

No. 19692

**UNITED STATES OF AMERICA
and
NETHERLANDS**

**Exchange of notes constituting an agreement concerning
weather stations (with memorandum of arrangement
of 26 July and 20 August 1979). The Hague, 26 July
1979**

Authentic text: English.

Registered by the United States of America on 27 March 1981.

**ÉTATS-UNIS D'AMÉRIQUE
et
PAYS-BAS**

**Échange de notes constituant un accord relatif aux stations
météorologiques (avec mémorandum d'application des
26 juillet et 20 août 1979). La Haye, 26 juillet 1979**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 27 mars 1981.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS CONCERNING WEATHER STATIONS

I

The American Ambassador to the Dutch Minister of Foreign Affairs

No. 37

Excellency:

I have the honor to refer to the informal cooperation between the Government of the United States and the Government of the Netherlands Antilles over a span of many years which has resulted in the provision, by the National Weather Service of the U.S. National Oceanic and Atmospheric Administration and its predecessors, the Environmental Science Services Administration, and the U.S. Weather Bureau, of advisories and warnings of weather situations potentially dangerous to the Caribbean area with emphasis on tropical storms and hurricanes. Throughout the Caribbean area, these advisories and warnings have been instrumental in the reduction of human and economic loss due to these destructive forces of nature. The Netherlands Antilles have made a very significant contribution to the cooperation by furnishing extremely valuable special and timely weather reports during periods of threatening weather conditions in the Caribbean area.

In view of the mutual benefit of this cooperation and wishing to place our continuing cooperation on a formal basis, my Government proposes that an Agreement be concluded to provide for the establishment of a cooperative program on the following terms:

1. *Purpose.* The purpose of this program is to provide, through the cooperation of the designated Cooperating Agencies of the Government of the United States and the Government of the Netherlands Antilles,

- (a) Tropical cyclone forecasts and warnings, and
- (b) Increased meteorological observational reports during times of emergency.

2. *Cooperating Agencies.* The Cooperating Agencies shall be:

- (a) For the Government of the United States of America, the National Oceanic and Atmospheric Administration, Department of Commerce, hereinafter referred to as the United States Cooperating Agency, and
- (b) For the Government of the Netherlands Antilles, the Meteorological Service of the Netherlands Antilles, hereinafter referred to as the Netherlands Antilles Cooperating Agency.

3. *Expenditures.* All expenditures incident to the obligations assumed by the United States Cooperating Agency shall be paid by the Government of the United States of America, and all expenditures incident to the obligations assumed by the Netherlands Antilles Cooperating Agency shall be paid by the Government of the Netherlands Antilles.

¹ Came into force on 8 May 1980, the date on which the Government of the Kingdom of the Netherlands notified the Government of the United States of America that the necessary constitutional procedures required in the Netherlands had been completed with, in accordance with the provisions of the said notes.

4. *Liability.* No liability shall attach to either Government or Cooperating Agency as a result of failure of the advisories or warnings to predict weather conditions in an accurate manner, or as a result of a failure to transmit tropical cyclone forecasts and warnings in a timely fashion. Neither Government or its Cooperating Agency warrants the suitability of the information provided under this Agreement for any particular use.

5. *Appropriation of Funds.* To the extent that the carrying out of any provisions of this Agreement will depend on funds appropriated by the Congress of the United States or the representative body of the Netherlands Antilles, it shall be subject to the availability of such funds.

6. *Memorandum of Arrangement.* A Memorandum of Arrangement, specifying further details of the cooperative program to be operated under this Agreement, shall be agreed to by the United States Cooperating Agency and the Netherlands Antilles Cooperating Agency.

7. *Amendments.* This Agreement may be amended at any time by mutual consent of the Governments of the United States and the Kingdom of the Netherlands.

8. *Application.* As regards the Kingdom of the Netherlands, the present Agreement shall apply only to the Netherlands Antilles.

9. *Term.* This Agreement shall remain in force for ten years unless terminated by mutual agreement or by either Government upon sixty days' notice in writing to the other Government.

If the foregoing meets the approval of the Government of the Kingdom of the Netherlands, I have the honor to propose that this Note and Your Excellency's reply to that effect shall constitute an Agreement between our two Governments concerning this matter, which shall enter into force on the date on which the Government of the Kingdom of the Netherlands notifies the Government of the United States of America that the necessary constitutional procedures required in the Kingdom of the Netherlands have been complied with.

