

AGREEMENT BETWEEN
THE GOVERNMENT OF THE ITALIAN REPUBLIC
AND
THE GOVERNMENT OF THE STATE OF ISRAEL
ON PUBLIC SECURITY MATTERS

Preamble

The Government of the Italian Republic and the Government of the State of Israel (hereinafter referred to as “Parties”):

Acknowledging their mutual interest to cooperate in order to protect their peoples, goods and interests from threats by countering crime in general for the purpose of ensuring public security;

Aware of the fact that criminal phenomena linked to organized crime, illegal migration, human trafficking, illicit trafficking in narcotic drugs, psychotropic substances and drug precursors considerably affect both States, thus jeopardizing security and public order as well as the welfare and physical safety of their citizens;

Wishing to facilitate and develop cooperation between them, also by exchanging knowledge, experiences, information and technologies;

Have agreed on this public security matters Agreement.

Article 1

Competent Authorities

The competent Authorities responsible for the implementation of this Agreement shall be:

- for the Government of the Italian Republic: the Department of Public Security of the Ministry of the Interior;
- for the Government of the State of Israel: the Ministry of Public Security.



Article 2

Areas of cooperation

The Authorities under article 1 of this Agreement shall - in conformity with their national legislation and in the framework of the competences of their bodies, in the respect of the international obligations as well as of those deriving from EU membership, cooperate in order to prevent and suppress crime in its various forms and, in particular, to counter:

- a) transnational organized crime;
- b) illicit production of and trafficking in narcotic drugs, psychotropic substances and their precursors;
- c) illicit trade in arms, ammunitions and explosives;
- d) illegal migration, human smuggling and trafficking in persons;
- e) crimes against property, including the protection of historical and cultural heritage;
- f) economic crimes and money laundering, also for the purpose of locating illicit assets;
- g) computer crime;
- h) terrorism.

Article 3

Manner of cooperation

The Authorities under article 1 of this Agreement shall - in order to give effect to the provisions of article 2 - cooperate, in particular by:

- a) exchanging information on:
 - crimes, criminals, criminal organizations, their *modus operandi*, structures and contacts;
 - kinds of narcotic drugs, psychotropic substances and their precursors, places and methods of production, channels and means used by drug traffickers, drug concealment techniques, as well as methods of anti-drug checks at the borders and use of new technical means, including training and use of anti-drug canine units;
 - legislative and scientific tools to combat crime, including information on criminal threat analysis;



- methods used to counter illegal migration, human smuggling and trafficking in persons;
 - passports and other travel documents, visas, entry and exit stamps, in order to detect forged documents;
 - economic crimes, money laundering, detection, location and tracing of illicit assets, as well as crime's infiltration in companies participating in public tenders;
 - professional training and refresher training;
- b) exchange of experiences on the:
- management of public order on the occasion of major events and mass demonstrations;
 - crime prevention methods;
 - scientific methods and technological tools applied in the public security sector;
 - bomb disposal units, methods and technologies used to detect exploding devices and materials;
 - systems adopted to protect sensitive infrastructures and targets;
 - techniques, systems and methodologies applied in the field of police forensic science;
 - enforcement of the respective regulations on seizure and confiscation of illicit proceeds;
 - best practices used to monitor crime's infiltration in the companies participating in public tenders;
- c) adoption of measures – in conformity with the respective domestic legislation – to counter illicit trade in narcotic drugs, psychotropic substances and other goods, including cross-border controlled deliveries and undercover operations;
- d) carrying out of joint operations to support info-investigative initiatives as well as exchange of data on persons suspected to be involved in criminal activities as stipulated in article 2 to the Agreement, and criminal organizations of mutual interest or operating on both territories.

Article 4

Requests for assistance

1. The Authorities of the Parties shall, in the framework of this Agreement, assist each other upon request. The requested authority shall adopt all the measures necessary to ensure a prompt and full execution of the requests.



2. Requests for assistance shall be made in writing. In cases of emergency, requests may be made orally, but shall be confirmed in writing within seven days. Requests for assistance shall contain:
 - the name of the agency of the Party which applies for assistance and the name of the agency of the Party to which application for assistance has been made;
 - details of the case;
 - the purpose of and grounds for the request;
 - a description of the assistance requested;
 - any other information which may assist in the effective execution of the request.
3. The requesting authority shall be notified in a reasonable time of any circumstance hampering the execution of the request or causing considerable delay in its execution.
4. If the execution of the request does not fall within the jurisdiction of the requested authority, it shall in a reasonable time notify the requesting authority and forward the request to the competent authority.
5. The requested authority may request such further information as it deems necessary to duly execute the request.
6. The requested authority shall, at its earliest convenience, inform the requesting authority about the results of the execution of the request.
7. The request may also be made through the usual Interpol channels and these requests will be executed in accordance to Interpol rules and regulations.

