

# POLICE COOPERATION CONVENTION FOR SOUTHEAST EUROPE

## **Preamble**

*The Republic of Albania, Bosnia and Herzegovina, the Republic of Macedonia, the Republic of Moldova, Romania and the State Union of Serbia and Montenegro*

*Hereafter referred to as "Contracting Parties",*

*Desiring to cooperate in order to pursue common security interests,*

*Resolved to effectively combat cross-border threats to public order and security and international crime by entering into a security partnership,*

*Aiming at further intensifying and enhancing the police cooperation,*

*Determined to further strengthen mutual assistance in police matters,*

*Have agreed on the following:*

## **Article 1**

### **Scope of the Convention**

The Contracting Parties shall strengthen their cooperation with respect to fighting threats to public security and/or order as well as with respect to prevention, detection and police investigation of criminal offences. This is done under national law, unless otherwise indicated in this Convention.

## **Article 2**

### **Definitions**

For the purpose of this Convention

- a) "**Law enforcement authorities**" shall mean the authorities which in accordance with the national law of the Contracting Parties have the necessary competence to apply the provisions of this Convention;
- b) "**Officials**" shall mean any individual designated by the law enforcement authorities;
- c) "**Borders**" shall mean the Contracting Parties' land borders, borders on water courses, maritime borders, their airports and sea ports, defined by national law, internationally recognised;
- d) "**Third State**" shall mean any State other than the Contracting Parties;
- e) "**Residence permit**" shall mean an authorisation of whatever type issued by a Contracting Party which grants right of residence within its territory. This definition shall not include temporary permission to reside in the territory of a Contracting Party for the purposes of

processing an application for asylum or a residence permit;

- f) **"Personal data"** shall mean any data relating to an identified or identifiable natural person: an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity;
- g) **"Processing of personal data"** (hereafter referred to as "processing") shall mean any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction;
- h) **"Information"** shall mean personal and non-personal data.

### Article 3

#### General Cooperation Measures

The law enforcement authorities of the Contracting Parties shall, within their jurisdiction, take all measures aiming at enhancing their cooperation.

In particular, the authorities shall provide for:

1. enhancing information exchange and communication structures by:
  - a) informing each other about facts of cases, links between suspects, and typical suspect behaviour without indicating person-related data;
  - b) informing each other directly, as timely as possible, about upcoming events and incidents of police relevance, without indication of person-related data, to facilitate combating threats to public order and security so that the necessary measures can be taken in time;
  - c) sharing significant information, except person-related data, to facilitate operational planning both for routine activities and for special operations, including as a precautionary measure intelligence about events and incidents that might have an impact on the territory of the respective other Contracting Party;
  - d) by preparing and regularly updating common directories containing data on jurisdictions and competences, and contact data;
  - e) maintaining radio communication and, in this respect by exchanging equipment until a uniform radio equipment and frequencies will be introduced in all European countries, and preparing joint proposals for low-cost improvement of telecommunication, especially radio communication along the borders.
2. enhancing cooperation during operations and investigations for the purpose of prevention, detection and investigation and for countering threats by:
  - a) deploying the forces in the neighbouring border areas in line with coordinated planning;
  - b) planning and carrying joint programmes in the field of crime prevention;
  - c) holding meetings and talks at regular intervals, in order to control and maintain the quality of cooperation, discuss new strategies, coordinate operation-, search- and patrol plans, exchange statistical data, and coordinate working programmes;
  - d) facilitating mutual training/study visits as upon agreement by the departments concerned;
  - e) inviting representatives of the other Contracting Parties to participate in special operations as observers.

## **CHAPTER I: GENERAL PROVISIONS**

### **Article 4**

#### **Cooperation upon Request**

- (1) The law enforcement authorities of the Contracting Parties shall, upon request, render mutual assistance in the framework of their respective jurisdiction to take measures against threats to public order and/or security, to prevent, detect and investigate criminal offences, unless such a request, or the execution of it, can only be dealt with by the judicial authorities under the law of the respective Contracting Party. If the requested authority is not competent to deal with the request, it shall forward the request to the competent authority and inform the requesting authority accordingly.
- (2) Law enforcement authorities in the sense of this Convention are mentioned in the Attached Lists. In any case, the competence of other Ministries is not to be interfered.
- (3) The Contracting Parties shall establish or appoint National Central Units. Until the establishment or appointment of National Central Units the existing structures in the respective countries shall be used.
- (4) Requests and replies to such requests can also be exchanged, if direct cooperation appears expedient, by informing the National Central Unit or existing structures to such a procedure, among the authorities named in the Attached Lists,
  - a) if official cross-border activities refer to criminal offences which will in all likelihood be investigated by the law enforcement authorities of the border region or
  - b) if requests to assist in averting imminent threats to public order and/or security cannot otherwise be transmitted in time through the usual channels between the National Central Units.
- (5) Requests can, in particular, concern:
  - a) Identification of owners and users of motor-vehicles, of all types of vessels and aircrafts.

Upon request of a Contracting Party, the requested Contracting Party shall transmit stored data on motor-vehicles, on all types of vessels and aircrafts, as well as data of the owners and users, if these data are needed to identify a person in his/her capacity as owner/user of or to identify the vehicles used by a person, or the vehicle data required for the prevention and combating criminal offences, and protection from threats to the public order and/or security.

The law enforcement authorities of the requesting Contracting Party may forward the request to the authority(ies) which maintain(s) the vehicle registration database, or in urgent cases, and likewise, if information from the respective authorities of all types of vessels registration numbers is required, to a law enforcement authority of the requested Contracting Party.
  - b) Information on driving-licences and vehicle documents as well as comparable driving permits and documents;
  - c) Establishment of the place of abode, of the place of residence and residence permits;
  - d) Identification of subscribers of telephones or other telecommunication equipment;

- e) Identification of individuals, dead bodies, or parts of dead bodies;
  - f) Information on the origin of items, such as firearms, ammunition and explosives, explosive devices, motor-vehicles, all types of vessels and aircrafts and cultural property;
  - g) Search for wanted persons and property;
  - h) Initiation and coordination of search measures;
  - i) Police interviews and interrogations, especially in order to determine the willingness of a person to give information;
  - j) Information on crime scene investigation, collection of evidence, evaluation and analysis of evidence;
  - k) Concrete measures to ensure witness protection;
  - l) Information exchange in cases of hot pursuit;
  - m) Cooperation and information exchange on crowd control at all public gatherings;
- (6) Requests and replies to such requests shall be made in writing (by fax or e-mail). In case person-related data are transmitted, a secure transmission method must be chosen taking into account the sensitivity of the data. In urgent cases, requests can be made orally. However, immediately afterwards a confirmation in writing must be made. The written reply will be given only after receiving the written confirmation. The Contracting Parties shall make sure that only authorized personnel has access to the communication device used.

