

No. 20885

**UNITED STATES OF AMERICA
and
NETHERLANDS**

Exchange of notes constituting an agreement relating to storage of defense *matériels*. The Hague, 15 January 1981

Authentic text: English.

Registered by the United States of America on 1 March 1982.

**ÉTATS-UNIS D'AMÉRIQUE
et
PAYS-BAS**

Échange de notes constituant un accord concernant le stockage de matériels de défense. La Haye, 15 janvier 1981

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} mars 1982.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS RE- LATING TO STORAGE OF DEFENSE MATERIELS

I

The American Ambassador to the Dutch Minister for Foreign Affairs

The Hague, January 15, 1981

No. 3

Excellency:

I have the honor to refer to recent discussions between our Governments which lead both parties to believe that, in order to strengthen in the framework of the North Atlantic Treaty² the individual and collective capacity to resist armed attack, the United States Government has an increasing need for storage sites in the Netherlands.

It has therefore been agreed that:

1. The Government of the Netherlands will permit the storage of prepositioned war readiness materiel by U.S. forces as mutually agreed. Prepositioned war readiness materiel include items such as prepositioned organizational materiel, Theater War Reserves and other stocks including conventional ammunition.

2. Representatives of the Netherlands Ministry of Defense and the United States Department of Defense will implement the present note with arrangements setting forth the terms and conditions concerning provision, operation, and funding of the storage sites. Unless otherwise agreed, operation of the storage sites will be by the Netherlands. The agreement effected by exchange of notes signed at The Hague on 7 March 1952 concerning relief from taxation on defense expenditures³ shall apply to expenditures in implementation of the storage program.

3. The arrangements entered into pursuant to paragraph 2 will be consistent with the applicable Netherlands and U.S. laws and regulations and with applicable NATO regulations and procedures.

4. The provisions of the agreement signed in London on 19 June 1951 between the parties to the North Atlantic Treaty regarding the status of their forces⁴, together with such additional understandings as the two Governments have reached or may reach concerning the application of these provisions and any amendments thereto, shall govern the status of United States forces, including its personnel who are stationed or temporarily present in the Netherlands for the purposes of this agreement.

5. This agreement will remain in effect for the duration of the North Atlantic Treaty or until such time as the two Governments mutually agree upon its termination. It applies as regards the Kingdom of the Netherlands only to the European part of the Kingdom.

If the foregoing provisions are acceptable to your Government, this note and Your Excellency's reply thereto indicating such acceptance shall be honored as constituting the

¹ Came into force on 20 August 1981, the date of receipt by the Government of the United States of a notification from the Government of the Kingdom of the Netherlands confirming the completion of the required constitutional procedures, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 34, p. 243.

³ *Ibid.*, vol. 135, p. 199.

⁴ *Ibid.*, vol. 199, p. 67.

agreement of our two Governments concerning this matter, which will come into force on the date of receipt by the United States Government of the notification of the Government of the Kingdom of the Netherlands that the procedures constitutionally required in the Kingdom have been fulfilled.

[Signed — Signé]¹

His Excellency C. A. van der Klaauw
Minister for the Foreign Affairs
of the Netherlands

II

The Dutch Minister for Foreign Affairs to the American Ambassador

Treaties Department
DVE/VV-NA115

The Hague, 15 January 1981

Excellency,

I have the honour to confirm the receipt of your note of January 15, 1981, reference number 3, which reads as follows:

[See note I]

I have the honour to inform you that the contents of your note are acceptable to my Government and that this note and Your Excellency's note constitute an agreement between the Kingdom of the Netherlands and the United States of America which will enter into force on the date of receipt by the United States Government of the notification of the Government of the Kingdom of the Netherlands that the procedures constitutionally required in the Kingdom have been fulfilled.

Please accept Excellency, the assurance of my highest consideration.

[Signed]
C. A. VAN DER KLAUW
Minister for Foreign Affairs

Her Excellency the Ambassador
of the United States of America at The Hague

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