

**No. 46977**

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**Netherlands  
and  
United States of America**

**Exchange of notes constituting an agreement between the Kingdom of the Netherlands and the United States of America on the status of military and civilian personnel of the United States Armed Forces during military training and exercises in the Netherlands Antilles and Aruba. The Hague, 3 May 2005**

**Entry into force:** *3 May 2005, in accordance with the provisions of the said notes*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *Netherlands,  
15 December 2009*

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**Pays-Bas  
et  
États-Unis d'Amérique**

**Échange de notes constituant un accord entre le Royaume des Pays-Bas et les États-Unis d'Amérique relatif au statut du personnel militaire et civil des forces armées américaines pendant les entraînements et les exercices militaires aux Antilles néerlandaises et à Aruba. La Haye, 3 mai 2005**

**Entrée en vigueur :** *3 mai 2005, conformément aux dispositions desdites notes*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Pays-Bas,  
15 décembre 2009*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

## I

Ministry of Foreign Affairs

The Hague, 3 May 2005

DJZ/VE-442/05

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States and has the honor to propose an agreement between the Kingdom of the Netherlands and the United States (hereinafter referred to as the “Parties”) regarding the status of military and civilian personnel of the United States Armed Forces who will be present in the Netherlands Antilles and Aruba for military training and exercises on the following terms:

### Article I

#### *Temporary stationing of U.S. Armed Forces*

For the purpose of this Agreement, military and civilian personnel of the United States Armed Forces, their vessels and military equipment may be stationed temporarily in the Netherlands Antilles and Aruba.

### Article II

#### *Use of facilities*

Military and civilian personnel of the United States 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 Commander US Southern Command

### Article III

#### *Applicability Of Nato Sofa*

Except as otherwise provided for in this Agreement, Articles I through XIII of the Agreement 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) shall apply *mutatis mutandis*

## Article IV

### *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 V

### *Territorial applicability*

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

## Article VI

### *Interpretation*

For purposes of this Agreement, references and provisions in the NATO SOFA to the North Atlantic Treaty, the North Atlantic Council, the North Atlantic Treaty Organization and to Article XX therein shall be deemed inapplicable

## Article VII

### *Duration*

This Agreement shall remain in force for the duration of the presence of the military and civilian personnel of the United States Armed Forces in the Netherlands Antilles and Aruba but for no longer than one year from the date this Agreement 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 this Agreement

If the foregoing is acceptable to the Government of the United States, the Ministry of Foreign Affairs has the honor to propose that this Note and the Note in reply of the Embassy shall constitute an Agreement between the Kingdom of the Netherlands and the United States, which shall enter into force on the date of the Embassy's Note

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States the assurances of its highest consideration

*Embassy of the United States of America*