## **Article 5**

### **Scope of Information Exchange**

- (1) In the course of cooperation aiming at preventing, detecting and investigating criminal offences, in particular organised crime, the law enforcement authorities of the Contracting Parties shall, upon request, exchange the following information:
- a) on data of individuals involved in organised crime, intelligence on links between the suspects and persons under suspicion in relation to commission of criminal offences, their knowledge on the structure of criminal organisations and groups, and about typical behaviour patterns of suspects and persons under suspicion or suspect groups and groups under suspicion, information on prepared, attempted, or accomplished criminal offences, especially time, scene and type of crime, details on victims or victimized property, intelligence on the particular circumstances and about the relevant legal provisions, if required to prevent, detect and investigate criminal offences,
  - b) on methods and new forms of transborder crime,
  - c) on criminological and other crime-related research results, details on practice of conducting investigations, working means and methods aiming at their further development,
  - d) on intelligence and/or samples of items or property that were damaged during the crime, or were used or intended to commit a crime or which were the result of a committed crime,
  - e) on legislation in force relating to the crimes that are subject of this Convention,
  - f) on criminal proceeds and assets acquired through commission of or involvement in crime.

- (2) When obtaining information by means of special methods, the authorities of the Contracting Parties shall cooperate in compliance with their national legislation. The Contracting Parties undertake to ensure at least the same standard of protection for data transmitted in the course of such information exchange as prescribed by the respective national legal provisions.

## **Article 6**

### **Information Exchange without Request**

In certain cases, the law enforcement authorities of the Contracting Parties shall provide each other with information without being requested, if, based on proven facts, there is reason to assume that such information is needed to counter concrete threats to public order and/or security, or to prevent, detect and investigate criminal offences. Regarding the information exchange, Article 4, paragraphs 3 (National Central Units), 4 (requests and replies to such requests), and 6 (requests in writing by fax or e-mail) shall apply accordingly.

## **Article 7**

### **Joint Threat Analysis**

The law enforcement authorities of the Contracting Parties shall aspire to possess a uniform level of information about the crime rate situation. To this end, they shall exchange status reports periodically or if a need arises, and make joint analyses at least once a year.

## **Article 8**

### **Regular Information Exchange to Combat illegal Migration**

- (1) The Contracting Parties shall exchange intelligence regularly to combat illegal border crossing and smuggling of human beings.
- (2) The information to be exchanged primarily refers to migratory movements, extent, structure and possible destinations, likely migratory routes and means of transport used to illegally cross the border, and forms of organisations of the smugglers. Furthermore, intelligence and analyses that refer to the current situation shall be communicated, and, likewise, any planned measures that might be of relevance for the other Contracting Party.

## **Article 9**

### **Liaison Officers**

- (1) The Contracting Parties may conclude bilateral agreements providing for the secondment, for a specified or unspecified period of time, of liaison officers from one Contracting Party to the law enforcement authorities of another Contracting Party.
- (2) The secondment of liaison officers for a specified or unspecified period of time is intended to advance and accelerate cooperation between the Contracting Parties, particularly by providing assistance:
  - a) in the form of the exchange of information for the purposes of this Convention;

- b) in executing requests for mutual police assistance in criminal matters;
- c) with the tasks carried out by the authorities responsible for border surveillance.

- (3) Liaison officers shall have the task of providing advice and assistance. They shall not be empowered to take independent police action. They shall supply information and perform their duties in accordance with the instructions given to them by the seconding Contracting Party and by the Contracting Party to which they are seconded.
- (4) The Contracting Parties may agree within a bilateral or multilateral framework that liaison officers from a Contracting Party seconded to third States shall also represent the interests of one or more other Contracting Parties. Under such agreements, liaison officers seconded to third States shall supply information to other Contracting Parties when requested to do so or on their own initiative and shall, within the limits of their powers, perform duties on behalf of such Parties. The Contracting Parties shall inform one another of their intentions with regard to the secondment of liaison officers to third States.

## **Article 10**

### **Witness Protection**

- (1) The law enforcement authorities of the Contracting Parties designated for the witness protection shall directly cooperate in the area of witness protection programmes.
- (2) The cooperation shall, in particular, include the exchange of information, assistance as regards logistics, and taking over of persons to be protected.
- (3) An Agreement will be signed for each particular case of taking over of persons to be protected, in order for mutual rights and obligations to be regulated.
- (4) The person to be protected must have been placed under the witness protection programme of the requesting Contracting Party. The person to be protected will not be included in the witness protection programme of the requested Contracting Party. When taking supportive measures in connection with the protection of these persons the national legislation of the requested Contracting Party shall apply accordingly.
- (5) In principle the requesting Contracting Party shall bear the costs of living for the persons to be protected. The requested Contracting Party shall bear the expenses for personnel and material resources for the protection of these persons.
- (6) For serious reasons and after having duly notified the requesting Contracting Party, the requested Contracting Party can cease the supportive measures. In this case, the requesting Contracting Party shall retake the person concerned.

## **Article 11**

### **Basic and Advanced Training and Exchange of Experience**

The law enforcement authorities of the Contracting Parties shall cooperate in the field of basic and advanced training, by, *inter alia*,

- a) exchanging syllabi for basic and advanced training;
- b) arranging joint basic and advanced training seminars and cross-border exercises as part of

the cooperation laid down in this Convention;

- c) inviting representatives of the law enforcement authorities of the other Contracting Party to participate in exercises and special operations as observers, and providing for mutual practical training visits;
- d) permitting representatives of the law enforcement authorities of the other Contracting Party to attend advanced training courses.

## Article 12

### Prevention

The law enforcement authorities of the Contracting Parties shall exchange experience in the field of crime prevention and shall launch and carry out joint programmes to this effect.

## Article 13

### Hot Pursuit

- (1) Officers of one of the Contracting Parties who are pursuing in their country an individual caught in the act of committing or participating in a criminal offence shall be allowed, subject to bilateral Implementation Agreements concluded in accordance with Article 34 paragraph 1 of this Convention, to continue pursuit in the territory of another Contracting Party without the latter's prior authorisation, where given the particular urgency of the situation, it is not possible to notify the law enforcement authorities of the other Contracting Party by one of the means provided for in Article 24 of the Convention prior to entry into that territory or where these authorities are unable to reach the scene in time to take over the pursuit.

The same shall apply where the person being pursued has escaped from provisional custody or while serving a sentence involving deprivation of liberty.

