

No. 53841*

**Netherlands (for the European part of the Netherlands)
and
Republic of Moldova**

Agreement between the Kingdom of the Netherlands and the Republic of Moldova on the privileges and immunities of liaison officers seconded by the Republic of Moldova to Europol. The Hague, 22 July 2014

Entry into force: *provisionally on 22 July 2014 and definitively on 1 June 2016, in accordance with article 11*

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**Pays-Bas (pour la partie européenne des Pays-Bas)
et
République de Moldova**

Accord entre le Royaume des Pays-Bas et la République de Moldova relatif aux privilèges et immunités d'officiers de liaison détachés par la République de Moldova auprès d'Europol. La Haye, 22 juillet 2014

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Agreement between the Kingdom of the Netherlands and the Republic of Moldova on the privileges and immunities of liaison officers seconded by the Republic of Moldova to Europol

The Kingdom of the Netherlands

and

the Republic of Moldova,

hereinafter referred to as the Contracting Parties,

with reference to the provisions of the Article 51, paragraph 3 of the Council Decision of 6 April 2009 (2009/371/JHA) establishing the European Police Office (Europol) stating the privileges and immunities necessary for the proper performance of the tasks of the liaison officers at Europol,

have agreed as follows:

Article 1

Definitions

For the purpose of this Agreement:

a) “Liaison officer” means any official stationed at Europol in accordance with Article 9 of the Council Decision of 6 April 2009;

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 Moldova;

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.

Article 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 who neither have Dutch nationality nor are permanently resident in the Kingdom of the Netherlands, shall enjoy in and vis-a-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, and is without prejudice to Article 41 of the Council Decision of 6 April 2009, 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.

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.