

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 16

A. TITEL

*Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en de Republiek Cyprus inzake privileges en immuniteiten voor verbindingsofficieren die door Cyprus bij Europol te 's-Gravenhage gedetacheerd worden;
(met Bijlage)
's-Gravenhage, 6 mei 2004*

B. TEKST

De tekst van het in de nota's vervatte verdrag is geplaatst in *Trb.* 2004, 163.

Bij het verdrag is op 25 november 2004 een memorandum van overeenstemming tot stand gekomen. De tekst hiervan luidt als volgt:

Nr. I

The Ministry of Foreign Affairs of the Kingdom of the Netherlands
5 August 2004

“Legal Affairs Department”
Ref.: DJZ/IR-272/04

The Ministry of Foreign Affairs presents its compliments to the Embassy of the Republic of Cyprus and has the honour to refer to the accession of the Republic of Cyprus to the Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention, 26 July 1995).

The Ministry of Foreign Affairs has the honour to put on record an understanding regarding the interpretation of the following provisions of the Agreement between the Kingdom of the Netherlands and the Republic of Cyprus on the privileges and immunities of the liaison officers at

Europol (6 May 2004), as from the moment the Republic of Cyprus has become a Member State of Europol.

It is understood that the “Liaison officer” referred to in paragraph 1, under a, of the Attachment to the Agreement will be interpreted as: “any official stationed at Europol in accordance with Article 5 of the Europol Convention”;

It is understood that the term “Sending State” referred to in the Attachment to the Agreement will be interpreted as “Member State”;

It is understood that the exception to the immunity, as set forth in paragraph 2, sub paragraph 2, under i), of the Attachment to the Agreement is without prejudice to Article 32 of the Europol Convention.

If this proposal is acceptable to the Republic of Cyprus, the Ministry proposes that this note and the affirmative note of the Embassy records the common understanding between the Kingdom of the Netherlands and the Republic of Cyprus regarding the interpretation of the provisions set out therein in respect of the Agreement between the Kingdom of the Netherlands and the Republic of Cyprus on the privileges and immunities of the liaison officers at Europol.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the Republic of Cyprus the assurances of its highest consideration.

The Embassy of the Republic of Cyprus

Nr. II

Embassy of the Republic of Cyprus

25 November 2004

Ref.: 306.2.96

The Embassy of the Republic of Cyprus presents its compliments to the Ministry of Foreign Affairs (Legal Affairs Department/International Law Division – DJZ/IR) of the Kingdom of the Netherlands and has the honour to acknowledge receipt of the Ministry’s Note DJZ/IR-272/04 of 5 August 2004, which reads as follows:

(Zoals in Nr. I)

The Embassy of the Republic of Cyprus has the honour to inform the Ministry of Foreign Affairs that the Government of the Republic of Cyprus agrees with the contents of the above-mentioned Note, and that the Ministry’s Note and this Note records the common understanding between the Kingdom of the Netherlands and the Republic of Cyprus

regarding the interpretation of the provisions set out therein in respect of the Agreement between the Kingdom of the Netherlands and the Republic of Cyprus on the privileges and immunities of the liaison officers at Europol.

The Embassy of the Republic of Cyprus avails itself of this opportunity to renew to the Ministry of Foreign Affairs (Legal Affairs Department/International Law Division – DJZ/IR) of the Kingdom of the Netherlands the assurances of its highest consideration.

*Ministry of Foreign Affairs
(Legal Affairs Department/International Law Division (DJZ/IR))
of the Kingdom of the Netherlands
The Hague*

C. VERTALING

Zie *Trb.* 2004, 259.

D. PARLEMENT

Zie *Trb.* 2004, 163.

Bij brieven van 16 november 2004 (Kamerstukken II, 2004/2005, 29 887 nr. 1) is het in de nota's vervatte verdrag in overeenstemming met artikel 2, eerste lid, en artikel 5, eerste lid, van de Rijkswet goedkeuring en bekendmaking verdragen overgelegd aan de Eerste en Tweede Kamer der Staten-Generaal. De toelichtende nota die de brieven vergezeldde, is ondertekend door de Minister van Buitenlandse Zaken B. R. Bot.

De goedkeuring door de Staten-Generaal is verleend op 23 december 2004.

F. VOORLOPIGE TOEPASSING

Zie rubriek G van *Trb.* 2004, 163.

G. INWERKINGTREDING

Zie *Trb.* 2004, 163.

J. VERWIJZINGEN

Zie *Trb.* 2004, 163 en *Trb.* 2004, 259.

Uitgegeven de vijftiendste januari 2005.

De Minister van Buitenlandse Zaken,

B. R. BOT