

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2026 Nr. 77

A. TITEL

*Briefwisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Agentschap van de Europese Unie voor justitiële samenwerking in strafzaken (Eurojust) betreffende de wijziging van de Overeenkomst tussen het Koninkrijk der Nederlanden en Eurojust van 15 maart 2006;
's-Gravenhage, 3 juli 2026*

Voor een overzicht van de verdragsgegevens, zie verdragsnummers 014251 en 011136 in de Verdragenbank.

B. TEKST

Nr. I

MINISTRY OF FOREIGN AFFAIRS

The Hague, 3 July 2026

Exchange of letters between the Ministry of Foreign Affairs of the Kingdom of the Netherlands and the European Union Agency for Criminal Justice Cooperation (Eurojust) for the amendment of the Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006.

Dear Mr Schmid,

In view of the discussions between the Ministry of Foreign Affairs of the Kingdom of the Netherlands and Eurojust regarding the status of Liaison Prosecutors of third countries seconded to Eurojust in the Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006 ("the Agreement"), I have the honour to propose the following amendments to the Agreement:

Article 1 (Definitions) of the Agreement shall be supplemented with a new paragraph r) to read as follows:

- r) "Liaison Prosecutor" means any liaison prosecutor from a third country seconded to Eurojust based on a cooperation agreement concluded before 12 December 2019 between Eurojust and that third country or an international agreement concluded between the European Union and the third country pursuant to Article 218 of the Treaty on the Functioning of the European Union (TFEU) allowing for the secondment of a liaison prosecutor, as referred to in Article 54a(1) of the Eurojust Regulation¹⁾, and any deputy or assistant to the liaison prosecutor. For the purposes of this Agreement, this term also includes any other prosecutor seconded by a competent authority of a third country to Eurojust on the basis of a working arrangement concluded under Article 47(3) of the Eurojust Regulation.

A new Article 15a shall be introduced after Article 15 of the Agreement to read as follows:

¹⁾ Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust) and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138) (hereinafter referred to as "the Eurojust Regulation") (as amended by Regulation (EU) 2022/838, OJ L 148, 31.05.2022, p. 1–5; Regulation (EU) 2023/2131, OJ L, 11.10.2023, p. 1–14; and Regulation (EU) 2025/2082, OJ L, 15.10.2025, p. 1).

Article 15a.

Privileges and Immunities of a Liaison Prosecutor Granted by the Government

1. Subject to the provisions of this Agreement, a Liaison Prosecutor and members of the family forming part of the household, and who neither have Dutch nationality nor are permanently resident in the Kingdom of the Netherlands, shall enjoy the same privileges and immunities as are conferred on members of the diplomatic staff under the Vienna Convention.
2. The immunity granted to persons mentioned in paragraph 1 shall not extend to criminal and civil jurisdiction over acts performed outside the course of their official duties.
3. The Host State authorities shall facilitate, if necessary, the entry, stay and departure of the Liaison Prosecutor and members of the family forming part of the household.
4. 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.
5. Visas which may be required by persons referred to in this Article shall be granted without charge and as promptly as possible.
6. The archives of the Liaison Prosecutor, meaning all records, correspondence, documents, manuscripts, computer and media data, photographs, films, video and sound recordings belonging to or held by the Liaison Prosecutor, and any other similar material which in the unanimous opinion of Eurojust and the Host State authorities forms part of the archives of the Liaison Prosecutor, wherever located and by whomsoever held, shall be inviolable.
7. The Host State shall permit the Liaison Prosecutor to communicate freely and without a need for special permission, for all official purposes, and shall protect the right of the Liaison Prosecutor to do so. The Liaison Prosecutor 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.
8. Article 16 of this Agreement is not applicable to Liaison Prosecutors.
9. In case a third country nominates a person with the Dutch nationality or permanently resident in the Kingdom of the Netherlands as its Liaison Prosecutor, the Government and Eurojust shall mutually agree upon the privileges and immunities to be granted to the Liaison Prosecutor concerned.

Article 17 (Employment) of the Agreement shall be amended to read as follows:

Members of the family forming part of the household of national members, assistants, the Administrative Director, staff, and Liaison Prosecutors shall be granted, if necessary and in accordance with the provisions set out in the Annex, work permits in the Kingdom of the Netherlands for the duration of the secondment of the national member, the assistant, or the Liaison Prosecutor, or for the duration of the employment of the Administrative Director or a member of the staff with Eurojust in the Kingdom of the Netherlands.

