nations, *Treaty Series*, Vol. 136, p. 31, and Vol. 507, p. 270.

³ See insert between pp. 240 and 241 of this volume.

On the east by a line parallel to the mining boundary and 500 metres distant from the latter, up to the point intersecting the northern boundary of the mining area;

On the north by the northern boundary of the mining area;

On the west by the mining boundary;

- (b) To the part of the mine of the Société Anonyme des Charbonnages Limbourg-Meuse situated west of the mining boundary referred to in (a) above; the part is shown in yellow on the map appended hereto and is bounded :

On the south by a line perpendicular to the stretch of the mining boundary falling between points 64a and 66, such line passing through the first point;

On the east by the mining boundary;

On the north by a line passing through point 145 and extending the northern boundary of the mining area of the Maurits State Mine to the point intersecting the line referred to in the sub-paragraph starting "on the west";

On the west by a line parallel to the mining boundary and 500 metres distant from the latter.

Article 2

1. If there is a written agreement between the managers of the relevant mining enterprises, coal seams may be mined and any opening-up operations necessary for such mining may be undertaken, within the limits of such agreement, by crossing the mining boundary referred to in article 1, notwithstanding the provisions of article 4, paragraphs 1 and 2 of the treaty between the Kingdom of the Netherlands and the Kingdom of Belgium signed at Brussels on 23 October 1950 :

- a. By the mine situated on the Belgian side, in the part referred to in article 1 (a) of the mine situated on the Netherlands side; and
- b. By the mine situated on the Netherlands side, in the part referred to in article 1 (b) of the mine situated on the Belgian side;

the work in question may be undertaken only after the Mining Inspectorates of the two States have declared that they have no objection from the point of view of the general safety of the mine and safety of underground operations.

2. A written agreement, as referred to in the preceding paragraph, must satisfy any special conditions which, in the unanimous opinion of the Mining Inspectorates of the two States, must be fulfilled in order to ensure the safety of underground operations.

Article 3

During the mining and opening-up operations undertaken in pursuance of article 2, neither on the Netherlands nor on the Belgian side, in the mine situated

beyond the mining boundary referred to in article 1, shall any communication be established between the underground operations in the two mines and a distance of at least 20 metres must be maintained between such operations. This distance may be reduced only when any piercing between the underground operations in question is excluded and authorization is given by the Mining Inspectorates of the two States.

Article 4

The provisions of articles 2, 5 and 6 of the aforementioned treaty shall apply in respect of the parts of the above-mentioned mines which are opened up and mined in pursuance of article 2, it being understood that the distance of 500 metres specified in paragraph 1 of the said article 6 shall be changed to read "600 metres".

Article 5

1. This Treaty shall be ratified. The instruments of ratification shall be exchanged at Brussels as soon as possible.

2. This Treaty shall enter into force on the date of exchange of the instruments of ratification.

IN WITNESS WHEREOF the aforesaid plenipotentiaries have signed this Treaty and have affixed thereto their seals.

DONE in duplicate, at The Hague, on 27 April 1965, in the Dutch and French languages, both texts being equally authentic.

For the Kingdom of the Netherlands :

J. LUNS

For the Kingdom of Belgium :

VAN DER STRATEN