The pursuing officers shall, not later than when they cross the border, contact the law enforcement authorities of the Contracting Party in whose territory the hot pursuit is to take place. The hot pursuit will cease as soon as the Contracting Party in whose territory the pursuit is taking place so requests. At the request of the pursuing officers, the competent local authorities shall challenge the pursued person in order to establish the person's identity or to make an arrest.

- (2) The bilateral Implementation agreements as referred to in paragraph 1 of this Article shall define the criminal offences for which the hot pursuit will be applicable either by way of an exhaustive list or by extending it to all extraditable criminal offences.
- (3) Hot pursuit shall be carried out in accordance with one of the following procedures, defined by the bilateral Implementation Agreements as referred to in paragraph 1 and 2 of this Article:
  - a) The pursuing officers shall not have the right to apprehend the pursued person;
  - b) If no request to cease the hot pursuit is made and if the competent local authorities are unable to intervene quickly enough, the pursuing officers may detain the person pursued until the officers of the Contracting Party in whose territory the pursuit is taking place, who must be informed immediately, are able to establish the person's identity or make an arrest.
- (4) Hot pursuit shall be carried out in accordance with paragraphs 1 and 3 and in one of the

following ways as defined by the bilateral Implementation Agreements as referred to in paragraph 1 and 2 of this Article:

- a) in an area or during a period as from the crossing of the border, to be established in the bilateral Implementation Agreement;
- b) without limit in space or time.

(5) Hot pursuit shall be carried out only under the following general conditions:

- a) The pursuing officers must comply with the provisions of this Article and with the law of the Contracting Party in whose territory they are operating; they must obey the instructions issued by the competent local authorities.
- b) Pursuit shall be solely over land and blue borders.
- c) Entry into private homes and places not accessible to the public is prohibited.
- d) The pursuing officers shall be easily recognisable, either by their uniform, by means of an armband or by accessories fitted to their vehicles; the use of civilian clothes combined with the use of unmarked vehicles without the aforementioned identification is prohibited; the pursuing officers must at all times be able to prove that they are acting in an official capacity.
- e) The pursuing officers may carry their service weapons; their use shall be prohibited except in cases of legitimate self-defence.
- f) Once the pursued person has been apprehended as provided for in paragraph 3(b), for the purpose of being brought before the competent local authorities that person may only be subjected to a security search; handcuffs may be used during the transfer; objects carried by the pursued person may be seized.
- g) After each operation referred to in paragraphs 1, 3 and 4, the pursuing officers shall appear before the competent local authorities of the Contracting Party in whose territory they were operating and shall report on their mission; at the request of those authorities, they shall remain at their disposal until the circumstances surrounding their action have been sufficiently clarified; this condition shall apply even where the hot pursuit has not resulted in the arrest of the person pursued.
- h) The authorities of the Contracting Party from which the pursuing officers have come shall, when requested by the authorities of the Contracting Party in whose territory the hot pursuit took place, shall assist the enquiry subsequent to the operation in which they took part, including judicial proceedings, providing that the identity of the involved pursuing officer is protected.

(6) A person who, following the action provided for in paragraph 3, has been arrested by the competent local authorities may, whatever that person's citizenship, be held for questioning. The relevant rules of national law shall apply *mutatis mutandis*. If the person is not a national of the Contracting Party in whose territory the person was arrested, that person shall be released no later than six hours after the arrest was made, not including the hours between midnight and 9.00 a.m., unless the competent local authorities have previously received a request for that person's provisional arrest for the purposes of extradition in any form whatsoever.

(7) The officers referred to in the previous paragraphs shall be specified in the bilateral

## Implementation Agreements.

- (8) The Contracting Parties may, on a bilateral basis, extend the scope of paragraph 1 and adopt additional provisions in implementation of this Article.

### Article 14

#### Cross-border Surveillance

- (1) Officers of one of the Contracting Parties who, as part of a criminal investigation, are keeping under surveillance in their country a person who is presumed to have participated in an extraditable criminal offence shall subject to bilateral Implementation Agreements concluded in accordance with Article 34 paragraph 1 of this Convention be authorised to continue their surveillance in the territory of another Contracting Party where the latter has authorised cross-border surveillance in response to a request for assistance made in advance. Conditions may be attached to the authorisation. On request, the surveillance will be entrusted to officers of the Contracting Party in whose territory this is carried out. The request for assistance referred to in the first subparagraph must be sent to an authority designated by each of the Contracting Parties and empowered to grant or to pass on the requested authorisation.
- (2) Where, for particularly urgent reasons, prior request for authorisation can not be submitted from the requesting Contracting Party, the Officers carrying out the surveillance shall subject to bilateral Implementation Agreements mentioned in paragraph 1 of this Article be allowed to continue beyond the border the surveillance of a person presumed to have committed a criminal offence as mentioned in paragraph 3. In these cases, the authority of the Contracting Party in whose territory the surveillance is to be continued, must be notified immediately that the border has been crossed, and a request for assistance outlining the grounds for crossing the border without prior authorisation shall be submitted with no delay.
- (3) The bilateral Implementation agreements as referred to in paragraphs 1 and 2 of this Article shall define the criminal offences mentioned in paragraph 2 either by way of an exhaustive list or by extending it to all extraditable criminal offences.
- (4) Surveillance shall cease as soon as the Contracting Party in whose territory it is taking place so requests, following the notification or the request referred to in the previous paragraphs, where authorisation has not been obtained, five hours after the border was crossed.
- (5) The surveillance referred to in paragraphs 1 and 2 shall be carried out only under the following general conditions:
  - a) The officers carrying out the surveillance must comply with the provisions of this Article and with the law of the Contracting Party in whose territory they are operating; they must obey the instructions of the competent local authorities.
  - b) Except in the situations outlined in paragraph 2, the officers shall, during the surveillance, carry a document certifying that authorisation has been granted.
  - c) The officers carrying out the surveillance must at all times be able to prove that they are acting in an official capacity.
  - d) The officers carrying out the surveillance may carry their service weapons during the surveillance unless specifically otherwise decided by the requested Party; their use shall be prohibited except in cases of legitimate self-defence.
  - e) Entry into private homes and places not accessible to the public is prohibited.

- f) ~~The officers carrying out the surveillance may neither challenge nor arrest the person under surveillance.~~
- g) All operations shall be the subject of a report to the authorities of the Contracting Party in whose territory they took place; the officers carrying out the surveillance may be required to appear in person.
- h) The authorities of the Contracting Party from which the surveillance officers have come shall, when requested by the authorities of the Contracting Party in whose territory the surveillance took place, assist the enquiry subsequent to the operation in which they took part, including judicial proceedings, provided that the identity of the involved officer is protected.
- (6) The officers referred to in the previous paragraphs shall be specified in the bilateral Implementation Agreements.
- (7) The Contracting Parties may, by way of bilateral Implementation Agreement, extend the scope of this Article and adopt additional measures in application thereof.

