



PRESIDENT  
VAN DE  
HOGE RAAD DER NEDERLANDEN

The Hague, April 1st 2014  
029/14/GC/ds

Circle of Presidents  
SC i.R. Univ. Prof. Dr. G. Holzinger, President of the Circle of  
Presidents of the Conference of European Constitutional Courts  
Freyung 8  
1010 Wien  
Österreich

re: Application for membership of the Supreme Court of the Netherlands

Dear Mr. President,

As the President of the Supreme Court of the Netherlands I herewith have the honour to submit the application to admit the Supreme Court of the Netherlands as a member of the Conference of European Constitutional Courts.

In Europe legal systems, the judicial institutions that play a role in these systems as well as the names of institutions that perform comparable functions in the respective legal orders of the European countries differ. In relation to the institutions that perform the functions of a constitutional court this was clearly illustrated by the interesting General report of Prof. Dr. A. Alen and Prof. Dr. M. Melchior on *The relations between the Constitutional Courts and the other national courts, including the interference in this area of the action of European Courts*, which was written for the XIIth Congress of the Conference of European Constitutional Courts.

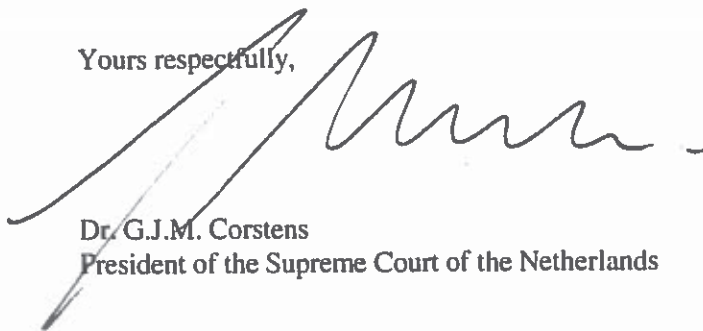
The Statute of the Conference takes this diversity into account by declaring membership open not only to European Constitutional Courts, but also to similar European institutions which exercise constitutional jurisdiction, in particular reviewing the conformity of legislation and which conduct their judicial activities in accordance with the principle of judicial independence, being bound by the fundamental principles of democracy and the rule of law and the duty to respect human rights.

I think that against this background my predecessor as president of the Dutch Supreme Court, mr. Haak, has taken for granted that the Supreme Court of the Netherlands could be admitted as a member of the Conference. Looking at the prior application for membership I get the impression that to him this seemed so obvious that he took too little effort to explain why.

I'm convinced it could be fruitful both for the current members of the Conference and for the Supreme Court of the Netherlands when the Supreme Court of the Netherlands will be admitted as a member of the Conference so that it can contribute to the aims of the Conference mentioned in art. 3 of its Statute. Therefore I submit this application and attach a memorandum that holds an explanation of why the Supreme Court of the Netherlands can be seen as a 'similar European institution that excersises constitutional jurisdiction' and that it meets the standards mentioned in art. 6.1.a of the Statute of the Conference with regard to the principle of judicial independence, the fundamental principles of democracy and the rule of law and the duty to respect human rights'.

Looking forward to a positive decision by the Conference,

Yours respectfully,

A handwritten signature in black ink, appearing to read 'G.J.M. Corstens', written over a light blue horizontal band.

Dr. G.J.M. Corstens  
President of the Supreme Court of the Netherlands