

**AGREEMENT**  
**BETWEEN**  
**THE KINGDOM OF BELGIUM**  
**AND**  
**THE REPUBLIC OF MOLDOVA**  
**ON THE GAINFUL OCCUPATION**  
**OF CERTAIN DEPENDENTS OF THE PERSONNEL**  
**OF THE DIPLOMATIC MISSIONS AND CONSULAR POSTS**

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**THE KINGDOM OF BELGIUM, represented by:**

**The Federal Government,  
The Flemish Government,  
The Government of the Walloon Region,  
The Government of the Brussels-Capital Region,  
The Government of the German-speaking Community,**

**AND**

**THE REPUBLIC OF MOLDOVA,**

**DESIRING** to conclude an agreement which aims to facilitate the gainful occupation of certain family members of personnel of diplomatic missions from the sending State or of consular posts of the latter on the territory of the receiving State,

**AGREE ON THE FOLLOWING:**

## ARTICLE 1

### Scope of the Agreement

1. On a reciprocal basis, the following are authorised to engage in gainful occupation in the receiving state:
  - a) spouse, registered partner, and unmarried dependent children up to eighteen years who permanently form part of the household of a diplomatic agent or of a consular official of the sending State assigned.
    - (i) to the receiving State; or
    - (ii) to international organisations with a seat in the receiving State;
  - b) spouse and registered partner who permanently form part of the household of another member of the personnel of the mission of the sending State or of the personnel of the consular post of the same State;

as defined in Article 1 of the Vienna Conventions on Diplomatic (1961) and Consular Relations (1963).
2. Authorisation to engage in a gainful occupation is given by the authorities of the receiving State in accordance with the laws and regulations in force in this State and subject to the provisions of this Agreement.
3. Such authorisation does not extend to the nationals of the receiving State or permanent residents in its territory.
4. Unless the receiving State decides otherwise, authorisation shall not be given to those beneficiaries who, having engaged in a gainful occupation, cease to form part of the household of the persons described in the first paragraph of this Article
5. The authorisation shall apply during the period in which the persons, covered in the first paragraph of this Article, are assigned to the diplomatic mission or consular post of the sending State in the territory of the receiving State until the conclusion of the term of the assignment (or within an acceptable timeframe following this event )

## ARTICLE 2

### Procedures

1. All requests for authorisation to engage in a gainful occupation shall be sent, on behalf of the beneficiary, by the diplomatic mission of the sending State to the State Diplomatic Protocol Office of the Ministry of Foreign Affairs and European Integration of the Republic of Moldova or to the Protocol Division of the Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation of the Kingdom of Belgium accordingly

Upon verification that the person is a dependent of an agent within the scope of the provisions of article 1, first paragraph, and processing of the official request, the government of the receiving State shall inform the diplomatic mission of the sending State that the dependent is eligible for gainful occupation

2. The procedures followed shall be applied in a way that enables the beneficiary of the authorisation to engage in a gainful occupation as soon as possible. All requirements relating to work permits and any other similar formalities shall be favourably applied.
3. Authorisation for the beneficiary to engage in a gainful occupation shall not imply exemption from any legal or other requirements relating to personal characteristics, professional or other qualifications that the individual concerned must demonstrate in engaging in a gainful occupation. Recognition by the Parties of any diploma, qualification, scientific or professional degree shall be done in accordance with the legislation of the receiving State or bilateral / multilateral agreements to which the sending and receiving State are party.
4. The beneficiary is not allowed to be employed in a position which according to the legislation in force in the receiving State can be held only by the citizens of the receiving State
5. The diplomatic mission of the sending State shall inform the State Diplomatic Protocol Office of the Ministry of Foreign Affairs and European Integration of the Republic of Moldova or the Protocol Division of the Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation of the Kingdom of Belgium when changes occur with regard to the status of a family member engaged in a gainful occupation under this Agreement.

### **ARTICLE 3**

#### **Civil and administrative privileges and immunities**

In cases where the beneficiary of the authorisation to engage in a gainful occupation enjoys immunity from the civil and administrative jurisdiction of the receiving State, in accordance with the provisions of the Vienna Conventions on diplomatic and consular relations or of any other applicable international instrument, such immunity shall not apply in respect of any act carried out in the course of the gainful occupation and falling within the civil or administrative law of the receiving State. The sending State shall waive immunity from execution of any sentence in relation to these matters

#### **ARTICLE 4**

##### **Criminal Immunity**

In cases where a beneficiary of the authorisation to engage in a gainful occupation enjoys immunity from the criminal jurisdiction of the receiving State, in accordance with the provisions of the aforementioned Vienna Conventions or of any other applicable international instrument:

- a) the sending State shall waive the immunity from criminal jurisdiction enjoyed by the beneficiary of the authorisation with regard to the receiving State in respect of any act or omission arising from the gainful occupation, except in special instances where the sending State considers that such a waiver could be contrary to its own interests,
- b) such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from execution of the sentence, for which a specific waiver shall be required. In the case of such a request, the sending State shall give serious consideration to the request of the receiving State.

#### **ARTICLE 5**

##### **Taxation and social security regimes**

In accordance with the provisions of the aforementioned Vienna Conventions or of any other applicable international instrument, beneficiaries of the authorisation to engage in a gainful occupation shall be subject to the taxation and social security regimes of the receiving State for all matters connected with their gainful occupation in that State.

#### **ARTICLE 6**

##### **Duration and termination**

This Agreement shall remain in force for an indefinite period, either Party being able to terminate it at any time by giving six months' notice in writing to the other Party

**ARTICLE 7**

**Amendments**

This Agreement may be amended at any time by a written agreement between the Parties. Any such agreement shall enter into force in the same manner as this Agreement.

**ARTICLE 8**

**Entry into Force**

This Agreement shall enter into force on the first day of the second month following the date of exchange of the last notification of the completion of the internal procedures necessary for its entry into force.

**IN WITNESS WHEREOF**, the undersigned representatives, duly authorised by their respective Governments, have signed this Agreement.

**DONE** at Prague, on the 31<sup>st</sup> day of the month of August of the year 2022, in two original copies, each in the Romanian, French, Dutch and English languages. In case of any divergence of interpretation, the English text shall prevail.

**FOR THE KINGDOM OF BELGIUM:**

**FOR THE REPUBLIC MOLDOVA:**

**The Federal Government,  
The Flemish Government,  
The Government of the Walloon Region,  
The Government of the Brussels-Capital  
Region,  
The Government of the German-speaking  
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