

AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF BULGARIA
AND THE COUNCIL OF MINISTERS OF THE REPUBLIC OF
ALBANIA FOR COOPERATION IN THE FIELD OF COUNTERING
TERRORISM, ORGANIZED CRIME, THE ILLICIT TRAFFICKING
AND OTHER CRIMINAL ACTS

The Government of the Republic of Bulgaria and the Council of Ministers of the Republic of Albania, hereinafter referred to as **CONTRACTING PARTIES**,

With view to contribute to the bilateral contacts between them,

Interested in establishing cooperation in countering crime, particularly organized and transborder crime,

Aiming at reinforcing their mutual efforts in combating international terrorism,

Convinced in the necessity of coordinating their activity against the organized crime, transborder crime, terrorism, illegal trafficking in drugs, psychotropic substances and other criminal activities with international consequences,

With regard to the international legislation and the provisions of the international legal instruments that bind the two States,

Have agreed as follows:

Article 1
Purpose

The Contracting Parties shall cooperate in the following areas:

1. Fight against terrorism:

- exchange of information and results from the investigation of planned or committed terrorist acts against heads of States, persons under international protection, representatives of embassies and consulates, intergovernmental organizations` officers, as well as participants in visits at State level and other local or international political and sport events;
- regarding the modus operandi of criminals, methods of financing of the abovementioned activities, terrorist organizations, planning or respectively committing crimes against major interests of either of the Contracting Parties.

2. Countering organized crime, detection and investigation of persons and organizations, related to:

- the illicit trafficking, production and use of narcotic drugs and psychotropic substances;
- the illicit trafficking in persons and the exploitation of children;
- the illicit trafficking in articles of possible dual use, nuclear material, equipment and technology, firearms, ammunition, toxic substances and explosives, as well as their parts;
- crimes, related to the sexual exploitation;
- smuggling of precious stones and metals or as well objects of cultural value or pieces of art, belonging to the respective national cultural heritage or to the international cultural heritage;
- forging of documents, currency or other means of payment;
- illegal gambling or any kind of deceit, used in legal gambling;
- prevention, detection and investigation of stolen vehicles and their trafficking, as well as crimes, which result in violating the regulations of road traffic;
- computer crimes and crimes against intellectual property;

3. Fight against corruption, international crimes in the economy, as well as smuggling, avoiding the payment of taxes, as well as fiscal operations and other transactions of money or possessions, presumed to be derived from criminal activity;

4. Countering illegal migration:

- fight against illegal migration and the channels for trafficking in persons;
- detection of the providers of transport services and tourist/traveling agencies, which participate in activities, involving trafficking in persons;
- detection of false or counterfeit travel documents or visas.

5. The Contracting Parties shall render each other assistance in the following areas:
- organization and common training with regard to curbing organized and transnational crime;
 - organization and control of the data base, bearing upon the identification cards;
 - development of methods and systems for the selection, training and professional education of experts from both Contracting Parties, in the fields, described in Par. 1 of this Article.

Article 2

Forms of Cooperation

The cooperation between the Contracting Parties shall be accomplished by:

1. exchange of information in the areas under Art. 1, concerning individuals and groups, participating or suspected in taking part in the criminal activities, described in the same Article, their actions, modus operandi and their possible goals, as well as any other issue of operational importance that proves necessary for preventing and countering such crimes;
2. execution of certain measures or operations upon a mutual consent of the competent authorities of the Contracting Parties;
3. exchange of experts in the areas of common interest;
4. exchange of documents, publications and results from scientific researches in the areas of common interest;
5. exchange of experience, regarding the methods and means, used in the prevention, detection and investigation of activities, related to terrorism and terrorist acts, international organized crime, transborder crime, as well as other criminal activity.

Article 3

Competent Authorities

(1) The competent authorities, responsible for the implementation of this Agreement shall be as follows:

For the Government of the Republic of Bulgaria:

- the Minister of Interior;

For the Council of Ministers of the Republic of Albania:

- the Ministry of Interior;

(2) In order to maintain a quick operational connection, the competent authorities shall nominate a contact point officer, whose personal information (name, family name, position, fax and telephone number) shall be transmitted through diplomatic channels within 10 days from the entry into force of this Agreement.

(3) For the practical aspects of the execution of Art. 1 and 2, the competent authorities of the Contracting Parties may sign separate protocols for cooperation, within their competence and according to the national legislations of the States.

Article 4 Exchange of Information

The Contracting Parties shall render each other assistance in the processing and the analysis of information, regarding the areas, referred to in Art. 1 and may provide the competent authorities of the other Contracting Party with special equipment and technology in accordance with their international obligations in this area.

