



Treaty Series No. 12 (2007)

Exchange of Notes

between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands concerning the Status of Military and Civilian Personnel of the UK Armed Forces who will be present in the Netherlands Antilles and Aruba for the Exercise “Caribbean Lion 2006”

London 10 and 12 May 2006

[The Exchange of Notes entered into force on 12 May 2006]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
June 2007*

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**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS
CONCERNING THE STATUS OF MILITARY AND CIVILIAN
PERSONNEL OF THE UK ARMED FORCES WHO WILL BE PRESENT
IN THE NETHERLANDS ANTILLES AND ARUBA FOR THE EXERCISE
“CARIBBEAN LION 2006”**

No. 1

*The Royal Netherlands Embassy in London to the Foreign and Commonwealth
Office*

London
10 May 2006

The Royal Netherlands Embassy presents its compliments to the Foreign and Commonwealth Office and has the honour to propose an agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the “Parties”) regarding the status of military and civilian personnel of the UK Armed Forces who will be present in the Netherlands Antilles and Aruba for the exercise “Caribbean Lion 2006” on the following terms:

ARTICLE I

Temporary Stationing of UK Armed Forces

For the purpose of this Agreement, military and civilian personnel of the UK Armed Forces, their vessels and military equipment may be stationed temporarily in the Netherlands Antilles and Aruba for the exercise ‘Caribbean Lion 2006’.

ARTICLE II

Use of Facilities

Military and civilian personnel of the UK Armed Forces may use military facilities provided by the Flag Officer Royal Netherlands Forces in the Caribbean under conditions to be agreed upon between the Flag Officer Royal Netherlands Forces in the Caribbean and the Royal Naval Chief of Staff-Capability of the United Kingdom of Great Britain and Northern Ireland.

ARTICLE III

Security of Personnel and Information

All classified information and material exchanged or generated in connection with this Agreement will be used, handled and safeguarded in accordance with the General Security Arrangement between the Parties dated 29 September 1994.

ARTICLE IV

Applicability of NATO SOFA

Except as otherwise provided for in this Arrangement, Articles I through XIII of the Arrangement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, done at London on 19 June 1951 (hereafter, the NATO SOFA)¹ will apply, mutatis mutandis.

ARTICLE V

Settlement of Disputes

Any disputes or disagreements that may arise from the application or implementation of this Agreement shall be settled through consultation between the appropriate authorities of the Parties, including, as necessary, through diplomatic channels.

ARTICLE VI

Territorial Applicability

With regard to the Kingdom of the Netherlands, this Agreement shall apply to its territory in the Netherlands Antilles and Aruba.

ARTICLE VII

Interpretation

For purposes of this Agreement, references and provisions in the NATO SOFA to the North Atlantic Treaty, the North Atlantic Council and the North Atlantic Treaty Organisation shall be inapplicable.

¹ Treaty Series No. 3 (1955) Cmd 9363

ARTICLE VIII

Duration

This Agreement shall remain in effect for the duration of the presence of the military and civilian personnel of the UK Armed Forces in the Netherlands Antilles and Aruba for the exercise 'Caribbean Lion 2006' but for no longer than one year from the date this arrangement enters into force. Notwithstanding, the provisions of this Agreement regarding the adjudication and payment of claims shall remain in force for such time as is necessary to resolve any outstanding claims arising under the Agreement.

If the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, the Royal Netherlands Embassy has the honour to propose that this Note and the Note in reply to the Embassy shall constitute an Agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which shall enter into force as of the date of the Note in reply to the Embassy.

The Royal Netherlands Embassy avails itself of this opportunity to renew to the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland the assurances of its highest consideration.

No. 2

The Foreign and Commonwealth Office to the Royal Netherlands Embassy in London

London
12 May 2006

The Foreign and Commonwealth Office presents its compliments to The Royal Netherlands Embassy and has the honour to thank them for their note of 10 May 2006 proposing an agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands and (hereinafter referred to as the “Parties”) regarding the status of military and civilian personnel of the UK Armed Forces who will be present in the Netherlands Antilles and Aruba for the exercise “Caribbean Lion 2006” on the following terms:

[As in No. 1]

The Government of the United Kingdom of Great Britain and Northern Ireland, agrees to the proposal by the Royal Netherlands Embassy that its Note of 10 May 2006 and this Note in reply to the Embassy shall constitute an Agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which shall enter into force as of the date of this Note in reply to the Embassy.

The Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Royal Netherlands Embassy the assurances of its highest consideration.



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