Paragraph 1 of Article 19 (Waiver of Immunities) of the Agreement shall be amended to read as follows:

1. The College shall be required to waive the immunity of Eurojust, a national member, an assistant, any person referred to in Article 16, a Liaison Prosecutor, or, where appropriate, a member of the family forming part of the household of any person enjoying privileges and immunities on the basis of this Agreement, where such immunity would impede the course of justice and provided such immunity can be waived without prejudice to the interests of Eurojust.

Paragraphs 1 and 4 of Article 21 (Notification) of the Agreement shall be amended to read as follows:

1. Eurojust shall promptly notify the Government of:
 - a) the arrival and departure of national members and assistants,
 - b) the arrival and departure of the Administrative Director and of the staff members,
 - c) the arrival and departure of Liaison Prosecutors, and
 - d) the arrival and final departure of members of the family forming part of the household of the persons referred to in Article 11, paragraph 1, Article 13, paragraph 1, Article 14, and Article 15a, paragraph 1, and, where appropriate, domestic servants. Eurojust shall also periodically provide the Government with a list of the persons referred to under subparagraphs a), b) and c).

4. Upon termination of the function of a person referred to in paragraph 1a), b) and c), his identification card and any identification card issued to a member of his family forming part of his household shall be returned by Eurojust within a reasonable period.

Paragraphs 1, 2 and 4 of the Annex as referred to in Article 17 of the Agreement shall be amended to read as follows:

1. Members of the family forming part of the household of national members, assistants, the Administrative Director, staff, and Liaison Prosecutors shall be authorised to engage in gainful employment in the Netherlands for the duration of the term of office of a national member, an assistant, the Administrative Director, a member of the staff concerned, and a Liaison Prosecutor.
2. The following persons are members of the family forming part of the household in the sense of paragraph 1:
 - a) the spouse or the registered partner of a national member, an assistant, the Administrative Director, a member of the staff, or a Liaison Prosecutor;
 - b) children of a national member, an assistant, the Administrative Director, a member of the staff, or a Liaison Prosecutor who are under the age of 24;
 - c) children of a national member, an assistant, the Administrative Director, a member of the staff, or a Liaison Prosecutor who are aged 24 or over, but not older than 27, provided that they formed part of the household of national members, assistants, the Administrative Director, staff concerned, and Liaison Prosecutors prior to their first entry into the Netherlands and still form part of this household, and that they are unmarried, financially dependent on the national member, the assistant, the Administrative Director, the member of the staff concerned, or the Liaison Prosecutor and are attending education in the Netherlands.
4. In case of the insolvency of a person aged under 24 with respect to a claim arising out of gainful employment of that person, the immunity of the national member, the assistant, the Administrative Director, the member of the staff, or the Liaison Prosecutor of whose family the person concerned is a member shall be waived for the purpose of settlement of the claim, in accordance with the provisions of Article 19 of this Agreement.

I have the honour to propose that, if the provisions set forth above are acceptable to you, the present letter and your affirmative reply constitute an amendment of the Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006 ("the Agreement"), which shall enter into force on the date of such reply.

Please accept, Sir, the assurances of my highest consideration.

CHRISTIAAN REBERGEN
Secretary-General of the Ministry of Foreign Affairs
of the Kingdom of the Netherlands

Michael Schmid
President of Eurojust

EUROJUST – European Union Agency for Criminal Justice Cooperation
The Netherlands

Nr. II

EUROJUST

The Hague, 3 July 2026

Dear Secretary-General,

I have the honour to acknowledge receipt of your letter of 3 July 2026 which reads as follows:

(Zoals in Nr. I)

I have the honour to confirm that Eurojust accepts the above proposal of the Kingdom of the Netherlands for an amendment of the Agreement between the Kingdom of the Netherlands and Eurojust of 15 March 2006 ("the Agreement"), and to confirm that your letter and this reply shall constitute an Agreement between Eurojust and the Kingdom of the Netherlands which shall enter into force on the date of this reply.

Please accept the assurances of my highest consideration.

MICHAEL SCHMID
President of Eurojust

Mr Christiaan Rebergen
Secretary-General

Ministry of Foreign Affairs Kingdom of the Netherlands

D. PARLEMENT

Het in de brieven vervatte verdrag behoeft ingevolge artikel 7, aanhef en onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen juncto artikel 3 van de Wet van 24 december 1947 tot goedkeuring van het Verdrag inzake de voorrechten en immuniteiten van de Verenigde Naties (Stb. H 452), niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de brieven vervatte verdrag zijn ingevolge het gestelde in de laatste alinea van de brieven nr. I en nr. II op 3 juli 2026 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt het in de brieven vervatte verdrag voor Nederland (het Europese deel).

Uitgegeven de *tiende* juli 2026.

De Minister van Buitenlandse Zaken,

T.B.W. BERENDSEN