

No. 46880. Netherlands and North Atlantic Treaty Organization

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE NORTH ATLANTIC TREATY ORGANIZATION CONCERNING THE PRIVILEGES AND IMMUNITIES OF THE NATO CONSULTATION, COMMAND AND CONTROL AGENCY (NC3A). THE HAGUE, 17 DECEMBER 2003 [*United Nations, Treaty Series, vol. 2632, I-46880.*]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT SUPPLEMENTING THE AGREEMENT BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE NORTH ATLANTIC TREATY ORGANIZATION CONCERNING THE PRIVILEGES AND IMMUNITIES OF THE NATO CONSULTATION, COMMAND AND CONTROL AGENCY (NC3A). BRUSSELS, 12 JULY 2013 AND 24 SEPTEMBER 2013*

Entry into force: 24 September 2013 by the exchange of the said letters, in accordance with their provisions

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N° 46880. Pays-Bas et Organisation du Traité de l'Atlantique Nord

ÉCHANGE DE LETTRES CONSTITUANT UN ACCORD ENTRE LE ROYAUME DES PAYS-BAS ET L'ORGANISATION DU TRAITÉ DE L'ATLANTIQUE NORD RELATIF AUX PRIVILÈGES ET IMMUNITÉS DE L'AGENCE DE CONSULTATION, DE COMMANDEMENT ET DE CONTRÔLE DE L'OTAN (NC3A). LA HAYE, 17 DÉCEMBRE 2003 [*Nations Unies, Recueil des Traités, vol. 2632, I-46880.*]

ÉCHANGE DE LETTRES CONSTITUANT UN ACCORD COMPLÉMENTAIRE À L'ACCORD ENTRE LE ROYAUME DES PAYS-BAS ET L'ORGANISATION DU TRAITÉ DE L'ATLANTIQUE NORD RELATIF AUX PRIVILÈGES ET IMMUNITÉS DE L'AGENCE DE CONSULTATION, DE COMMANDEMENT ET DE CONTRÔLE DE L'OTAN (NC3A). BRUXELLES, 12 JUILLET 2013 ET 24 SEPTEMBRE 2013*

Entrée en vigueur : 24 septembre 2013 par l'échange desdites lettres, conformément à leurs dispositions

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[ENGLISH TEXT – TEXTE ANGLAIS]

I

PERMANENT REPRESENTATION OF THE KINGDOM OF THE
NETHERLANDS TO NATO

Brussels, 12 July 2013

Dear Secretary General,

I have the honour to refer to the Agreement on the Status of the North Atlantic Treaty Organisation, National Representatives and International Staff, signed at Ottawa on 20 September 1951, to the Agreement between the Parties of the North Atlantic Treaty regarding the status of their forces, signed in London on 19 June 1951, to the Exchange of Letters between the Kingdom of the Netherlands and the North Atlantic Treaty Organisation of 17 December 2003, and to the decision by NATO to establish the NATO Communications and Information Organisation (NCI Organisation) and the NATO Communications and Information Agency (NCI Agency) as the legal successor Agency of ALTBMD, NACMA, NCSA and NC3A as of 1 July 2012.

I have the honour to confirm that all agreements and arrangements which applied to the former NC3O (NC3A/NCSA) on Dutch territory will continue to apply in the same manner with regard to the NCI Organisation and the NCI Agency. In addition, the following provisions shall apply with regard to the protection of the premises, personnel and property of the NCI Agency:

1. Only NCI Agency personnel shall be allowed to carry or use arms (and other related items) for the protection of the NCI Agency premises, personnel and property.

2. The General Manager shall notify the Netherlands Government of the name and identity of NCI Agency personnel that is entitled to carry arms on the premises of the NCI Agency, as well as the name, type, calibre and serial number of the arm or arms at his or her disposition.

3. For the purpose of this Exchange of Letters, “the premises of NCI Agency” means buildings, parts of buildings and areas, including installations and facilities made available to, maintained, occupied or used by the Agency in the Kingdom of the Netherlands in connection with its functions and purposes.

4. The Kingdom of the Netherlands shall take all effective and adequate measures to ensure the security and protection of the NCI Agency and to ensure that the tranquillity of the NCI Agency is not disturbed by the intrusion of persons or groups from outside the premises of the NCI Agency or by disturbances in their immediate vicinity, and shall provide to the NCI Agency the appropriate protection as may be required.

5. The authorities of the Kingdom of the Netherlands and of the NCI Agency will coordinate on the activities mentioned above.

If this proposal is acceptable to the North Atlantic Treaty Organisation, I propose that this Letter and the North Atlantic Treaty Organisation's affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and the North Atlantic Treaty Organisation. This Agreement shall enter into force on the date of receipt of the North Atlantic Treaty Organisation's reply to the Permanent Representative of the Netherlands.

Please accept, Sir, the assurances of my highest consideration.

Sincerely,

ERICA SCHOUTEN
Chargé d'Affaires a.i.

*H.E. Mr. Anders Fogh Rasmussen
Secretary General
North Atlantic Treaty Organization
Brussels*