## **Article 15**

### **Controlled Delivery**

- (1) Upon Letter of Request from a Contracting Party, another Contracting Party can, in case of investigations for extraditable offences, if appropriate, permit controlled delivery on its territory, especially of transport of narcotic drugs, precursors, firearms, explosives, counterfeit currency, and items originating from a crime, or intended to be used to commit a crime, if the requesting Contracting Party explains that, without such a measure, identification of perpetrators or of distributing routes would be impossible or extremely hampered. If the content of a controlled delivery presents a particular risk for the persons involved, or a danger to the public, the requested Contracting Party has the right to ask that certain conditions be met before granting the request or refuse the request altogether.
- (2) The requested Contracting Party shall take control over the delivery when it crosses the border, or at a place of taking over agreed by the law enforcement authorities, in order to avoid interruption of control, and guarantees permanent surveillance of the shipment in a manner that enables police intervention at any time. After takeover by the requested Contracting Party, officers of the requesting Contracting Party can continue to follow the controlled delivery together with officers of the requested Contracting Party, upon agreement with the requested Contracting Party.
- (3) The officers of the requesting Contracting Party are obliged to observe the laws of the requested Contracting Party.
- (4) If the competent law enforcement authorities of the requested Contracting Party cannot intervene in due time, and if continuation of the controlled delivery would present a serious risk for life or health of persons, or cause serious damage to property, or if the delivery could no longer be kept under control, the officer of the requesting Contracting Party can seize the controlled delivery. If necessary, the officers of the requesting Contracting Party can stop and apprehend persons who escort the shipment until intervention by law enforcement authorities of the requested Contracting Party. In any case the requesting Contracting Party shall inform the law enforcement authorities of the requested Contracting Party without delay.
- (5) When a controlled delivery has been seized on the territory of the requested Contracting Party,

it may be handed over to the requesting Contracting Party on the basis of a Letter of Request.

- (6) A person who, following the action provided for in paragraph 3, has been arrested by the competent local authorities may, whatever that person's citizenship, be held for questioning. The relevant rules of national law shall apply *mutatis mutandis*.
- (7) If the person is not a national of the Contracting Party in whose territory he/she was arrested, that person shall be released no later than six hours after the arrest was made, not including the hours between midnight and 9.00 a.m., unless the competent local authorities have previously received a request for that person's provisional arrest for the purposes of extradition in any form whatsoever.
- (8) In the course of a controlled delivery, the provisions of Article 14, paragraph 4, sub-paragraph a) to c) and e) to h) shall apply accordingly for the officers of the requesting Contracting Party.
- (9) An official Letter of Request, demanding a controlled delivery, over which control begins or is continued into a third State, shall be granted only if in the request is indicated that the conditions set out in paragraph 2 are also met by the third State.

## **Article 16**

### **Undercover Investigations to Investigate Crimes**

- (1) In the course of investigations for criminal offences, a Contracting Party can, on the basis of a request received in advance, consent to the deployment of officers of the requesting Contracting Party under the terms of its legislation, who can play the role of an agent, or a person performing a controlled purchase (thereafter referred to as "undercover investigator"). The requesting Contracting Party shall make such a request only if the investigation of the criminal offence would otherwise be impossible or extremely impeded. The true identity of the officer need not be revealed in the request.
- (2) Undercover investigations on the territory of the requested Contracting Party shall be restricted to single, temporary operations. Preparations of these operations shall be done by way of coordination between the officers involved from the Contracting Parties. The deployment of an undercover investigator and the execution of the actions taken by the undercover investigator shall be managed by the requested Contracting Party. The requested Contracting Party is responsible for the action taken by an undercover investigator of the requesting Contracting Party, and can, at any time, demand the termination of the operation.
- (3) The deployment of undercover investigators under this Article, the conditions under which the operation is carried out and the terms for the use of the investigation results shall depend upon the legislation of that Contracting Party on whose territory the undercover investigator is deployed.
- (4) The requested Contracting Party shall grant the undercover investigator all necessary support in form of personnel, including the presence of his handler, logistics and technical equipment, and shall take all necessary measures to protect the undercover investigator during the operation on its territory.
- (5) Due to extreme urgency, in case there is a serious danger that the identity of the undercover investigator can be revealed, the deployment of an undercover investigator on the territory of the other Contracting Party shall be admissible without prior consent as outlined in paragraph 1. In these cases, the preconditions for the deployment of the undercover investigator on the territory of the other Contracting Party must be met. The activities of the undercover investigator must be restricted to the extent absolutely essential for maintaining his/her cover story or

his/her security. The requested Contracting Party shall be notified of the deployment without delay, and can, at any time, demand the termination of the operation.

- (6) Paragraphs 1 to 4 shall apply accordingly in cases where a Contracting Party requests the deployment of an undercover investigator of the other Contracting Party on its territory. In such cases, unless otherwise agreed upon, the requesting Contracting Party shall bear the costs of the operation.
- (7) The Contracting Parties shall take all necessary precautions to keep the undercover investigator's identity secret and to guarantee his/her security, also after his/her deployment is over.

#### **Article 17**

##### **Undercover Investigations to Prevent Criminal Offences**

- (1) As far as permissible under the respective national legislation, undercover investigations to prevent extraditable crimes can be carried out on the territory of the other Contracting Party, if consent has been given to this cross-border undercover investigation upon prior receipt of a request.
- (2) Article 14 shall apply accordingly.

#### **Article 18**

##### **Request to Collect Evidence in Case of Imminent Danger**

- (1) In case of imminent danger, requests can be made by the respective law enforcement authorities as far as authorized to do so under national law, to collect evidence including physical examinations, as well as searches and seizures, as far as provided for by national legislation. The requests shall be addressed directly to the competent law enforcement authority.
- (2) The execution of the request, including the determination whether there is indeed imminent danger, shall depend on the law of the requested Contracting Party, which will inform, without delay, the requesting Contracting Party about it.
- (3) If the request referred in paragraph 1 was not made by a judicial authority, the judicial authority in charge shall be notified without delay that the request was made, including of the special circumstances of the case implying imminent danger.
- (4) As far as the law of the requested Contracting Party requires a court order for giving or upholding the measure on the requested Contracting Party's territory, an order or explanation by the competent court of the requesting Contracting Party shall be filed subsequently, without delay. The Contracting Parties shall inform each other about the relevant provisions of their national law.
- (5) The transmission of the results of the measures taken to the requesting Contracting Party shall require an official letter rogatory by the competent judicial authority. If the results of the measures taken need to be transmitted as a matter of urgency, the requested authority can transmit the results directly to the requesting authority. In case the requested authority is not a judicial authority, the transmission of the results shall require prior consent by the competent judicial authority.

