

No. 6600

**NETHERLANDS
and
AUSTRIA**

**Exchange of notes (with annex) constituting an agreement
concerning the validity of treaties and conventions.
The Hague, 5 and 16 October 1959**

Official text: French.

Registered by the Netherlands on 12 April 1963.

**PAYS-BAS
et
AUTRICHE**

**Échange de notes (avec annexe) constituant un accord con-
cernant l'applicabilité des traités et conventions. La
Haye, 5 et 16 octobre 1959**

Texte officiel français.

Enregistré par les Pays-Bas le 12 avril 1963.

[TRANSLATION — TRADUCTION]

No. 6600. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE NETHERLANDS AND THE AUSTRIAN FEDERAL GOVERNMENT CONCERNING THE VALIDITY OF TREATIES AND CONVENTIONS. THE HAGUE, 5 AND 16 OCTOBER 1959

I

AUSTRIAN EMBASSY AT THE HAGUE

The Hague, 5 October 1959

Your Excellency,

I have the honour to refer to the conversations between your Ministry and this Embassy concerning the applicability of the treaties and conventions in force between the Republic of Austria and the Kingdom of the Netherlands on 13 March 1938. In these conversations it was noted that, as a consequence of the events that occurred in Europe during the period between 1938 and 1945, doubts might arise as to whether the treaties and conventions in force between our two countries on the afore-mentioned date were now in effect.

My Government, desiring to clarify this question, has the honour to propose that only those of the afore-mentioned treaties and conventions which are listed in the annex shall be considered as applicable in the relations between our two countries.

The contents of the preceding paragraph do not affect the Convention between Austria and the Netherlands to obtain the application of the treaty for the extradition of criminals concluded on 24 November 1880 between the Netherlands and the former Austro-Hungarian Monarchy, signed at The Hague, on 1 December 1921,² and the Convention between Austria and the Netherlands concerning the admission of Austrian consular officials to the Netherlands colonies, signed at The Hague, on 6 November 1922,³ since an agreement on the applicability of these two Conventions has already been reached through previous exchanges of notes.

¹ Came into force on 27 May 1960, the date on which the Government of the Netherlands notified the Austrian Government that the constitutional formalities required in the Netherlands had been performed.

² *British and Foreign State Papers*, Vol. VII, p. 536.

³ League of Nations, *Treaty Series*, Vol. IX, p. 167.

⁴ League of Nations, *Treaty Series*, Vol. XVII, p. 375.

I should be grateful if you would be so good as to inform me whether the contents of this letter meet with the approval of Her Majesty's Government.

Accept, Sir, etc.

(Signed) Dr. Georg AFUHS

His Excellency Mr. J. M. A. H. Luns
Minister for Foreign Affairs of the Netherlands
The Hague

CONVENTIONS BETWEEN THE NETHERLANDS AND AUSTRIA-HUNGARY OR AUSTRIA PRIOR TO 13 MARCH 1938

Title	<i>Nederlands Staatsblad</i>
I. MULTILATERAL	
1. Convention to ensure the international unification and the perfecting of the metric system, with annexes, signed at Paris, on 20 May 1875 ¹	1929—219
2. Union Convention of Paris, 20 March 1883, for the protection of industrial property, revised at Brussels, on 14 December 1900, at Washington, on 2 June 1911, at The Hague, on 6 November 1925, and at London, on 2 June 1934 ²	1948—I 539 and <i>Trb.</i> 1951—46
3. International Telegraph Convention for the protection of submarine cables outside territorial waters, with an additional article, signed at Paris, on 14 March 1884 ³	1888—74
4. Declaration relating to the said Convention, signed at Paris, on 1 December 1886 and 23 March 1887 ⁴	
5. Final Protocol relating to the said Convention, signed at Paris, on 7 July 1887 ⁴	
6. International Convention to guarantee to all Powers the free use at all times of the Suez Maritime Canal, signed at Constantinople, on 29 October 1888 ⁵	1889—105

¹ *British and Foreign State Papers*, Vol. 66, p. 562, and League of Nations, *Treaty Series*, Vol. LXXXVIII, p. 400.

² League of Nations, *Treaty Series*, Vol. CXCH, p. 17; Vol. CCIV, p. 469, and Vol. CCV, p. 218; and United Nations, *Treaty Series*, Vol. 1, p. 269; Vol. 32, p. 406; Vol. 267, p. 393, and Vol. 343, p. 369.

³ De Martens, *Nouveau Recueil général de Traités*, deuxième série, Tome XI, p. 281.

⁴ De Martens, *Nouveau Recueil général de Traités*, deuxième série, Tome XV, p. 69.

⁵ De Martens, *Nouveau Recueil général de Traités*, deuxième série, Tome XV, p. 557.

Title

Nederlands
Staatsblad

7. Convention for the creation of an international union for the publication of customs tariffs, with regulations and a *procès-verbal* of signature, signed at Brussels, on 5 July 1890¹ 1891—41

8. Agreement of Madrid of 14 April 1891, for the international registration of commercial and industrial trade marks, revised at Brussels on 14 December 1900, at Washington on 2 June 1911, at The Hague on 6 November 1925, and at London on 2 June 1934² 1948—I 539
and *Trb.*
1951—46

9. Declaration concerning the interdiction of the use of projectiles the object of which is the diffusion of asphyxiating or deleterious gases, signed at The Hague, on 29 July 1899³ 1900—163

10. Declaration concerning the interdiction of the use of bullets which expand or flatten easily in the human body, etc., signed at The Hague, on 29 July 1899⁴ 1900—163

11. International Agreement for the suppression of the "white slave traffic", signed at Paris, on 18 May 1904⁵ 1907—79

12. International Convention concerning hospital ships, signed at The Hague, on 21 December 1904⁶ 1907—94

13. International Convention respecting the prohibition of night work for women in industrial employment, signed at Berne, on 26 September 1906⁷ 1911—362

14. International Convention prohibiting the use of white (yellow) phosphorus in manufacture of matches, signed at Berne, on 26 September 1906⁸ 1911—361
The following conventions, signed at The Hague, on 18 October 1907 1910—73

¹ *British and Foreign State Papers*, Vol. 82, p. 340; and League of Nations, *Treaty Series*, Vol. CVII, p. 564, and Vol. CXI, p. 421.

