

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 170

A. TITEL

*Verdrag tussen het Koninkrijk der Nederlanden en Eurojust;
's-Gravenhage, 15 maart 2006*

B. TEKST

De Engelse tekst van het Verdrag is geplaatst in *Trb.* 2006, 68.

D. PARLEMENT

Zie *Trb.* 2006, 68.

E. PARTIJGEGEVENS

In nota's van 1 augustus 2015 en 10 september 2015 hebben het Koninkrijk der Nederlanden en Eurojust een interpretatieve verklaring inzake artikel 11 van het Verdrag vastgelegd. De Engelse tekst van deze nota's luidt als volgt:

Nr. I

MINISTRY OF FOREIGN AFFAIRS

The Hague, 1 August 2015

Treaties Division

MINBUZA-2015.430714

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to Eurojust and has the honour to draw its attention to the following matter.

With reference to the meeting of 7 April 2015 and Eurojust's request to find a solution to the situation concerning the official status of a Deputy National Member, the Ministry of Foreign Affairs proposes the following.

Under the Host State Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006 (*Trb.* 2006, 68), the provision of privileges and immunities to Eurojust, its staff and the representatives of its Member States is based on the Eurojust Decision of 2002. This Decision has been replaced by the Eurojust Decision of 2009, but an accompanying adjustment has not yet been made in the Host State Agreement. In the Eurojust Decision 2009, the position of deputy national member was introduced in addition to the already existing positions of national member and assistants seconded by Member States. This position is not included in the Host State Agreement.

In view of the draft EU Regulation concerning Eurojust that is currently pending before European Parliament, which in all likelihood will require amendments to the Host State Agreement in the foreseeable future, it may not be opportune to consider amending the Agreement at present.

To facilitate the proper functioning of the Organisation, and in view of the introduction of the position of deputy national member in the Eurojust Decision of 2009, the Ministry of Foreign Affairs hereby issues an interpretative declaration, as attached to this Note Verbale. It kindly invites Eurojust to reply with an identical interpretative declaration, in order to clarify that both parties to the Host State Agreement interpret the term "national member" in Article 11 of that Agreement as including a deputy national member.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to assure Eurojust of its highest consideration.

*EUROJUST
The Hague*

Interpretative declaration

The Kingdom of the Netherlands declares that it interprets the term “*national member*” in Article 11 of the Agreement as including to refer to a deputy national member pursuant to the creation of this position in Article 2 of the Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime.

Nr. II

EUROJUST

The Hague, 10 September 2015

Interpretative Declaration on Article 11 of the Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006

Eurojust presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to inform him as follows.

With reference to the Seat Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006 (published at the *Tractatenblad van het Koninkrijk der Nederlanden*, Jaargang 2006 Nr: 68, hereinafter referred to as “Agreement”) and in particular Article 11 thereof Eurojust DECLARES

that it interprets the term “*national member*” in Article 11 of the Agreement as including to refer to a deputy national member pursuant to the creation of this position in Article 2 of the Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime.

Eurojust avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

Yours sincerely,

KLAUS U. RACKWITZ
The Administrative Director

*Ministry of Foreign Affairs
Kingdom of the Netherlands
The Hague*

D. PARLEMENT

Zie *Trb.* 2006, 68.

G. INWERKINGTREDING

Zie *Trb.* 2006, 68.

J. VERWIJZINGEN

Titel : Besluit 2002/187/JBZ van de Raad van 28 februari 2002 betreffende de oprichting van Eurojust teneinde de strijd tegen ernstige vormen van criminaliteit te versterken;
Brussel, 28 februari 2002
Tekst : *PbEU* L 63 van 6 maart 2002, blz. 1-13

Titel : Besluit 2009/426/JBZ van de Raad van 16 december 2008 inzake het versterken van Eurojust en tot wijziging van Besluit 2002/187/JBZ betreffende de oprichting van Eurojust teneinde de strijd tegen ernstige vormen van criminaliteit te versterken;
Brussel, 16 december 2008
Tekst : *PbEU* L 138 van 4 juni 2009, blz. 14-32

Uitgegeven de *negende* oktober 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS