

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2007 Nr. 124

A. TITEL

*Briefwisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en de Noord Atlantische Verdragsorganisatie inzake de mogelijkheid voor gezinsleden van functionarissen van het NATO Airborne Early Warning and Control Programme Management Agency (NAPMA) om in Nederland betaald werk te verrichten;
Brussel, 30 mei 2007*

B. TEKST

Nr. I

Minister van Buitenlandse Zaken

The Hague, 13 February 2007

Dear Mr Secretary-General,

I have the honour to refer to the discussions between the Ministry and NATO Airborne Early Warning and Control Programme Management Agency (NAPMA) regarding employment opportunities of members of the families forming part of the household of the officials of NAPMA.

In view of these discussions I have the honour to propose the following provisions:

Article 1

Members of the family forming part of the household of all categories of officials in the service of NAPMA shall be authorised to engage in gainful employment in the Netherlands for the duration of the term of office of the officials concerned.

Article 2

The following persons are members of the family forming part of the household in the sense of Article 1:

- a) the spouses or registered partners of officials in the service of NAPMA;
- b) children of officials in the service of NAPMA who are under the age of 18;
- c) children of officials in the service of NAPMA who are aged 18 or over, but not older than 27, provided that they formed part of the official's household prior to their first entry into the Netherlands and still form part of this household, and that they are unmarried, financially dependent on the official concerned and are attending fulltime education in the Netherlands;
- d) children of officials in the service of NAPMA who are aged 18 or over, but not older than 23; they shall also be recognized as members of the family forming part of the household if they are not studying as long as they are unmarried and financially dependent on the official concerned.

Article 3

Persons mentioned in Article 2 who obtain gainful employment shall enjoy no immunity from criminal, civil or administrative jurisdiction with respect to matters arising in the course of or in connection with such employment. However, any measures of execution shall be taken without infringing the inviolability of their person or of their residence, if they are entitled to such inviolability.

Article 4

In case of the insolvency of a person aged under 18 with respect to a claim arising out of a gainful employment of that person, the immunity of the official in the service of NAPMA of whose family the person concerned is a member shall be waived for the purpose of settlement of the claim, in accordance with the provisions of the applicable NAPMA agreements.

Article 5

The employment referred to in Article 1 shall be in accordance with Netherlands legislation, including fiscal and social security legislation, unless any other applicable international legal instrument provides otherwise.

I have the honour to propose that if the provisions set forth above are acceptable to you the present letter and your affirmative reply constitute an Agreement between the Kingdom of the Netherlands and the North Atlantic Treaty Organisation with regard to the privileges and immuni-

ties of NAPMA in the Netherlands, which shall enter into force on the date of receipt of your reply.

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

BERNARD BOT
Minister of Foreign Affairs
of the Kingdom of the Netherlands

*North Atlantic Treaty Organisation
Att: the Secretary General, Mr De Hoop Scheffer
Bld. Leopold III
1110 Brussels
Belgium*

Nr. II

NATO Secretary General
Jaap de Hoop Scheffer

Brussels, 30 May 2007

SG(2007)0358

Dear Minister

I have the honour to acknowledge receipt of Your letter of 13 February 2007 which reads as follows:

(Zoals in Nr. I)

I have the honour to confirm, Your Excellency, that the North Atlantic Treaty Organisation with regard to employment opportunities of members of the families forming part of the household of the officials of NAPMA, accepts the above proposal of the Government of the Kingdom of the Netherlands and to confirm that Your letter and this reply shall constitute an Agreement between the North Atlantic Treaty Organisation and the Kingdom of the Netherlands, which shall enter into force on the date of receipt by Your Excellency of this letter of reply.

Please accept, Your Excellency, the assurances of my highest consideration.

Yours sincerely,
JAAP DE HOOP SCHEFFER

*His Excellency
Mr Maxime Verhagen
Minister of Foreign Affairs of
the Kingdom of the Netherlands*

D. PARLEMENT

Het in de brieven vervatte verdrag behoeft ingevolge artikel 7, onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen juncto artikel 3 van de Wet van 24 december 1947 (*Stb.* H 452) niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de brieven vervatte verdrag zijn ingevolge het gestelde in de laatste alinea van brieven I en II in werking getreden op 5 juni 2007.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het in de brieven vervatte verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de zeventiende juli 2007.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN