

Ο περί της Συμφωνίας μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου των Κάτω Χωρών για τα Προνόμια και τις Ασυλίες των Αξιωματικών Συνδέσμων στην ΕΥΡΩ-ΠΟΛ (Κυρωτικός) Νόμος του 2007 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 33(ΙΙΙ) του 2007

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ ΜΕΤΑΞΥ ΤΗΣ ΚΥΠΡΙΑΚΗΣ
ΔΗΜΟΚΡΑΤΙΑΣ ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΩΝ ΚΑΤΩ ΧΩΡΩΝ ΓΙΑ ΤΑ
ΠΡΟΝΟΜΙΑ ΚΑΙ ΤΙΣ ΑΣΥΛΙΕΣ ΤΩΝ ΑΞΙΩΜΑΤΙΚΩΝ ΣΥΝΔΕΣΜΩΝ
ΣΤΗΝ ΕΥΡΩΠΟΛ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

Συνοπτικός
τίτλος.

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου των Κάτω Χωρών για τα Προνόμια και τις Ασυλίες των Αξιωματικών Συνδέσμων στην ΕΥΡΩΠΟΛ (Κυρωτικός) Νόμος του 2007.

Ερμηνεία.

2. Στον παρόντα Νόμο, εκτός εάν από το κείμενο προκύπτει διαφορετική έννοια -

«Συμφωνία» σημαίνει τη Συμφωνία μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου των Κάτω Χωρών για τα Προνόμια και τις Ασυλίες των Αξιωματικών Συνδέσμων στην ΕΥΡΩΠΟΛ, η οποία συνομολογήθηκε στις 6 Μαΐου 2004, με ανταλλαγή Ρηματικών Διακοινώσεων.

Κύρωση της
Συμφωνίας.
Πίνακας.
Μέρος Α',
Μέρος Β'.

3. Με τον παρόντα Νόμο, κυρώνεται η Συμφωνία, το αυθεντικό κείμενο της οποίας εκτίθεται στην Αγγλική, στο Μέρος Α' του Πίνακα, και η μετάφραση αυτού στην Ελληνική, στο Μέρος Β' του Πίνακα:

Νοείται ότι σε περίπτωση διαφοράς μεταξύ του κειμένου στο Μέρος Α' και εκείνου στο Μέρος Β' του Πίνακα, θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Α' αυτού.

ΠΙΝΑΚΑΣ
(άρθρο 3)

ΜΕΡΟΣ Α'

Agreement between the Republic of Cyprus and
the Kingdom of the Netherlands on the Privileges and Immunities
of the Liaison Officers at EUROPOL



Ministerie van
Buitenlandse Zaken

Treaties Division
DJZ/VE-431/04

The Ministry of Foreign Affairs presents its compliments to the Embassy of the Republic of Cyprus and has the honour to propose, with reference to the Co-operation Agreement between the Republic of Cyprus and the European Police Office of 4 July 2003 (hereinafter 'the Agreement'), and in view of Article 41, paragraph 2 of 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), that the privileges and immunities necessary for the proper performance of the tasks of the liaison officers at Europol referred to in Article 14 and Annex 3 of the Agreement, be agreed upon as set out in the Attachment.

If this proposal is acceptable to the Embassy of the Republic of Cyprus, the Ministry of Foreign Affairs proposes that this note and the affirmative note of the Embassy of the Republic of Cyprus shall constitute an Agreement between the Kingdom of the Netherlands and the Republic of Cyprus, which shall be applied provisionally from the day on which this affirmative note has been received by the Ministry of Foreign Affairs, and which shall enter into force on the first day of the second month following the date on which the Kingdom of the Netherlands and the Republic of Cyprus have informed each other that the formalities required for the entry into force have been complied with.

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

The Hague, 6 May 2004





Attachment

1. Definitions

In this Agreement:

- a. "Liaison officer" means: any official stationed at Europol in accordance with Article 14 of the Agreement;
- b. "Government" means the Government of the Kingdom of the Netherlands;
- c. "Host State authorities" means such State, municipal or other authorities of the Kingdom of the Netherlands as may be appropriate in the context of and in accordance with the laws and customs applicable in the Kingdom of the Netherlands;
- d. "Sending State" means the Republic of Cyprus;
- e. "Archives of the liaison officer" means all records, correspondence, documents, manuscripts, computer and media data, photographs, films, video and sound recordings belonging to or held by the liaison officer, and any other similar material which in the unanimous opinion of the Sending State and the Government forms part of the archives of the liaison officer.

2. Privileges and Immunities

1. Subject to the provisions of this Agreement, the liaison officer and members of his family who form part of his household and do not possess Dutch nationality, shall enjoy in and vis-à-vis the Kingdom of the Netherlands the same privileges and immunities as are conferred on members of the diplomatic staff by the Vienna Convention on Diplomatic Relations of 18 April 1961.

2. The Immunity granted to persons mentioned in paragraph 1 of this Article shall not extend to either:

- i) civil action by a third party for damages, including personal injury or death, arising from a traffic accident caused by any such person; or
- ii) criminal and civil jurisdiction over acts performed outside the course of their official duties.

3. The obligations of Sending States and their personnel that apply under the Vienna Convention to members of the diplomatic staff, shall apply to the persons referred to in paragraph 1 of this Article.



3. Entry, stay and departure

1. The Government shall facilitate, if necessary, the entry, stay and departure of the liaison officer and members of his family forming part of the household.
2. This Article shall not prevent the requirement of reasonable evidence to establish that persons claiming the treatment provided for under this Article come within the classes described in paragraph 1 of this Article.
3. Visas which may be required by persons referred to in this Article shall be granted without charge and as promptly as possible.

4. Employment

Members of the family forming part of the household of the liaison officer not having the nationality of an EU Sending State shall be exempt from the obligation to obtain working permits for the duration of the secondment of the liaison officer.

5. Inviolability of archives

The archives of the liaison officer wherever located and by whomsoever held shall be inviolable.

6. Personal Protection

The Host State authorities shall, if so requested by the Sending State, take all reasonable steps in accordance with their national laws to ensure the necessary safety and protection of the liaison officer, as well as members of his family who form part of his household, whose security is endangered due to the performance of the tasks of the liaison officer at Europol.

7. Facilities and immunities in respect of communication

1. The Government shall permit the liaison officer to communicate freely and without a need for special permission, for all official purposes, and shall protect the right of the liaison officer to do so. The liaison officer shall have the right to use codes and to dispatch and receive official correspondence and other official communications by courier or in sealed bags which shall be subject to the same privileges and immunities as diplomatic couriers and bags.