

A G R E E M E N T

on co-operation between the European Police Office and the Russian Federation

The European Police Office (referred to as “Europol”)

and the Russian Federation,

hereinafter individually referred to as a “Party” and together referred to as the
“Parties”,

Considering that it is within their common interest to enhance their cooperation in
the area of law enforcement,

Considering that the Council of the European Union has authorised Europol to
conclude a cooperation agreement with the Russian Federation,

have agreed as follows:

Article 1

The purpose of this Agreement is to enhance cooperation on combating the serious forms of transnational criminal activities referred to in Article 4 between the Russian Federation and the Member States of the European Union acting through Europol.

Article 2

The present Agreement does not include the exchange of personal data. The exchange of personal data shall be carried out on the basis of a separate agreement between the Parties.

Article 3

The Parties shall cooperate in accordance with the provisions of this Agreement provided that Europol acts within its legal framework and the Russian Federation observes its legislation and international obligations.

Article 4

1. The Parties shall cooperate in the area of prevention, detection, suppression and investigation of crimes, in particular with respect to the following offences:

- a) against life and health of persons;
- b) related to terrorism and its financing;
- c) related to illicit trafficking in narcotic drugs, psychotropic substances and precursors;
- d) related to illicit trafficking in works of art,
- e) related to illicit trafficking in firearms, ammunition, explosives and poisonous substances, nuclear and radioactive materials;
- f) related to property, including fraud and the theft of and illegal trafficking in motor vehicles;
- g) related to money laundering;
- h) related to illegal migration, trafficking in human beings and prostitution and exploitation of prostitution by third persons.

2. Europol shall cooperate within its mandate as to the issues specified in paragraph 1 of this Article.

Article 5

In order to realise the objectives laid down in Article 3 of this Agreement the Parties shall cooperate in the following ways:

1) exchange of strategic and technical information of mutual interest including information on:

- forms, methods and means of committing crimes;
- new types of narcotic and psychotropic substances discovered in illicit trafficking, the technologies and the materials used to produce such substances, as well as new methods for the examination and identification of such substances;
- channels for transferring illegally acquired funds;
- crime situation and development reports, threat assessments;
- new forms and methods of combating crime;
- administrative and legal measures to develop main trends of law enforcement activities;
- modern forensic police methods and investigating procedures;
- advanced forms and methods of personnel training;
- centres of excellence;
- methods of information processing and analysis;
- criteria for the evaluation of law enforcement activities;

2) exchange of law enforcement experience including the organisation of scientific and practice-oriented conferences, internships, consultations and seminars;

3) exchange of legislation, manuals, technical literature and other law enforcement materials; and

4) training.

Article 6

1. For the purposes of cooperation in accordance with the present Agreement the Russian Federation will determine its bodies responsible for implementation of this Agreement and competent for preventing and combating the crimes referred to in Article 4 of the present Agreement, including the central competent body through which these competent bodies would make contact with Europol. These bodies are listed in Annex 1 to this Agreement.

2. The Russian Federation will notify Europol of any changes to the list of the competent bodies listed in Annex 1 to this Agreement within 30 days from the date of making such changes.

Article 7

1. Cooperation within the framework of this Agreement is carried out on the basis of requests for assistance, or on the initiative of one of the Parties, if this Party presumes that such assistance is of interest to the other Party.
2. A request for assistance will be provided in writing. If any doubts emerge related to the authenticity or the contents of the request, an additional confirmation may be requested.
3. Requests for assistance should contain:
 - the name of the agency which requests assistance and the name of the agency to which the request was put;
 - purpose of and grounds for the request;
 - facts and details of the case, if applicable;
 - a description of the requested assistance;
 - any other information which could be helpful for an appropriate execution of the request.
4. Requests for assistance must be signed by persons authorised by the Parties. The names of such persons will be communicated in writing via diplomatic channels within 60 days from the date of signature of the present Agreement.

Article 8

1. Assistance requested under the present Agreement may be denied completely or partially, if:
 - the Russian Federation considers that the execution of the request may damage its sovereignty, security, public order or other essential State interests, or contradicts its legislation or international obligations;
 - Europol considers that the execution of the request conflicts with its purposes and tasks.
2. Whenever possible, the requested Party shall, before taking a decision to deny assistance in accordance with paragraph 1, consult with the requesting

Party to consider whether the assistance can be granted under the conditions which the requested Party considers to be necessary. The requesting Party shall respect the conditions under which the assistance is granted to it.

