No. 59009*

Netherlands (Kingdom of the) (for the European part of the Netherlands)
and
Cyprus

Exchange of notes constituting an agreement between the Kingdom of the Netherlands and the Republic of Cyprus regarding emergency evacuation operations as a consequence of crisis situations. Nicosia, 5 July 2024 and 5 August 2024

Entry into force: *5 August 2014, in accordance with the provisions of the said notes*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Netherlands (Kingdom of the), 21 November 2025*

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Pays-Bas (Royaume des)(à l'égard de la partie européenne des Pays-Bas)
et
Chypre

Échange de notes constituant un accord entre le Royaume des Pays-Bas et la République de Chypre concernant les opérations d'évacuation d'urgence consécutives à des situations de crise. Nicosie, 5 juillet 2024 et 5 août 2024

Entrée en vigueur : *5 août 2014, conformément aux dispositions desdites notes*

Texte authentique : *anglais*

Enregistrement au Secrétariat de l'Organisation des Nations Unies : *Pays-Bas (Royaume des), 21 novembre 2025*

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[TEXT IN ENGLISH – TEXTE EN ANGLAIS]

EMBASSY OF THE KINGDOM OF THE NETHERLANDS

Nicosia, 5 July 2024

No. 044

The Embassy of the Kingdom of the Netherlands presents its compliments to the Ministry of Foreign Affairs of the Republic of Cyprus, and has the honour to refer to the Note no. 06.24.001, 06.24.003.003, 03.13.007.004 dated 31 January 2024:

"The Ministry of Foreign Affairs of the Republic of Cyprus presents its compliments to the Embassy of the Kingdom of the Netherlands, and in connection with emergency evacuation operations to be conducted by the Kingdom of the Netherlands, via the territory of the Republic -of Cyprus, when a danger to the life and health of citizens in the Middle East area emerges as a consequence of the deteriorating crisis situation caused by the ongoing hostilities in Gaza and Israel, would like to convey the following provisions to govern the rights and responsibilities of the Republic of Cyprus and the Kingdom of the Netherlands (the Parties) during these evacuation operations, including during transit and stationing, in the territory of Cyprus:

1. The Kingdom of the Netherlands (the Sending Party) shall have the right to evacuate its citizens and any European Union citizen and their dependents, as well as, on the basis of the Sending Party's international commitments or humanitarian considerations, any citizen of a third State and their dependents from the Middle East area, via the territory of the Republic of Cyprus (the Host Party). The evacuees shall be the responsibility of the Sending Party.
2. The evacuation operations shall commence upon an official request by the Sending Party, as soon as possible, and at least 24 hours, prior to the scheduled commencement, and following confirmation by the Host Party. Such request shall include the necessary information to facilitate the authorities of the Host Party in processing and implementing the request, including details of transport means, composition of involved personnel, including forces, of the Sending Party, expected number of evacuees and identification data thereof, and evacuated cargo.
3. The Sending Party shall ensure that all evacuees shall depart from the territory of the Republic of Cyprus within 48 hours after their arrival, except in exceptional circumstances requiring more time, after consultation between the Parties.
4. The personnel and vessels, aircrafts and ground vehicles used by the forces of the Sending Party shall be permitted to enter into the territory of the Republic of Cyprus and shall enjoy the freedom of movement necessary to fulfill its tasks, as well as the right to use designated ports, airports, public roads and other facilities, as provided by the Host Party. The personnel of the Sending Party shall abide by the laws and regulations of the Republic of Cyprus. Weapons and ammunition shall be kept on the aircraft and vessels or in storage designated by the Host Party, and shall only be transferred in the territory of the Republic of Cyprus upon the granting of permission by the Host Party and in accordance with the legislation of the Republic of Cyprus, including the escort of the Cyprus' Police. Ammunition and weapons shall be stored according to the legislation of the Host Party.
5. The Host Party shall provide, at no cost, the Sending Party with public infrastructure and public areas necessary to accommodate the personnel of the Sending Party and the evacuees, including the necessary utility services for this infrastructure (water, sanitary installations, electricity, communication means). The Host Party shall provide the Sending Party during the stationing with other logistical assistance and other support or medical services, as requested, against reimbursement by the Sending Party.
6. The Sending Party shall have the right to exercise exclusive jurisdiction over its personnel with respect to offences, including offences relating to its security, punishable by the law of the Sending Party, but not by the law of the Host Party, as well as in relation to misconduct of a solely disciplinary nature. The Sending Party shall have the primary right to exercise criminal jurisdiction over its personnel in relation to offences arising out of an act or omission done in the performance of official duty and/or solely against the personnel, property or security of the Sending Party or property of the personnel of the Sending Party.
   The Host Party shall have the right to exercise exclusive criminal jurisdiction over the personnel of the Sending Party with respect to offences, including offences relating to the security of the Host Party, punishable by its law but not by the law of the Sending Party. The Host Party shall have the primary right to exercise criminal jurisdiction over the personnel of the Sending Party for any criminal offences other than those referred to above.
   The Parties shall provide mutual legal assistance with respect to matters arising in connection to the above, in particular, in the conduct of inquiries and gathering of evidence.