## **Article 19**

### **Request for Physical Examination**

- (1) As far as permitted under the law of the requested Contracting Party, the Contracting Parties, through the law enforcement authorities, shall provide each other mutual assistance with regard to physical examination of the suspect and other individuals.
- (2) Requests under paragraph 1 shall be granted only if,
  - a) the examination is required to determine facts of relevance to the case and is commensurate to the seriousness of the criminal offence;
  - b) an order for physical examination is submitted by a service authorized to do so under national law of the requesting Contracting Party, or it is obvious from a message sent by such a service that the preconditions for an examination have been met, if the suspect or the other persons are staying on the territory of the requesting Contracting Party.

## **Article 20**

### **Transmission and Comparison of DNA-Profiles and other Identification Material**

- (1) In the course of pending investigations or penal proceedings, and with respect to missing persons and unidentified bodies, the competent services of the Contracting Parties shall grant each other mutual assistance by exchange and searching DNA-profiles and other Identification Material in their databases as provided for under their respective national legislation. The results thereof shall be made known as soon as possible to the competent services of the requesting Contracting Party. For this purpose, the Interpol-DNA-form in the version valid at the time of the request shall be used. If typing of the biological material is considered necessary to increase the bio-statistical accuracy, the requested Contracting Party shall, as far as feasible and commensurate, take care of such typing of the biological material. Any expenses arising from such action shall be refunded to the requested Contracting Party.
- (2) If DNA-database search as outlined in paragraph 1 has remained negative, the requested Contracting Party shall save the DNA-profile obtained as laid down in paragraph 1 for the purpose of DNA-database-search as provided for under its national law in its database, if asked to do so by requesting Contracting Party.
- (3) If the DNA-profile of a certain person staying in the requested Contracting Party is not available, the requested Contracting Party shall grant legal assistance by obtaining and analysing molecular-genetic material of this person, and transmitting the DNA-profiles obtained therefore, if
  - a) the requesting Contracting Party advises the purpose of the same;
  - b) the requesting Contracting Party submits an analysis request or order as required under its law to the competent service, indicating that there would be justified grounds for collecting and analysing the molecular-genetic material, would the person be staying on the territory of the requesting Contracting Party, and
  - c) the conditions for obtaining and analysing molecular-genetic material under the law of the requested Contracting Party have been met;
  - d) the requested Contracting Party shall be refunded any costs arising from doing so.

- (4) Requests can also be transmitted by the competent police authorities of both Contracting Parties and dealt with through the same channels.

## **Article 21**

### **Authorities responsible for Requests as defined in Chapter I**

- (1) The respective Law Enforcement Authorities which have been listed by the Contracting Parties in the Attached Lists referred to in Article 37 shall be responsible for requests referred to in Articles 15, 16, 17, 18, 19 and 20.
- (2) Copies of the requests referred to in paragraph 1 shall be transmitted to the National Central Unit described in Article 4 paragraph 3.

## **Article 22**

### **Legal Status of operating Officers**

For the purpose of this Convention, officers operating in the territory of another Contracting Party shall be regarded as officers of that Party with respect to offences committed against them or by them.

## **Article 23**

### **Liability of operating Officers**

- (1) Where, for the purpose of this Convention, officers of a Contracting Party are operating in the territory of another Contracting Party, the first Contracting Party shall be liable for any damage caused by them during their operations, under the law of the Contracting Party in whose territory they are operating.
- (2) The Contracting Party in whose territory the damage referred to in paragraph 1 was caused shall provide for its reparation or compensation under same conditions applicable to damages caused by its own officers.
- (3) The Contracting Party whose officers have caused damage to any person in the territory of another Contracting Party shall reimburse the latter in full any sums it has paid to the victims or persons entitled on their behalf.

## **Article 24**

### **Technical Measures for Facilitating Transborder Cooperation**

- (1) In accordance with the relevant international agreements and account being taken of local circumstances and technical possibilities, the Contracting Parties shall install, in particular in border areas, telephone, radio, and telex lines and other direct links to facilitate police cooperation, in particular for the timely transmission of information for the purposes of police cooperation, as stipulated in this Convention.
- (2) In addition to these short-term measures, they will consider, in particular, the following options:
  - a) exchange equipment or post liaison offers provided with appropriate radio equipment;

- b) widen the frequency bands used in border areas;
  - c) establish common links for police services operating in these same areas;
  - d) coordinate their programmes for the procurement of communications equipment, with a view to installing standardised and compatible communications systems.
- (3) In accordance with mutual agreements, Contracting Parties may also arrange joint use of other types of technical equipment and other means, owned by one or more of the Contracting Parties.

## **Article 25**

### **Establishments providing Accommodations**

- (1) The Contracting Parties shall adopt the necessary measures in order to ensure that:
- a) the managers of establishments providing accommodation or their agents warrant that aliens complete and sign registration forms and confirm their identity by producing a valid identity document;
  - b) the completed registration forms will be kept by the law enforcement authorities or forwarded to them where such authorities deem this necessary for the prevention of threats, for criminal investigations or for clarifying the circumstances of missing persons or accident victims, save where national law provides otherwise.
- (2) Paragraph 1 shall apply mutatis mutandis to persons staying in any commercially rented accommodation, in particular tents, caravans and boats. Aliens are persons who are not nationals of the Contracting Party where the accommodation is provided and registration made.

## **CHAPTER II: TERMS OF COOPERATION**

## **Article 26**

### **Joint Cooperation and Cross-border Search Operations**

- (1) If the need arises, the law enforcement authorities of the Contracting Parties shall form mixed analysis working groups and other working groups, as well as, control and surveillance teams in which officers of a Contracting Party take a supportive and advisory role, in order to intensify the cooperation during operations in the territory of the other Contracting Party, without independently exercising sovereign powers.
- (2) The law enforcement authorities of the Contracting Parties in the border regions shall participate in cross-border search operations for fugitive suspects. The National Central Units shall be involved in cases of super-regional significance.
- (3) The authorities shall cooperate in the search for missing persons.
- (4) When officials of a Contracting Party are operating in the territory of another Contracting Party, they will be authorised to wear their uniforms and service weapons and to carry other means of

force, except if the other Contracting Party on whose territory the operation is carried out, will declare that this is not allowed or only allowed under certain circumstances.

- (5) The use of service weapons is only allowed in the case of self defence.

