

**AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE REPUBLIC OF BULGARIA
AND THE COUNCIL OF MINISTERS
OF BOSNIA AND HERZEGOVINA
ON POLICE COOPERATION**

The Government of the Republic of Bulgaria and the Council of Ministers of Bosnia and Herzegovina, hereinafter referred to as the Contracting Parties,

In compliance with international agreements and the national legislation of their States,

Desirous of developing and supporting friendly relations and cooperation between their two States,

Concerned about the growth of organized crime and illegal migration,

Convinced in the major importance of international cooperation for effective prevention and combating crime,

Driven by the principle of reciprocity and mutual benefit,

Have agreed as follows:

**Article 1
Areas and Objective of the Cooperation**

(1) The Contracting Parties, in accordance with their national legislation, shall cooperate through their competent authorities in preventing threats with regard to public order and security, and also in order to prevent and detect crimes.

(2) The cooperation shall include in particular the fight against the following:

1. Violent crimes against the person;
2. Terrorism;
3. Organized crime;
4. Illegal cultivation and trafficking in narcotic substances and precursors;
5. Corruption related crimes in accordance with this Agreement;

6. Illegal migration and trafficking in human beings;
7. Illegal production, illegal trade and smuggling in arms, ammunition, explosives, nuclear, radioactive and chemical materials, as well as other hazardous materials, possible dual use goods and technologies;
8. Theft of works of art and other objects of historical and cultural value, as well as other valuable objects, and illegal trade in them;
9. Counterfeiting or forgery of means of payment and official documents or distribution of such means of payment, official documents and securities;
10. Money laundering;
11. Financing of terrorism;
12. Illegal taking away, theft and smuggling of motor vehicles;
13. Cyber crimes;
14. Crimes against intellectual property rights;
15. Crimes against property;
16. Environmental crimes.

(3) Upon mutual consent, the Contracting Parties shall carry out cooperation also in other areas of common interest.

Article 2

Forms of Cooperation

(1) The cooperation between the competent authorities of the Contracting Parties shall be performed in compliance with their national legislation and shall consist of the following:

1. Exchange of information on circumstances, whose knowledge may contribute to prevention of threats with regard to public order and security, and also for prevention and detection of crimes;
2. Exchange of experience regarding the implementation of legal regulations, crime prevention, and also applied forensic methods, means and techniques;
3. Exchange of experience in certain areas of countering crime and organizing expert meetings in accordance with the provisions of this Agreement;
4. Undertaking concerted actions of the competent authorities of the Contracting Parties on their territory, aimed at preventing threats

with regard to public order and security, as well as prevention and detection of crimes, including use of controlled deliveries;

5. Tracing and searching of persons and objects, identifying persons and bodies of unknown identity.

(2) The Contracting Parties shall carry out cooperation in the field of training within the scope of this Agreement.

(3) The competent authorities of the Contracting Parties shall assist each other upon request.

(4) The competent authority of each Contracting Party, in accordance with its national legislation, shall provide information under Paragraph 1, items 1, 2 and 3, to the competent authority of the other Contracting Party even without a request thereof, if such information would be significant to the other Contracting Party in order to prevent threats with regard to public order and security, as well as prevention and detection of criminal acts. The Contracting Parties shall cooperate especially in case that on the territory of one of the Contracting Parties a crime is under preparation or has been perpetrated and there exist data that this would have consequences on the territory of the other Contracting Party.

(5) The information and documents received in accordance with this Agreement shall not be disclosed to a third party, except with the prior written consent of the providing Contracting Party.

Article 3 Competent Authorities

In compliance with the national legislation of the Contracting Parties the competent authorities for the implementation of this Agreement shall be as follows:

On behalf of the Government of the Republic of Bulgaria:

- the Minister of Interior and officials duly authorized by him;

On behalf of the Council of Ministers of Bosnia and Herzegovina:

- the Ministry of Security.

Article 4 Specific Types of Cooperation in Countering Terrorism

In compliance with their national legislation, in carrying out the cooperation under Article 1, paragraph 2, item 2, the competent authorities of the Contracting Parties shall exchange information and results of the investigation against planned or perpetrated terrorist acts, directed against State leaders, persons under

international protection, members of diplomatic representations, officials from intergovernmental organizations, participants in state visits, and also participants in other national or international political and sport events, regarding the methods used in planning and preparation of crimes against the State interests of any of the Contracting Parties, the ways followed in financing such crimes.