Accept, Excellency, the assurances of my highest consideration.

[Signed — Signé]¹

His Excellency Dr. Christoph A. van der Klaauw
Minister of Foreign Affairs
of the Kingdom of the Netherlands

II

The Dutch Minister for Foreign Affairs to the American Ambassador

MINISTERIE VAN BUITENLANDSE ZAKEN²

DVE/VV-205382

Excellency,

I have the honour to acknowledge receipt of your Note of 26 July, No. 37, which reads as follows:

[See note I]

¹ Signed by Geri M. Joseph — Signé par Geri M. Joseph.

² Office of the Ministry for Foreign Affairs.

I have the honour to confirm that the foregoing meets the approval of the Government of the Kingdom of the Netherlands and that Your Excellency's Note and this reply shall constitute an Agreement between our two Governments concerning this matter, which shall enter into force on the date on which the Government of the Kingdom of the Netherlands notifies the Government of the United States of America that the necessary constitutional procedures required in the Kingdom of the Netherlands have been complied with.

Please accept Excellency the assurance of my highest consideration.

The Hague, 26 July 1979

[Signed]

C. A. VAN DER KLAUW
Minister for Foreign Affairs

To the Ambassador of the United States
of America at The Hague

MEMORANDUM OF ARRANGEMENT

The National Oceanic and Atmospheric Administration (NOAA) of the United States Department of Commerce, hereinafter referred to as the United States Cooperating Agency, and the Netherlands Antilles Meteorological Service, hereinafter referred to as the Netherlands Antilles Cooperating Agency, pursuant and subject to the provisions of the Agreement effected by the exchange of Notes on July 26, 1979, between the Government of the United States of America and the Government of the Kingdom of the Netherlands regarding the preparation and provision of tropical cyclone forecasts and warnings, and provisions of special meteorological observations, have agreed as follows:

1. *Name of Program.* The cooperative program to which this Memorandum of Arrangement refers shall be known as the "Netherlands Antilles-United States Hurricane Warning Program."

2. *Conduct of Work.* The management of the program and the conduct of the forecast and forecast distribution operations shall be under the control of the United States Cooperating Agency, acting in consultation, as necessary, with the Netherlands Antilles Cooperating Agency. The taking and transmitting of special meteorological observations shall be under the control of the Netherlands Antilles Cooperating Agency.

3. *Specific Undertakings on the Part of the United States Cooperating Agency.* The United States Cooperating Agency shall:

- (a) Prepare warnings associated with tropical cyclones for the Netherlands Antilles;
- (b) Provide forecasts for all tropical cyclones in the North Atlantic including those expected to influence Curaçao, Aruba, Bonaire, St. Eustatius, Saba and St. Martin. This information will be contained in advisories issued by the NOAA National Hurricane Center as frequently as every three hours when a cyclone approaches the Netherlands Antilles;

- (c) Predict and describe the meteorological conditions (winds, tides, and rainfall) expected to influence the Netherlands Antilles when a tropical cyclone is forecast to affect those islands;
- (d) Address the information specified in 3(a)-3(c) to an agreed-upon addressee in the Netherlands Antilles.

4. *Specific Undertakings on the Part of the Netherlands Antilles Cooperating Agency.* The Netherlands Antilles Cooperating Agency shall:

- (a) Provide special surface weather observations when a subject island is being threatened by a tropical storm;
- (b) Disseminate within the Netherlands Antilles all advisories and warnings as may be required.

5. *Term.* This Memorandum of Arrangement shall enter into force on the same date as the Agreement referred to in the introduction of the Memorandum and shall expire on the same date as said Agreement.

6. *Amendments.* The terms of this Memorandum of Arrangement may be amended at any time by agreement between the two Cooperating Agencies.

IN WITNESS WHEREOF the undersigned, being authorized thereto, have executed this Memorandum of Arrangement.

For the United States
Cooperating Agency:

[Signed — Signé]¹

Place: The Hague, The Netherlands

Date: July 26, 1979

For the Netherlands Antilles
Cooperating Agency:

[Signed — Signé]²

Place: The Hague, The Netherlands

Date: August 20, 1979

¹ Signed by Geri M. Joseph — Signé par Geri M. Joseph.

² Signed by Eldrid G. Maduro — Signé par Eldrid G. Maduro.