Article 5
Refusal of assistance

1. The request for assistance may be refused wholly or partly if the competent authority of the Party concerned holds that its execution may jeopardize the sovereignty, internal security, public order or other essential interests of its State or that it is in conflict with its domestic legislation or international obligations.
2. The requested competent authority may - before taking a decision to refuse the assistance requested - consult with the requesting authority in order to



establish whether the assistance may be granted on conditions other than those contained in the original request. If the requesting authority agrees to receive assistance under the suggested conditions the requested authority shall comply with these conditions.

3. The grounded decision on the total or partial refusal to execute a request for assistance shall be notified in writing to the requesting authority.

Article 6

Spontaneous assistance

The competent Authorities of the Parties may spontaneously provide each other with information if there are grounds to believe that such information is relevant to prevent or suppress criminally prosecutable acts. In such case, the purposes for which the data is transmitted shall be specified by the transmitting party.

Article 7

Protection of witnesses

1. The competent Authorities of the Parties shall cooperate, in conformity with their national legislation, to protect witnesses and their family members, (hereinafter referred to as “persons to be protected”). Cooperation shall include in particular the exchange of information necessary for the protection of persons as well as for their reception and assistance.
2. The manner of cooperation concerning the reception of the persons to be protected shall be regulated on a case by case basis by an ad hoc arrangement between the competent Authorities of the Parties.
3. The persons to be protected who are admitted to the protection programme of the requesting Party shall not be admitted to the protection programme of the requested Party. In the framework of the cooperation concerning the protection of said persons the law of the requested Party shall apply.
4. The requesting Party shall bear the costs of sustenance of the persons to be protected as well as the costs of any other measure requested by the requesting Party. The costs for the personnel employed in the protection activities shall be borne by the requested Party. The provisions under this subparagraph shall be in accordance with an ad hoc arrangement between the competent Authorities of the Parties.



5. The requested Party may cease cooperation if serious reasons justify it, after notifying the requesting Party in a reasonable time and in writing. In this case the requesting Party shall take the persons to be protected back in protective custody.
6. The termination of this Agreement shall not affect the validity of the admission of persons to be protected in both Parties which occurred prior to the termination of this Agreement.

Article 8 *Data protection*

1. Under this Agreement, “personal data” shall mean any information relating to an identified or identifiable natural person, also indirectly through reference to any other information, including a personal identification number.
2. Each Party shall guarantee a level of protection of the personal data acquired in conformity with this Agreement consistent with that ensured by the other Party and shall adopt the necessary technical measures to safeguard personal data from accidental or illegal destruction, loss, accidental disclosure or modification, unauthorized access or from any type of non-authorized processing. In particular, the Parties shall adopt adequate measures to guarantee that access to personal data is allowed only to authorized persons.
3. The Parties shall commit themselves to guaranteeing that personal data and other sensitive information transmitted in the framework of this Agreement are used only for the purposes for which they were sent, or if transmitted on request for assistance, such information shall be used only for the purposes that were mentioned in the request, and in conformity with the conditions established by the Party providing them.
4. Personal data shall be transmitted under this Agreement solely for purposes which are under police authority and that were mentioned in article 3(a), or for purposes regarding witness protection.
5. Personal data and other sensitive information exchanged between the Parties shall be protected by virtue of the same standards applied to national data, in compliance with the domestic legislation of the Parties.
6. The Party transmitting the data shall guarantee that they are correct, complete and updated, as well as adequate and relevant to the purpose for which they have been transmitted.
7. The information and documents supplied by a competent authority under this Agreement shall not be used for purposes other than those for which they



were requested and supplied, unless previously explicitly authorized in writing by the competent Authority that supplied them.

8. Personal data that was transmitted under this Agreement shall not be transmitted onward to third bodies or states.
9. Upon request of the transmitting Party the receiving Party shall rectify, block or delete the data received under this Agreement that are incorrect or incomplete, or if their collection or further processing contravene this Agreement or the rules applicable to the transmitting Party.
10. Where a Party becomes aware that data it has received from the other Party under this Agreement are not accurate, it shall take all appropriate measures to safeguard against erroneous reliance on such data.
11. Each Party shall notify the other Party if it becomes aware that data it has transmitted to the other Party or received from the other Party under this Agreement are inaccurate or unreliable or are subject to significant doubt. If it is confirmed that the data transmitted are inaccurate or unreliable each Party shall adopt the necessary measures to correct the information.

Article 9

Working group

1. The Parties shall set up a Joint Working Group (hereinafter referred to as "JWG") which, inter alia shall:
 - assess the status of implementation of this Agreement;
 - discuss future sectors and phases of cooperation;
 - develop and approve cooperation programmes;
 - agree on exchanges of delegations;
 - monitor the execution of the provisions of this Agreement.
2. Based on what agreed between the Parties, the JWG may set up provisional or permanent sub-committees to deal with the various aspects of cooperation.
3. The JWG shall meet periodically, in Rome and Jerusalem alternately, based on what agreed between the Parties.

Article 10

Secondment of security experts

The competent Authorities of the Parties may agree to second, for a limited period, security experts with liaison functions for the purpose of promoting and



speeding up cooperation, in particular with reference to information exchange and execution of assistance requests.