Article 5 Data Protection

In compliance with the national legislation of the Contracting Parties and with the purpose of securing the transmitted personal data, the Parties shall observe the following provisions:

1. The Contracting Party, which receives such data, shall use them only for the purposes and under the conditions, set out by the Contracting Party, which provides the personal data;
2. At the request of the providing Contracting Party, the receiving Party shall submit information about the way the data has been used and the achieved results;
3. The provided data shall only be transmitted to the competent bodies, responsible for countering crime in all its manifestations. Such data shall be transmitted to other bodies only after a prior written consent from the providing Contracting Party;

4. The providing Party has to make sure that the transmitted data is correct, its transfer is necessary and meaningful and it corresponds to the purpose that it was provided for. If it has been revealed or announced that the provided data was incorrect or it should not have been transferred, the receiving Party shall immediately make all necessary efforts to correct the data or respectively destroy it;

5. At his/her request, the person whose personal data has been transmitted in accordance with this Agreement shall be informed of the content of this data and its intended use. Information about the use of personal data shall be given in compliance with the national legislation of the State of the providing Party;

6. The Contracting Party, providing the data, by the time of its transfer, shall determine the legal term for its destruction, in compliance with its national legislation. By the end of that time, all data, regarding the person concerned, shall be destroyed if no longer necessary for achieving the purpose it was provided for. All data received shall be destroyed by the date of termination of this Agreement. The providing Party shall be informed about the destruction of the data and the reason for its destruction.

7. The Contracting Parties shall be obliged to keep records of all transmitted, received and destroyed data;

8. The Contracting Parties shall provide effective protection of all personal data, exchanged on the basis of this Agreement, in order to prevent access of unauthorized persons to such data. The Contracting Parties shall not be allowed to amend or publish such data.

Article 6 Confidentiality

(1) The Contracting Parties shall guarantee the confidentiality of any data, information, materials or equipment, exchanged in the course of the implementation of this Agreement, including all related requests, which either of the Parties finds relevant to the subject, in condition that they have been classified in compliance with the legislation of the providing Party. The level of protection, determined by the providing Party, cannot be altered.

(2) The transfer of materials, information and technical equipment, under the provisions of this Agreement, to a third party, shall be effected only with the prior written consent of the Competent authority of the providing Party.

(3) The Contracting Parties shall exchange classified information after signing a special agreement on the common exchange and protection of classified information.

Article 7
Denial of a request for cooperation

(1) Either of the Contracting Parties can entirely or partly deny the request for cooperation/ transfer of information or bind its execution with certain conditions, whenever executing such request might affect the sovereignty and national security of the requested Party, or violate its national legislation or other obligations under international treaties;

(2) In this particular case, the refusal or the conditions set out for the execution of such request shall be communicated to the other Contracting Party in short term.

Article 8
Joint Commission

- (1) The Contracting Parties shall establish a Joint Commission of five representatives for each Party to encourage, assess and improve the cooperation under this Agreement. The Contracting parties shall notify each other about their candidates by means of diplomacy.
- (2) Annual meetings of the Joint Commission shall be held successively in the Republic of Bulgaria and in the Republic of Albania. Either of the Parties may propose, if necessary, that additional meetings of the Commission are organized.

Article 9
Expenses

The expenses, related to the implementation of the present Agreement, shall be undertaken by the Contracting Parties reciprocally.

Article 10
Relation to third parties

The provisions of this Agreement shall not affect the rights and obligations of the Contracting Parties, originating from other bilateral or multilateral treaties.

Article 11
Entry into force and termination

(1) The present Agreement shall be concluded for an indefinite period of time.

(2) This Agreement shall enter into force 30 days from the date of the receipt of the last of the notifications, by which the Contracting Parties inform each other about the completion of the respective national procedures for the entry into force of this Agreement.

(3) The present Agreement can be amended in any time with the consent of both Contracting Parties. The amendments shall enter into force in accordance with the provisions of p. 2 of this Article.

(4) Either of the Contracting Parties can terminate this Agreement by means of diplomacy. The Agreement shall be considered terminated six months from the day of the receipt of the respective notification from the other Party.

(5) All discord and differences in the interpretation and implementation of this Agreement shall be negotiated by the Contracting Parties within the Joint Commission, and in case of failure, solution shall be provided by means of diplomacy.

Signed in Tirana on 29 January 2007, in two original identical copies, each in Bulgarian, Albanian and English, all texts being equally authentic. If differences in the interpretation appear, the text in English shall prevail.

**FOR THE GOVERNMENT OF
THE REPUBLIC OF BULGARIA**

**FOR THE COUNCIL OF MINISTERS
OF THE REPUBLIC OF ALBANIA**