Article 5

Specific Forms of Cooperation in the Area of Countering Organized Crime

In compliance with their national legislation in carrying out the cooperation under Article 1, paragraph 2, item 3, the competent authorities of the Contracting Parties shall exchange information on criminal offences and persons involved in perpetration of serious crimes, especially in the area of organized crime, the connections between the perpetrators, as well as information on the organization of groups involved in criminal activity and their structure, typical behavior and methods of perpetration of crimes by such groups, and also on new forms of crimes with a transnational character, which are beyond the borders of the States of the Contracting Parties.

Article 6

Specific Forms of Cooperation in the Area of Illegal Cultivation and Trafficking in Narcotic Substances and Precursors

In compliance with their national legislation in carrying out the cooperation under Article 1, paragraph 2, item 4, the competent authorities of the Contracting Parties shall exchange information on persons involved in illegal cultivation and production of narcotic substances and precursors, on methods of their illegal trafficking, fencing, routes, means of transportation, modus operandi of criminal organizations, places of origin or storage of narcotic substances and precursors, as well as other information, connected with such crimes, inasmuch as it is necessary for their detection.

Article 7

Specific Forms of Cooperation in the Area of Countering Illegal Migration and Trafficking in Human Beings

In compliance with their national legislation in carrying out the cooperation under Article 1, paragraph 2, item 6, the competent authorities of the Contracting Parties shall exchange information on criminal offences, persons, methods

and routes of organized illegal migration and also information supporting passport and visa control, and shall exchange samples of such documents.

Article 8

Personal Data Protection

The competent authorities of the Contracting Parties shall exchange personal data in compliance with their national legislation and in compliance with the requirements determined by the providing authority, as well as the following conditions applicable both in cases of automated and non-automated personal data processing:

1. The provided data may be used solely for the purposes for which they have been provided;
2. Upon the request of the providing authority, the institution which received the data shall provide information on their utilization;
3. The competent authority, providing the data, shall ensure veracity and up-to-date accuracy of the provided data. If such data turn out to be untrue or their disclosure turns out to be forbidden under the legislation of the providing authority, the authority receiving the data shall be notified in due course, in order to destroy such data or correct the data pursuant to item 4.
4. The provided data shall be destroyed or corrected respectively, in the following cases, if:
 - a) the inaccuracy of such data has been established, or
 - b) the providing competent authority notifies that the data were collected or provided contrary to the law, or
 - c) the data are no longer necessary for the completion of the task for which they were provided, unless there exists a written permission that the provided data may be used for other purposes.
5. If the authority receiving the data has reasons to consider that the provided data are incorrect or should be destroyed, it shall notify in due course the providing authority thereof.
6. The authority providing the data shall be obliged to protect effectively such data from deletion, unauthorized access, amendments or dissemination thereof.
7. Upon submission of data, the providing authority and the receiving authority shall register the data submission and reception, as well as every subsequent activity regarding such data.

Article 9
Protection of classified information

The Contracting Parties shall exchange classified information after signing a separate Agreement on mutual exchange and protection of classified information between the two States.

Article 10
Consultations

The competent authorities of the Contracting Parties may, if necessary, undertake consultations in order to discuss measures concerning the implementation of this Agreement.

Article 11
Refusal of Assistance

(1) Each of the Contracting Parties, in case of considering that the fulfillment of a given request or another type of cooperation may infringe the sovereignty or the security of its State, threaten essential state interests or disturb its legal order, may refuse to cooperate, either completely or partially.

(2) The Contracting Parties shall notify each other immediately in case of refusal or partial fulfillment of a submitted request for cooperation.

Article 12
Relation to other International Treaties

The provisions of this Agreement shall not affect the rights and obligations arising from other international treaties binding upon the Contracting Parties.

Article 13
Settlement of Disputes

(1) Discrepancies in the interpretation or implementation of this Agreement shall be settled through direct negotiations between the competent authorities of the Contracting Parties.

(2) In case no consensus is reached in the process of negotiations under paragraph 1, the issue shall be settled through diplomatic channels.

Article 14
Entry into force and termination

(1) This Agreement shall be concluded for an unspecified period of time and shall enter into force on the 30th day after the date of receipt of the last notification by which each Contracting Party informs the other about the completion of its relevant national procedures.

(2) Either of the Contracting Parties may terminate unilaterally this Agreement by way of written notification, submitted to the other Contracting Party through diplomatic channels. The termination shall enter into force three months after the receipt of the notification.

Signed in Pleven on 20 September 2007 in two original identical copies, each one in Bulgarian, in the official languages of Bosnia and Herzegovina (Bosnian, Croatian, Serbian) and in English. In case of any divergence in interpretation of this Agreement the English text shall prevail.

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

**FOR THE COUNCIL OF MINISTERS
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