

NETHERLANDS



Treaty Series No. 8 (1964)

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 Graves of Netherlands
Servicemen who died in the United Kingdom
during the Second World War

London, August 27, 1963

[The Agreement entered into force on November 19, 1963]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
February 1964*

LONDON
HER MAJESTY'S STATIONERY OFFICE

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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 GRAVES OF NETHERLANDS SERVICEMEN WHO DIED IN THE UNITED KINGDOM DURING THE SECOND WORLD WAR

No. 1

The Netherlands Ambassador to Her Majesty's Principal Secretary of State for Foreign Affairs

No. 13851

London, 27th August, 1963.

My Lord,

I have the honour to refer to the discussions which have taken place between representatives of the Government of the Kingdom of the Netherlands and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the graves of Netherlands servicemen who died in the United Kingdom during the Second World War.

These graves are maintained by the Commonwealth War Graves Commission under existing reciprocal arrangements with the Netherlands War Graves Foundation. Certain of them are situated in war graves plots or groups established by the Commission. The remainder, however, are scattered in many different burial grounds throughout the country, and the Foundation now wishes to regroup the latter in a Field of Honour in Paddington (Mill Hill) Cemetery. In the knowledge that the Government of the United Kingdom is willing to assist the Foundation in this matter, I have the honour to suggest that this regrouping should take place in accordance with the arrangements set out in the Annex to this Note.

If the above proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland I have the honour to suggest that this Note, together with its Annex and Your Lordship's reply to that effect, should be regarded as constituting an Agreement between the two Governments in this matter, which shall enter into force on the date of receipt by the Government of the United Kingdom of a notification from the Netherlands Government stating that the approval constitutionally required in the Netherlands has been obtained.⁽¹⁾

I have, &c.

(For the Netherlands Ambassador)
C. W. VAN BOETZELAER.

⁽¹⁾ The Agreement entered into force on November 19, 1963.

ANNEX

1. Netherlands war graves which are not situated in cemeteries or war graves plots for the maintenance of which the Commonwealth War Graves Commission is responsible, and which are set out in lists to be agreed between the Netherlands War Graves Foundation and the Commonwealth War Graves Commission, may be grouped together in a Field of Honour in Paddington (Mill Hill) Cemetery.

2. This regrouping and the construction and embellishment of the Field of Honour will be carried out by the Netherlands War Graves Foundation. The Government of the United Kingdom shall facilitate the work of the Foundation in every possible way.

The Netherlands War Graves Foundation shall have the right to send such representatives and employees to the United Kingdom as may be required.

3. The Government of the United Kingdom shall make available to the Netherlands Government free of charge the land required for the Field of Honour.

4. In the event that this land has to be disturbed in the urgent public interest the appropriate authorities in the United Kingdom shall make available other suitable land for the same purpose and bear the expense of the transfer of the bodies as well as the preparation and construction of a new burial ground. The selection of this new land as well as the preparation and construction of the new burial ground shall be effected in agreement with the Netherlands Government.

5. The expenses incidental to the exhumation and transfer of Netherlands war dead to the Field of Honour, and to the construction and embellishment of the Field of Honour itself, shall be borne by the Netherlands War Graves Foundation.

6. The Netherlands War Graves Foundation may import into the United Kingdom, free of Customs duties and other charges, the goods including equipment, tools and objets d'art which are required for the preparation, construction and maintenance of the Field of Honour and for the exhumation and re-burial of the dead.

7. The Government of the United Kingdom shall grant similar facilities for the importation of trees, plants, seeds and bulbs to be planted in the Field of Honour.

8. The Government of the United Kingdom shall make arrangements to enable the Netherlands War Graves Foundation to obtain a refund of duties paid in respect of hydro-carbon oil used in motor-vehicles owned and used for official purposes by the Netherlands War Graves Foundation in the United Kingdom.

9. The Government of the United Kingdom shall make arrangements to enable the Netherlands War Graves Foundation to obtain articles for official use free of purchase tax; by exemption in the case of imported goods and by refund of the purchase tax paid in the case of goods bought in the United Kingdom from registered traders.

10. The exemptions and facilities provided for in paragraphs 6-9 shall be granted on application by the Netherlands War Graves Foundation.

No. 2

*Her Majesty's Principal Secretary of State for Foreign Affairs to the
Netherlands Ambassador*

*Foreign Office, S.W. 1.
August 27, 1963.*

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note No. 13851 of the 27th of August, 1963, about the regrouping in a Field of Honour of the graves of certain Netherlands servicemen buried in the United Kingdom, which reads as follows:

[As in No. 1]

In reply I have the honour to inform you that the foregoing proposal is acceptable to the Government of the United Kingdom who therefore agree that Your Excellency's Note together with its Annex and this reply shall constitute the Agreement reached between the two Governments in this matter, and that it shall enter into force on the date of receipt by the Government of the United Kingdom of a notification from the Netherlands Government stating that the approval constitutionally required in the Netherlands has been obtained.

I have, &c.

(For the Secretary of State)
W. B. J. LEDWIDGE.

ANNEX

[As in Annex to No. 1]

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