## **Article 27**

### **Joint Investigation Teams**

- (1) By mutual agreement, the law enforcement authorities of two or more Contracting Parties may set up a joint investigation team for a specific purpose and a limited period, which may be extended by mutual consent, to carry out criminal investigations in one or more of the Contracting Parties setting up the team. The composition of the team shall be set out in the agreement setting up the team.
- (2) A joint investigation team may, in particular, be set up where:
  - a) a Contracting Party's investigations into criminal offences require difficult and demanding investigations having links with other Contracting Parties;
  - b) a number of Contracting Parties are conducting investigations into criminal offences in which the circumstances of the case necessitate coordinated, concerted action in the Contracting Parties involved.
- (3) A request for the setting up of a joint investigation team may be made by any of the Contracting Party concerned. The team shall be set up in one of the Contracting Party in which the investigations are expected to be carried out.
- (4) Requests for the setting up of a joint investigation team shall include the authority making the request, the purpose of the joint investigation team, the Contracting Parties in which the joint investigation team will operate and proposals for the composition of the joint investigation team.
- (5) A joint investigation team shall operate in the territory of the Contracting Parties setting up the team under the following general conditions:
  - a) the leader of the team shall be a representative of the law enforcement authority participating in criminal investigations from the Contracting Party in which the team operates. The leader of the team shall act within the limits of his or her competence under national law;
  - b) the team shall carry out its operations in accordance with the law of the Contracting Party in which it operates. The members of the team shall carry out their tasks under the leadership of the person referred to in subparagraph (a), taking into account the conditions set by their own authorities in the agreement on setting up the team.
- (6) In this Article, members of the joint investigation team from Contracting Parties other than the Contracting Party in which the team operates are referred to as being "seconded" to the team.
- (7) Seconded members of the joint investigation team shall be entitled to be present when investigative measures are taken in the Contracting Party of operation. However, the leader of the team may, for particular reasons, in accordance with the law of the Contracting Party where the team operates, decide otherwise.
- (8) Seconded members of the joint investigation team may, in accordance with the law of the Contracting Party where the team operates, be entrusted by the leader of the team with the task of taking certain investigative measures where this has been approved by the law enforcement authorities of the Contracting Party of operation and the seconding Contracting Party.

- (9) Where the joint investigation team needs investigative measures to be taken in one of the Contracting Parties setting up the team, members seconded to the team by that Contracting Party may request their own law enforcement authorities to take those measures. Those measures shall be considered in that Contracting Party under the conditions which would apply if they were requested in a national investigation.
- (10) Where the joint investigation team needs assistance from a Contracting Party other than those which have set up the team, or from a third State, the request for assistance may be made by the law enforcement authorities of the Contracting Party of operations to the law enforcement authorities of the other Contracting Party concerned in accordance with the relevant instruments or arrangements.
- (11) A member of the joint investigation team may, in accordance with his or her national law and within the limits of his or her competence, provide the team with information available in the Contracting Party which has seconded him or her for the purpose of the criminal investigations conducted by the team.
- (12) Information lawfully obtained by a member or seconded member while part of a joint investigation team which is not otherwise available to the law enforcement authorities of the Contracting Parties concerned may be used for the following purposes:
- a) for the purposes for which the team has been set up;
  - b) subject to the prior consent of the Contracting Party where the information became available, for detecting, investigation and prosecuting other criminal offences. Such consent may be withheld only in cases where such use would endanger criminal investigations in the Contracting Party concerned or in respect of which that Contracting Party could refuse mutual assistance;
  - c) for preventing an immediate and serious threat to public security, and without prejudice to subparagraph (b) if subsequently a criminal investigation is opened;
  - d) for other purposes to the extent that this is agreed between Contracting Parties setting up the team.
- (13) This Article shall be without prejudice to any other existing provisions or arrangements on the setting up or operation of joint investigation teams.
- (14) To the extent that the laws of the Contracting Party concerned or the provisions of any legal instrument applicable between them permit, arrangements may be agreed for persons other than representatives of the law enforcement authorities of the Contracting Parties setting up the joint investigation team to take part in the activities of the team. Such persons may, for example, include officials of international organisations recognized by Contracting Parties. The rights conferred upon the members or seconded members of the team by virtue of this Article shall not apply to these persons unless the agreement expressly states otherwise.

## **Article 28**

### **Mixed Patrols along the State Border**

- (1) The law enforcement authorities of the Contracting Parties can perform mixed patrols along the common border in order to fight threats to public security and to combat illegal transborder activities.
- (2) When performing mixed patrols, the officers of the other Contracting Party shall be authorized, as far as permitted by the national legislation of the Contracting Party on whose territory they are acting, to determine the identity of persons and to stop them should they attempt to avoid control. Other measures shall be taken by officers of the Contracting Party, on whose territory the operation is carried out, unless the measures would be ineffective or impossible without the

intervention of the officers of the other Contracting Party.

- (3) During mixed patrols referred to in paragraphs 1 and 2, the legislation of that Contracting Party, on whose territory the officers become active, shall apply.
- (4) When officials of a Contracting Party are operating on the territory of another Contracting Party, they will be authorised to wear their uniforms and service weapons and to carry other means of force, except the other Contracting Party on whose territory the operation is carried out, will declare that this is not allowed or only allowed under certain circumstances.
- (5) The use of service weapons is only allowed in the case of self defence.

## **Article 29**

### **Cooperation in Common Centres**

- (1) Common centres can be established to facilitate information exchange and cooperation between the law enforcement authorities of the Contracting Parties in the framework of this Convention.
- (2) In the common centres, officers of the Contracting Parties shall cooperate side-by side in the framework of their respective competencies, in order to exchange, analyse, and pass on information, and also to play a supportive role in the coordination or cross-border cooperation as laid down in this Convention, irrespective of the official contacts, correspondence and exchange of intelligence through the National Central Units. Articles 3 and 4 of the Convention shall apply accordingly for the transmission of person-related data between the officers, as well as, the provisions of Article 30 of the Convention.
- (3) Supportive activities can also comprise preparation of and assistance in handing over persons under treaties concluded between the Contracting Parties.
- (4) The officers cooperating in the common centres shall be exclusively subject to the instruction and disciplinary power of their national authorities. The officers in the common centres shall not carry out operational activities on their own. Joint operations can only be carried out upon agreement between the competent law enforcement authorities of the Contracting Parties and in the ways made possible under this Convention.
- (5) The establishment of common Centres and the modalities of cooperation and even distribution of costs shall be regulated in the Implementation Agreements specified in Article 34 paragraph 1.

## **Article 30**

### **Restriction of Cooperation**

- (1) If a Contracting Party considers that granting the execution of a request or any other form of cooperation might jeopardise its security or other important interests or the national legislation, it shall inform the other Contracting Party that it refuses the cooperation in full or in part, or that it agrees to cooperate under certain conditions. The Contracting Parties shall inform each other, without delay, in writing, stating the ground for complete or partial refusal of cooperation.
- (2) Technical equipment and pertinent technical documentation given to law enforcement authorities under this Convention must not be passed on to third States without prior consent of the donating authorities.

