

No. 10305

**NETHERLANDS, BELGIUM and LUXEMBOURG
and
SAN MARINO**

**Exchange of letters constituting an agreement concerning the
facilitation of travel between their respective territories.
Rome and San Marino, 12 June 1969**

Authentic text: French.

Registered by the Netherlands on 6 February 1970.

**PAYS-BAS, BELGIQUE et LUXEMBOURG
et
SAINT-MARIN**

**Échange de lettres constituant un arrangement tendant à faciliter
la circulation de leurs ressortissants respectifs. Rome et
Saint-Marin, 12 juin 1969**

Texte authentique : français.

Enregistré par les Pays-Bas le 6 février 1970.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE NETHERLANDS, THE GOVERNMENT OF BELGIUM AND THE GOVERNMENT OF LUXEMBOURG, ON THE ONE HAND, AND THE GOVERNMENT OF SAN MARINO ON THE OTHER, CONCERNING THE FACILITATION OF TRAVEL BETWEEN THEIR RESPECTIVE TERRITORIES

I

*The Ambassadors of Belgium, Luxembourg and the Netherlands
To His Excellency the Secretary of State for Foreign Affairs of San Marino*

Sir,

We have the honour to inform you that the Governments of the Benelux countries, acting jointly under the Convention between the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands on the transfer of control of persons to the external frontiers of Benelux territory, signed at Brussels, on 11 April 1960,² are prepared to conclude with the Government of San Marino an Agreement to facilitate the travel of their respective nationals.

With that end in view, and bearing in mind the regulations resulting from the transfer of control of persons to the external frontiers of Benelux territory, we have the honour to propose the following:

1. For the purpose of this Agreement,

the term "Benelux countries" means the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;

the term "Benelux territory" means the whole of the territories, in Europe, of the Kingdom of Belgium, of the Grand Duchy of Luxembourg, and of the Kingdom of the Netherlands.

¹ Came into force on 12 June 1969, in accordance with paragraph 10.

² United Nations, *Treaty Series*, vol. 374, p. 3.

2. Nationals of the Benelux countries, whatever their country of residence, may enter the Republic of San Marino for a maximum stay of three months during any one twelve-month period, and depart therefrom, by any authorized frontier post, provided that they are in possession of one of the following documents:

A. *Belgian nationals:*

- a. a valid national passport or one the validity of which expired less than five years earlier;
- b. a Belgian identity card.

B. *Luxembourg nationals:*

- a. a valid national passport or one the validity of which expired less than five years earlier;
- b. a Luxembourg identity card.

C. *Netherlands nationals:*

- a. a valid national passport or one the validity of which expired less than five years earlier;
- b. a valid identity card (*toeristenkaart*)

3. San Marino nationals, whatever their country of residence, may enter and leave Benelux territory by any authorized frontier post, provided that they are in possession of a valid national passport or one the validity of which expired less than five years earlier, or a valid San Marino identity card, provided that their stay in all the Benelux countries does not exceed nine months during any one twelve-month period and provided that their stay in each Benelux country does not exceed three months during any one six-month period.

4. Nationals of the Benelux countries and San Marino nationals intending to stay, respectively, in San Marino or a Benelux country, for an uninterrupted period of more than three months must, whatever the purpose of their stay, possess a valid national passport and have obtained in advance the required authorization from the competent authorities of the country in which they intend to reside; such authorization shall be issued free of charge.

5. Subject to the foregoing provisions, persons covered by this Agreement shall be required to comply in the countries they are visiting with the laws and regulations applicable to aliens in respect of entry, stay—whether temporary or permanent—, work or employment and professional or commercial activities.

6. Each signatory Government reserves the right to refuse admission to its country to persons not in possession of the necessary travel documents, not having adequate means of subsistence or the possibility of acquiring such means by legally authorized work or who are designated as undesirable or deemed likely to endanger public law and order or national security.

7. Each signatory Government undertakes to readmit to its territory at any time and without formalities any holder of one of the travel documents specified in this Agreement, even if the nationality of the person concerned is in question.

8. Each signatory Government reserves the right to suspend temporarily the application of this Agreement—with the exception of paragraph 7—for reasons of public order or national security—after giving forty-eight hours' advance notice to the other Governments by the diplomatic or consular channel.

Notification of suspension given by the San Marino Government to the Government of one of the Benelux countries shall be considered as having been given as well to the Governments of the two other countries.

9. In the case of the Kingdom of the Netherlands, this Agreement shall for the time being apply exclusively to the territory of the said Kingdom in Europe. However, the application of the Agreement may be extended to include any other part of the Kingdom's territory by written notification from the Netherlands Government to the San Marino Government.¹

10. This Agreement shall enter into force on 12 June 1969 for a period of one year. Unless it is terminated thirty days before the end of this period, the Agreement shall be considered as extended indefinitely. Following the initial one-year period, each signatory Government may terminate it by giving two months' notice to the Belgian Government.

Termination by one of the signatory Governments shall cause the Agreement to lapse.

The Belgian Government shall inform the other signatory Governments of the receipt of the notifications specified in this paragraph.

If the San Marino Government is prepared to conclude an Agreement with the Governments of the Benelux countries in accordance with the above provisions, we propose that this letter and your reply to the same effect, which should be addressed to each of us, should constitute an Agreement between the San Marino Government and the Governments of the Benelux countries.

¹ The Government of San Marino was notified on 12 August 1969 by the Government of the Netherlands that the Agreement had been extended to Surinam and to the Netherlands Antilles. The Agreement came into force on that date for Surinam and the Netherlands Antilles.

We take this opportunity, etc.

12 June 1969.

For the Kingdom of Belgium :

Edouard LONGERSTAËY

Ambassador of Belgium to Italy

For the Grand Duchy of Luxembourg :

Pierre MAJERUS

Ambassador of Luxembourg

For the Kingdom of the Netherlands :

H. VAN VREDENBURCH

Ambassador of the Netherlands to Italy

II

REPUBLIC OF SAN MARINO

SECRETARY OF STATE FOR FOREIGN AFFAIRS

1468/Aa/243/4/5/6

San Marino, 12 June 1969/1668 d.F.R.

Sir,

I have the honour to acknowledge receipt of your letter of 12 June 1969 in which you informed me of the following:

[*See letter I*]

I have the honour to inform you that the Government of the Republic of San Marino is prepared to conclude an Agreement in Accordance with the above provisions with the Governments of the Benelux countries and agrees

that the aforementioned letter and this reply shall constitute an Agreement between the Governments of the Benelux countries and the Government of San Marino.

Accept, Sir, etc.

Frederico BIGI
Secretary of State

His Excellency Mr. H. van Vredenburg
Ambassador of the Netherlands to Italy
Rome ¹

¹ A letter in identical terms was sent by the Secretary of State of San Marino to the Ambassadors of Belgium and Luxembourg in Rome on the same date.