² League of Nations, *Treaty Series*, Vol. CCV, pp. 163 and 219, and United Nations, *Treaty Series*, Vol. 32, p. 407.

³ *British and Foreign State Papers*, Vol. 91, p. 1014; and League of Nations, *Treaty Series*, Vol. CLX, p. 463.

⁴ *British and Foreign State Papers*, Vol. 91, p. 1017; and League of Nations, *Treaty Series*, Vol. CLX, p. 463.

⁵ League of Nations, *Treaty Series*, Vol. I, p. 83; Vol. III, p. 254; Vol. XI, p. 354; Vol. CVII, p. 456; Vol. CXI, p. 402; Vol. CXVII, p. 42; Vol. CLXXII, p. 388, and Vol. CXC VII, p. 282; and United Nations, *Treaty Series*, vol. 30, p. 24, and Vol. 31, p. 493.

⁶ *British and Foreign State Papers*, Vol. 98, p. 624; and League of Nations, *Treaty Series*, Vol. LIV, p. 435, and Vol. CXXII, p. 368.

⁷ League of Nations, *Treaty Series*, Vol. III, p. 271; Vol. XI, p. 414; Vol. XXXV, p. 328, and Vol. LIX, p. 428.

⁸ League of Nations, *Treaty Series*, Vol. XI, p. 446; Vol. XV, p. 331; Vol. XIX, p. 295; Vol. XXXIX, p. 226; Vol. XLV, p. 211; Vol. LIX, p. 429; Vol. XCII, p. 419; Vol. CXVII, p. 335; Vol. CXXXIV, p. 453; Vol. CXXXVIII, p. 469, and Vol. CLXIV, p. 445.

Title	Nederlands Staatsblad
15. Convention for the pacific settlement of international disputes ¹	
16. Convention concerning limitation of employment of force for the recovery of contract debts ²	
17. Convention concerning opening of hostilities ³	
18. Convention concerning laws and customs of war on land ⁴	
19. Convention concerning rights and duties of neutrals in war on land ⁵	
20. Convention relating to the status of enemy merchant ships on outbreak of hostilities ⁶	
21. Convention concerning the conversion of merchant ships into war ships ⁷	
22. Convention concerning the laying of automatic submarine contact mines ⁸	
23. Convention concerning bombardments by naval forces in time of war ⁹	
24. Convention relative to certain restrictions with regard to the exercise of the right of capture in naval warfare ¹⁰	
25. Convention concerning the rights and duties of neutral powers in naval warfare ¹¹	
26. Agreement for the suppression of the circulation of obscene publications, signed at Paris, on 4 May 1910 (revised on 4 May 1949, ¹² <i>Trb.</i> 1951—38)	1912—217
27. International Convention for the suppression of the white slave traffic, with final Protocol, signed at Paris, on 4 May 1910 (revised on 4 May 1949, ¹³ <i>Trb.</i> 1951—101 and 117)	1912—355

¹ League of Nations, *Treaty Series*, Vol. LIV, p. 435, and Vol. CXXXIV, p. 453.

² League of Nations, *Treaty Series*, Vol. LIV, p. 437, and Vol. CVII, p. 556.

³ League of Nations, *Treaty Series*, Vol. LIV, p. 437; Vol. LXXII, p. 487, and Vol. CLX, p. 456.

⁴ League of Nations, *Treaty Series*, Vol. LIV, p. 437; Vol. LXXII, p. 488, and Vol. CLX, p. 456.

⁵ League of Nations, *Treaty Series*, Vol. LIV, p. 438; Vol. LXXII, p. 488, and Vol. CLX, p. 457.

⁶ League of Nations, *Treaty Series*, Vol. XLV, p. 217; Vol. LIV, p. 433; Vol. CLX, p. 454, and Vol. CXCVII, p. 427.

⁷ League of Nations, *Treaty Series*, Vol. LIV, p. 438, and Vol. CLX, p. 457.

⁸ League of Nations, *Treaty Series*, Vol. LIV, p. 438, and Vol. CLX, p. 458.

⁹ League of Nations, *Treaty Series*, Vol. LIV, p. 439, and Vol. CLX, p. 458.

¹⁰ League of Nations, *Treaty Series*, Vol. LIV, p. 436, and Vol. CLX, p. 455.

¹¹ League of Nations, *Treaty Series*, Vol. LIV, p. 436, and Vol. CLX, p. 455.

¹² See footnote 1, p. 277 of this volume.

¹³ United Nations, *Treaty Series*, Vol. 98, p. 101; Vol. 121, p. 331; Vol. 133, p. 367; Vol. 140, p. 455; Vol. 149, p. 413; Vol. 207, p. 354; Vol. 299, p. 295; Vol. 253, p. 352; Vol. 292, p. 361; Vol. 347, p. 378; Vol. 401, p. 256; Vol. 405, p. 303; Vol. 412, p. 317; Vol. 415, p. 427; Vol. 423, p. 305; Vol. 424, p. 346; Vol. 437, p. 347; Vol. 442, p. 313, and Vol. 456, p. 492.