7. Each Party shall waive all claims against the other Party, including in circumstances where any personnel of the Parties is injured or killed, or property of the Parties is lost, damaged or destroyed, during, or as a consequence, of the execution of activities under the scope of the evacuation operations. This shall not apply to claims for loss or damage caused by an act or omission of a member of a Party's personnel done with gross negligence or malicious intent. Determination concerning issues arising from the above, including the extend of liability and compensation, shall be made by consultation between the Parties. Claims (other than contractual claims) arising out of damage caused by the personnel of any Party to third parties in the performance of official duty shall be dealt with in accordance with the laws and regulations of the Host Party. Each Party shall be responsible for any compensation attributable to its personnel. The Parties shall exert every effort to determine issues arising from the above, including the extent of liability and compensation, by consultation. With regard to third party claims (other than contractual claims) arising out of damage caused by the personnel of the Sending Party not done in the performance of official duty, the Sending Party may decide whether it will offer an ex gratia payment to the claimant on the basis of a report prepared by the Host Party. Provided that nothing shall affect the jurisdiction of the courts of the Host Party to entertain a civil action in accordance with the laws and regulations of the Host Party.
8. Information exchanged regarding the evacuation operations shall be protected and shall be dealt with strictly on a bilateral basis, unless otherwise agreed.
9. Any dispute regarding the interpretation or application of the above shall be resolved through consultations between the Parties.
10. The personnel of the Sending Party stationed in the territory of Cyprus prior to the commencement of the evacuation operations for preparation purposes and those remaining after the evacuation operation in anticipation of further such operations, shall be governed by the aforementioned provisions, as applicable.

If the foregoing is acceptable by the Government of the Kingdom of the Netherlands, the Ministry proposes that this Note and the Embassy's reply thereto in similar terms shall constitute an Agreement between the Government of the Republic of Cyprus and the Government of the Kingdom of the Netherlands concerning emergency evacuation operations, via the territory of the Republic of Cyprus, as a consequence of the deteriorating crisis situation caused by the ongoing hostilities in Gaza and Israel, and shall only apply with respect to evacuation operations conducted in connection with the aforementioned situation. This Agreement shall enter into force upon receipt of the Embassy's Note Verbale in acceptance of the aforementioned, and may be terminated at any time by either Party by written notification, via diplomatic channels, to this effect.

The Ministry further proposes, in due course and when time allows it, the initiation of negotiations for the conclusion of a more comprehensive agreement on the evacuation of civilians. This practice (i.e. conclusion of relevant agreements, instead of technical arrangements and/or memoranda of cooperation) has been the practice of the Republic of Cyprus since early 2020.

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

The Kingdom of the Netherlands proposes that this Note, together with the affirmative Note in reply from the Ministry, shall constitute an Agreement (in the form of an exchange of Notes) between the Kingdom of the

Netherlands and the Republic of Cyprus, which shall enter into force on the date of the Ministry's Note in reply, which shall remain in force for the duration of one year.

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

Nr. II

MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF CYPRUS

Nicosia, 5 August 2024

Ref.: 06.24.001, 06.24.003.003, 03.13.007.004

The Ministry of Foreign Affairs of the Republic of Cyprus presents its compliments to the Embassy of the Kingdom of the Netherlands, and has the honour to acknowledge the receipt of the Embassy's Note Verbale No. 044, dated 5th July 2024, which reads as follows:

(Zoals in Nr. I)

The Ministry of Foreign Affairs of the Republic of Cyprus has further the honour to kindly inform that the proposals set forth in the Embassy's Note are acceptable to the Republic of Cyprus and to confirm that the mentioned Note and this Note in reply shall constitute an Agreement (in the form of an exchange of Notes) between the Republic of Cyprus and the Kingdom of the Netherlands on emergency evacuation operations to be conducted by the Kingdom of the Netherlands, via the territory of the Republic of Cyprus, when a danger to the life and health of the citizens in the Middle East area emerges as a consequence of the deteriorating crisis situation caused by the ongoing hostilities in Gaza and Israel, which shall enter into force on the date of this Note in reply and shall remain in force for the duration of one year.

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