Article 11

Implementation of the Agreement

1. For the purpose of implementing this Agreement the competent Authorities may, in compliance with their tasks, conclude execution arrangements to define administrative and technical aspects.
2. The competent Authorities may designate, by subsequent communications, contact points for the purpose of practically implementing this Agreement.

Article 12

Costs

1. The ordinary expenses relating to the processing of a request under Articles 4 and 6 of this Agreement shall be borne by the requested Party unless otherwise agreed upon in writing by the Parties. Should the request include considerable or extraordinary expenses, the competent Authorities shall consult in order to establish the terms and conditions under which the request shall be processed and the way in which expenses shall be borne.
2. Unless otherwise agreed, the costs of meetings shall be borne by the receiving Party, whereas travel and accommodation costs of delegates by the sending Party.

Article 13

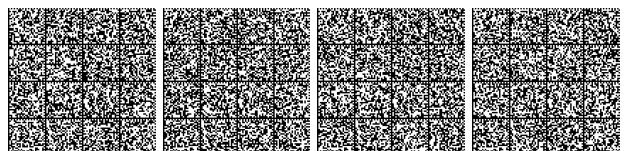
Language

For the purpose of the cooperation under this Agreement the competent Authorities of the Parties shall use the English language.

Article 14

Settlement of disputes

1. In case of dispute arising from the interpretation of this Agreement or the execution of its provisions the competent Authorities of the Parties shall make



any reasonable effort to reach an amicable settlement through the JWG or, in case of failure to achieve a settlement, through diplomatic channels.

2. During the settlement of the dispute both Parties shall continue to fulfil their commitments under this Agreement.

Article 15

Duration, entry into force, amendment, termination and suspension

1. This Agreement shall last for an indefinite period of time.
2. This Agreement shall enter into force on the first day of the third month after the date of receipt, through diplomatic channels, of the second note by which the Parties shall notify their compliance with their internal procedures for the entry into force of the Agreement.
3. The Agreement may be amended by mutual consent of the Parties in writing and through the diplomatic channels. Such amendments shall come into force in accordance with the procedure laid down in paragraph 2 of this article.
4. The Agreement may be terminated in writing through diplomatic channels by each Party at any moment. The termination shall have effect three months after the date of receipt of its notification.
5. Each Party may provisionally suspend - wholly or partially - the implementation of this Agreement if this measure is necessary to guarantee the security of the State and public order or the safety and health of its citizens. The Parties shall timely notify through diplomatic channels the adoption or revocation of said measure. The suspension of the implementation of this Agreement and the relevant revocation shall become effective fifteen days after the date of receipt of the notification.
6. Following its entry into force this Agreement shall replace the Agreement between the Government of the Italian Republic and the Government of the State of Israel on Cooperation in the Fight against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, Terrorism and other Serious Crimes, signed on 10 February 2005 in Jerusalem.

IN WITNESS THEREOF, the undersigned, duly authorized by their respective Governments, have signed this Agreement in two originals, each in the Italian, English and Hebrew languages, all texts being equally authentic. In case of differing interpretation the English text shall prevail.



DONE IN Rome....on the day.....2..... of the month.....December.....in the year.....2013..... which corresponds to the day.....23..... of the month.....Kislev..... in the year 5774.....of the Hebrew calendar.

FOR THE GOVERNMENT OF
THE ITALIAN REPUBLIC

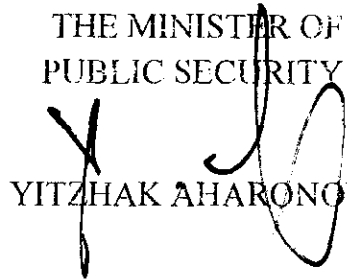
FOR THE GOVERNMENT OF
THE STATE OF ISRAEL

THE MINISTER
OF THE INTERIOR

THE MINISTER OF
PUBLIC SECURITY

ANGELINO ALFANO

YITZHAK AHARONOVITZ

LAVORI PREPARATORI

Senato della Repubblica (atto n. 2186):

Presentato dal Ministro degli affari esteri e della cooperazione internazionale (GENTILONI SILVERI), in data 29 dicembre 2015.

Assegnato alla 3ª commissione (affari esteri, emigrazione), in sede referente, il 3 febbraio 2016, con pareri delle commissioni 1ª (affari costituzionali), 2ª (giustizia) e 5ª (bilancio).

Esaminato dalla 3ª commissione (affari esteri, emigrazione), in sede referente, il 16 febbraio 2016; l'11 gennaio 2017.

Esaminato in aula e approvato, con modificazioni, il 12 gennaio 2017.

Camera dei deputati (atto n. 4225):

Assegnato alla III commissione (affari esteri e comunitari), in sede referente, il 20 gennaio 2017, con pareri delle commissioni I (affari costituzionali), II (giustizia) e V (bilancio, tesoro e programmazione).

Esaminato dalla III commissione (affari esteri e comunitari), in sede referente, il 23 febbraio 2017; il 9 marzo 2017; il 6 aprile 2017.

Esaminato in aula l'8 maggio 2017 e approvato definitivamente l'11 maggio 2017.

17G00099