## Article 31

### Data Protection

- (1) As regards the automatic processing of personal data communicated pursuant to this Convention, each Contracting Party shall, no later than the date of entry into force of this Convention, adopt the necessary national provisions in order to achieve a level of protection of personal data which complies with the principles of Recommendation No R (87) 15 of 17 September 1987 of the Committee of Ministers of the Council of Europe regulating the use of personal data in the police sector.
- (2) Furthermore a level of protection of personal data at least equal to that resulting from the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 28 January 1981 must be achieved.
- (3) The communication of personal data provided for in this Convention shall not take place until the provisions for the protection of personal data as specified in paragraph 1 entered into force in the territories of the Contracting Parties involved in such communication.
- (4) The following provisions shall apply for the transmission of data under the terms of Chapters I and II of this Convention and for their further use and processing:
  - a) Data communicated under this Convention shall be used by the Contracting Parties solely for the purposes for which it has been supplied or for preventing an immediate and serious threat to public security or for preventing a serious offence. Processing for other purposes shall be permitted solely with the prior authorisation of the communicating Contracting Party;
  - b) When transmitting data, the transmitting authority shall set deadlines for deletion and/or destruction (hereafter referred to as "destruction") of the data in line with its national legislation. Irrespective of these deadlines, the transmitted data shall be destroyed if no longer required for fulfilling the tasks which constituted the reason for their transmission, or for any other purposes in accordance with sub-paragraph a). The transmitted data shall be destroyed at the very latest on the day of the termination of the validity this Convention, unless it will be replaced by a new Convention;
  - c) Should it turn out that incorrect data have been transmitted, or unlawfully obtained the transmitting authority shall be obliged to inform the recipient accordingly without delay. The recipient shall forthwith destroy the unlawfully obtained or transmitted data, or rectify the incorrect data. If the recipient learns of unlawful processing of the transmitted data, it shall be obliged to notify the transmitting authority accordingly, without delay. If the recipient has reasons to believe that the transmitted data are incorrect, or that they need to be destroyed, it will notify the transmitting authority accordingly without delay. The transmitting authority and the recipient shall inform each other about all circumstances that are of relevance for keeping the transmitted data accurate and updated;
  - d) The recipient is obliged to effectively protect the transmitted data from accidental or unauthorised destruction, accidental loss, accidental or unauthorised change, accidental or unauthorised dissemination, accidental or unauthorised access, or accidental or unauthorised publication;
  - e) The transmitting authority and the recipient shall be obliged to keep log-files of transmission, receipt and destruction of the data. The logging shall comprise the reasons for sending, the contents, the transmitting authority and the recipient, the time of

transmission and of destruction of the data. On-line transmissions are to be logged by means of computer-aided methods. The logging records shall be kept for a minimum period of three years. The logging data may be used only for authentication that relevant legal provisions on data protection have been observed;

- f) Upon request, the recipient shall inform the transmitting authority about each processing of the transmitted data and about the results obtained;
  - g) Upon request, every person shall be entitled to be informed by the authority responsible for data-processing, with regard to the data concerning him/her, transmitted or processed in the framework of this Convention, and shall be entitled to rectification of incorrect data or destruction of unlawfully processed data. Exceptions from this rule and the practical process depend on the national law of the Contracting Party asked for information, rectification or destruction. Before a decision is taken with regard to such an application, the recipient shall give the transmitting authority an opportunity to comment;
  - h) The Contracting Parties shall make sure that each person in case of a violation of his/her data protection rights can complain to an independent court or another independent authority, and that he/she can claim damages;
  - i) Information received by the Contracting Parties shall only be further transmitted to third States with the prior authorisation of the Contracting Party which provided the information.
- (5) The Contracting Parties shall be liable, in conformity with their respective legislation, for harm inflicted upon a person as a consequence of processing of data concerning him/her that were transmitted in the framework of this Convention in cases where the data transmitted were incorrect or unlawfully transmitted. When held liable under their legislation, the Contracting Parties cannot plead vis-à-vis the prejudiced person that the transmitted data had been incorrect or unlawfully transmitted by another Contracting Party. If the receiving Contracting Party indemnifies a loss caused by use of incorrect or unlawfully transmitted data, the transmitting Contracting Party shall refund the entire amount of indemnification granted.
- (6) Control of observance of the legal provisions on data protection, when processing data obtained by officers active on the territory of the other Contracting Party in the framework of the implementation of this Convention, shall be incumbent upon the law enforcement authority of that Contracting Party on whose behalf the data had been obtained and shall be subject to its legislation.
- (7) Officers who are active on the territory of the other Contracting Party shall not have direct access to computerised data of this Contracting Party.

## **Article 32**

### **Confidentiality of information and Classified Information**

- (1) The Contracting Parties shall, in principle, ensure a basic protection for all information received from another Contracting Party, by all necessary measures, including the obligation of discretion and confidentiality, limiting access to information to authorised personnel, protection of personal data and general technical and procedural measures to safeguard the security of the information.
- (2) Information subject to a formal classification level of the transmitting Contracting Party, which is indicated by a specific marking, shall receive an equivalent protection by the recipient of the information in accordance with the table of equivalence of the classification levels of the Contracting Parties in the Attached Lists.

- (3) ~~In choosing the classification level, each Contracting Party shall adhere to the classification of the information under its national law or applicable regulations and take into account the need for flexibility and the requirement that classification of law enforcement information should be the exception and that, if such information must be classified, the lowest possible level should be assigned~~
- (4) The transmitting authority shall inform the recipient, without delay, in writing, about a change of the classification level, or withdrawal of the classification. The recipient shall undertake to adapt the classification level in compliance with this message, or to withdraw the classification.
- (5) The transmitted classified information shall be used solely for the purpose for which they were transmitted, and shall be disclosed only to those persons who require this information for their activity and who are authorised, under national law, to have knowledge of such classified information.
- (6) All violations of the legal provisions of the receiving Contracting Party concerning the protection of the transmitted classified information shall be made known to the transmitting authority without delay. This communication shall also contain the circumstances and the consequences of such violation, and the measures taken to limit the consequences and to prevent future violations of that nature.
- (7) The classified information shall be transmitted to the other Contracting Party by courier or in any other way agreed upon, which is admissible under the respective national legislation of the Contracting Parties.