3. The requesting Party shall be notified in writing of a full or partial refusal to execute the request, with an explanation of the reasons for it.

Article 9

1. The requested Party shall take all necessary measures to ensure a prompt and complete execution of the request. The requesting Party shall be immediately notified about any circumstances that may hamper the execution of the request or considerably delay its execution.
2. The requested Party shall have the right to ask for any further data it considers necessary to duly execute the request.
3. At the request of the Party requesting assistance, the requested Party shall take all necessary measures to ensure confidentiality of the fact that the request was made, the contents of the request and any annexed documents, as well as the fact that it has provided assistance.

The requested Party shall inform the requesting Party if it is not possible to execute the request without preserving its confidentiality, the requesting Party shall decide whether it is acceptable to execute the request under these conditions.

4. The requested Party shall inform the requesting Party of the results of the execution of the request at its earliest convenience.

Article 10

1. Each Party shall take the measures necessary to protect the information received from the other Party, which are equivalent to those applied by the submitting Party to ensure its confidentiality. The correlation of such protection measures shall be determined by mutual consent between the Parties through an Exchange of Notes.

The measures for the protection of information may be changed by the receiving Party upon request of the Party which submitted information, or with its written consent, with due regard to the applicable regulations on confidentiality of the receiving Party.

2. The Party providing the information may stipulate conditions on its further use. Changes of the conditions on the usage of information as well as elimination of the restrictions in its dissemination are possible only with the written consent of the providing Party.
3. Information received in accordance with the present Agreement shall not be used without the consent of the providing Party for purposes other than those for which it was provided.
4. Information received in accordance with the present Agreement may not be shared with third parties other than Member States of the European Union without the prior consent of the providing Party.

Article 11

1. Representatives of the Parties will hold regular working meetings and consultations to examine ways of strengthening and enhancing the efficiency of the cooperation based on the present Agreement.
2. Representatives of the Russian Federation may be invited by Europol to participate in the meetings of the Heads of Europol National Units.

Article 12

The Parties may exchange liaison officers through the conclusion of a separate agreement if necessary.

Article 13

The provisions of the present Agreement shall not affect rights and obligations arising out of any other bilateral or multilateral agreements to which Europol or the Russian Federation are a party, including Mutual Legal Assistance Treaties. It shall also not affect any working law enforcement relationship between the Russian Federation and any Member State of the European Union.

Article 14

The Parties shall bear their own expenses which arise in the course of implementation of the present Agreement, unless otherwise agreed on a case-by-case basis.

Article 15

In the course of their cooperation in accordance with the present Agreement the Parties shall use the Russian and the English languages.

Article 16

All disputes which may emerge in connection with the interpretation or application of the present Agreement shall be settled by means of consultations and negotiations between representatives of the Parties.

Article 17

This Agreement may be amended by mutual consent between the Russian Federation and Europol.

Europol may only give its consent to amendments after the unanimous approval of such amendments by the Council of the European Union.

Article 18

The present Agreement shall come into force as of the date of its signature. It will remain valid until three months after the date of receipt by one of the Parties of the written notification of the other Party of its intent to terminate the Agreement.

Done in Rome this sixth day of November in the year two thousand and three in duplicate, in a copy in Russian and English, both texts having the same legal force.

For the Russian Federation,

For the European Police Office,

Igor Ivanov

Jürgen Storbeck

Minister of Foreign Affairs

Director

ANNEX 1**TO THE AGREEMENT ON CO-OPERATION BETWEEN
THE RUSSIAN FEDERATION AND THE EUROPEAN POLICE OFFICE**

The competent authorities in the Russian Federation responsible under national law for preventing and combating the criminal offences referred to in Article 4 (1) of the Agreement between the Russian Federation and the European Police Office are:

1. Ministry of Internal Affairs of the Russian Federation – the principal competent authority
2. Federal Security Service of the Russian Federation
3. State Committee of the Russian Federation for control of trafficking in narcotic drugs and psychotropic substances
4. State Customs Committee of the Russian Federation
5. Financial Monitoring Committee of the Russian Federation