### **CHAPTER III: FINAL PROVISIONS**

#### **Article 33**

##### **Committee of Ministers**

- (1) A Committee composed of the competent Ministers of the Contracting Parties shall be set up. The Committee of Ministers decides unanimously on the interpretation, implementation and application of this Convention.
- (2) The Committee of Ministers shall establish an expert working group, which will observe application and implementation of the Convention, give recommendations to the Committee of Ministers for interpretation and improvements of the Convention provisions, and carry out some other activities for the needs of the Committee.
- (3) The Committee of Ministers shall be convened upon request of a Contracting Party, but at least once a year. It will meet in the territory of each Contracting Party in turn.

#### **Article 34**

##### **Implementation Agreements and Communications**

- (1) The Contracting Parties may conclude Implementation Agreements for the purpose of this Convention.
- (2) The Contracting Parties shall notify the Depositary of changes of jurisdictions and designations of the authorities mentioned in the text of this Convention and its Attached Lists.

## **Article 35**

### **Expenses**

Each Contracting Party shall meet in accordance with its national legislation the costs arising for its authorities from the implementation of this Convention, unless otherwise stated in this Convention or the Implementation Agreements, or otherwise agreed upon in advance between the law enforcement authorities.

## **Article 36**

### **Relation to Other International Treaties**

This Convention shall not affect any rights and obligations of the Contracting Parties arising out of other international treaties.

## **Article 37**

### **Attached Lists**

The Attached Lists form an integral part of this Convention.

## **Article 38**

### **Depositary**

- (1) Depositary of this Convention is the Republic of Albania.
- (2) The Depositary shall send a certified copy of this Convention to each signatory or acceding state.
- (3) The Depositary shall notify the other Contracting Parties of the deposit of any instrument of ratification, acceptance, approval or accession, of any reservations and declarations, and of any other notification made in connection with this Convention.
- (4) The Depositary shall notify all Contracting Parties on any date of entry into force of the Convention in accordance with Article 40.
- (5) The Depositary shall arrange for the registration of this Convention, upon its entry into force, with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.
- (6) The first meeting of the Committee of Ministers shall be convened by the Depositary after entry into force of the Convention.

## **Article 39**

### **Ratification, Acceptance, Approval or Accession**

- (1) This Convention is subject to ratification, acceptance, or approval of the Signatories. The instruments of ratification, acceptance or approval shall be deposited with the Depositary.
- (2) This Convention shall be open for accession. The instrument of accession shall be deposited with the Depositary.

## **Article 40**

### **Entry into Force**

- (1) This Convention shall enter into force on the ninetieth day following the date of the deposit of the second instrument of ratification, acceptance, approval, or accession.
- (2) For each State ratifying, accepting, approving, or acceding to this Convention after the deposit of the second instrument of ratification, acceptance, approval, or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification, acceptance, approval, or accession.
- (3) All Implementation Agreements, binding all Contracting Parties, concluded under the terms of Article 34 of this Convention shall become binding for every State ratifying, accepting, approving, or acceding to this Convention after the entry into force of this Convention on the date of entry into force of this Convention for such State.

## **Article 41**

### **Reservations**

- (1) Each State may, at the time of ratification, acceptance, approval or accession, formulate reservations.
- (2) Reservations may be withdrawn at any time by notification to the Depositary. Such notification shall take effect on the date on which it is received.

## **Article 42**

### **Withdrawal and Suspension**

- (1) This Convention shall be concluded for an indefinite period of time.
- (2) Any Contracting Party may withdraw from this Convention at any time by written notification to the Depositary. The withdrawal shall take effect six months after the date of receipt of the notification by the Depositary.
- (3) Any Contracting Party may suspend the operation of this Convention in full or in part if necessary to maintain the security of the state, the public order or security, or life and limb of persons. The Contracting Parties shall notify the depositary without delay of taking or revoking such a measure. Any measure taken under this paragraph shall take effect 15 days after the date of receipt of the notification by the Depositary.

In witness whereof the undersigned, being duly authorised have signed this Convention:

For the Republic of Albania:



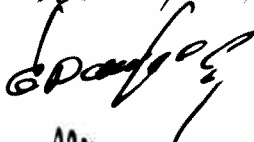
For Bosnia and Herzegovina:



For the Republic of Macedonia:



For the Republic of Moldova:



For Romania:



For the Republic of Serbia:



For the Republic of Montenegro:



Done at Vienna, on the 5<sup>th</sup> day of May, 2006, in a single original, in the English language.

## ATTACHED LISTS

### Article 4 (2) (Law Enforcement Authorities)

Republic of Albania: Ministry of the Interior  
Bosnia and Herzegovina: Ministry of Security  
Republic of Moldova: Ministry of the Interior  
Republic of Macedonia: Ministry of Internal Affairs  
Romania: Ministry of Administration and Interior  
Republic of Serbia: Ministry of Interior of the Republic of Serbia  
Republic of Montenegro: Police Directorate

### Article 4 (3) (National Central Units)

Requests and replies to requests regulated in Article 4 of the Convention shall be transmitted to the National Central Units. The "National Central Units" are:

For the Republic of Albania: The Ministry of the Interior  
For Bosnia and Herzegovina: The Ministry of Security  
For the Republic of Macedonia: Ministry of the Interior  
For the Republic of Moldova: The Ministry for Internal Affairs  
For Romania: The Ministry of Administration and Interior  
For the Republic of Serbia: The Ministry of Interior  
For the Republic of Montenegro: Police Directorate

### Article 4 (4) (Existing Structures)

For the Republic of Albania: Ministry of the Interior  
For the Bosnia and Herzegovina: The Ministry of Security  
For the Republic of Macedonia: Ministry of the Interior  
For the Republic of Moldova: Ministry of Internal Affairs  
For Romania: Ministry of Administration and Interior  
For the Republic of Serbia: Border Police Directorate and Fire fighting Directorate  
Republic of Montenegro: Police Directorate

# Article 32 Classification Levels

Level	Albania	Bosnia & Herzegovina	Macedonia	Moldova	Romania	Serbia	Montenegro
RESTRICTED		INTERNO	INTERNAL	DE SERVICIU / SERVICE	SECRET DE SERVICIU	INTERNAL	RESTRICTED
CONFIDENTIAL	KONFIDENCIAL	POVJERLJIVO	CONFIDENTIAL	CONFIDENTIAL / CONFIDENTIAL	SECRET	SERVICE SECRET / CONFIDENTIAL	CONFIDENTIAL
SECRET	SEKRET	TAJNO	TOP SECRET	SECRET / SECRET	STRICT SECRET	SERVICE SECRET / TOP SECRET	SECRET
TOP SECRET	TEPER SEKRET	VRLO TAJNO	STATE SECRET	STRICT SECRET / TOP SECRET	STRICT SECRET DE IMPORTANTA DEOSEBITA	STATE SECRET	TOP SECRET