

**AGREEMENT****between****THE GOVERNMENT OF THE ITALIAN REPUBLIC****And****THE GOVERNMENT OF THE REPUBLIC OF CROATIA****ON CROSS-BORDER POLICE COOPERATION**

The Government of the Italian Republic and the Government of the Republic of Croatia (hereinafter referred to as "the Parties"):

**Having regard to the friendly relations between the two states;**

**Having regard to the national legislation and international legal obligations of both states;**

**Having regard to the United Nations Convention against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, done at New York on 15 November 2000, which the Italian Republic and the Republic of Croatia signed at Palermo on 12 December 2000;**

**With the intention of reinforcing the cooperation between police authorities in the light of the Agreement on cooperation between the Government of the Italian Republic and the Government of the Republic of Croatia in the fight against illicit trafficking in narcotic and psychotropic substances, and against organized crime, signed in Rome on 28 May 1993;**

**Convinced that the cooperation at sea, seaports and airports is of utmost importance for successful combat against illegal migration flows;**

**Aiming at a more efficient action against cross-border crime by means of implementing harmonized measures and plans;**

**With the intention of restricting to the least possible extent illegal immigration and trafficking in human beings;**

have agreed as follows:



## I. GENERAL PROVISIONS

### Article 1 FIELD OF COOPERATION

The Parties shall commit themselves to carry out police cooperation activities in compliance with their national legislation in force and within the competence of the authorities indicated in Article 2 responsible for implementing this Agreement, in order to prevent and suppress all crimes and offences, especially those related to illegal immigration, trafficking in human beings and drug trafficking.

### Article 2 COMPETENT AUTHORITIES

The competent police authorities (hereinafter referred to as "Competent Authorities") for the implementation of this Agreement shall be:

- for the Italian Republic: Ministry of the Interior, Department of Public Security;
- for the Republic of Croatia: the Ministry of the Interior, General Police Directorate with its internal organisational units, as well as local police units (hereinafter referred to as "Police Administrations") within the framework of their competence.

### Article 3 SCOPE OF COMPETENCE

Under the present Agreement, the scope of competence shall be:

- in the Italian Republic: the scope of competence of the Ministry of the Interior, Department of Public Security;
- in the Republic of Croatia: territories of Police Administrations local competence: Istarska, Primorsko-goranska, Zadarska, Šibensko-kninska, Splitsko-dalmatinska and Dubrovačko-neretvanska Counties;

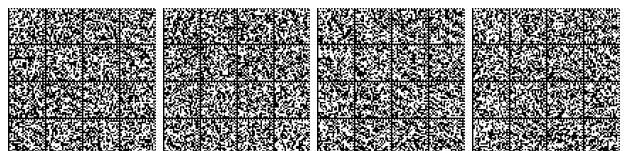
## II. COOPERATION

### A. CROSS-BORDER POLICE COOPERATION

#### Article 4 EXCHANGE OF INFORMATION BETWEEN THE PARTIES

(1) The Competent Authorities shall exchange information on:

- cross border crimes and offences committed at sea, seaports and airports, as mentioned in Article 1, perpetrators and participants in these acts, as well as the circumstances and manner in which they have been committed and the measures implemented;
- wanted persons and objects searched for;
- new forms of criminality at sea, seaports and airports;



- recent events and activities requiring security measures at sea, seaports and airports;
  - expert and technical activities relevant for the cooperation under the present Agreement;
  - the existing national legislation and other regulations of the Parties, relating to the implementation of the present Agreement, particularly on the regulations that provide for crossing the state border and on the prerequisites for the entry to the other state.
- (2) The Competent Authorities shall, within the pre-arranged timeframe, exchange information relevant for the drafting of joint analyses of security issues at sea, seaports and airports.

#### **Article 5 COMMUNICATION AND TELECOMMUNICATIONS CONNECTION**

The Competent Authorities may, for the purposes of the implementation of the present Agreement, improve their mutual communication by means of the following:

- appointing contact persons with good language skills of the other Party, if possible;
- short-term secondment of experts to the territory of the other Party based on a request;
- reciprocal expert study visits;
- exchange of information on relevant telecommunications connections and electronic mail addresses of the Competent Authorities.

#### **Article 6 HARMONISATION OF ACTIVITIES**

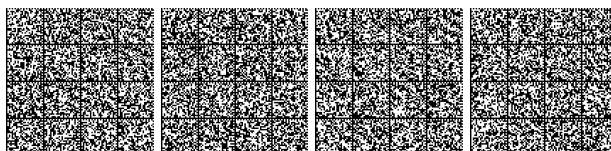
For the purposes of the improvement of the cooperation efficiency under the present Agreement, the Competent Authorities may:

- appoint contact points for the activities of coordination concerning prevention and fight against crimes as mentioned in Article 1 at sea, seaports and airports;
- draft joint analyses of security issues and operative activities plans at sea, seaports and airports;
- carry out coordinated operational activities at sea also by using special police equipment and techniques;
- inform one another of major incidents at sea and provide related information, without prejudice to national competence on search and rescue.

#### **Article 7 EDUCATION AND PROFESSIONAL TRAINING**

The Competent Authorities cooperation may also take place in the field of education and professional training, particularly by means of the following:

- exchanging of experience and information on the methods and forms of police work also including the learning of the other Party's language;



- convening working meetings between the Parties;
- training of experts;
- participating of observers during various exercises;
- exchanging of visiting lecturers.

## **B. SPECIAL ORGANIZATIONAL FORMS OF CROSS-BORDER POLICE COOPERATION**

### **Article 8 EXCHANGE OF POLICE OFFICERS**

- (1) In the territory of the Parties with reference to major seaports and airports through which the international traffic between the Italian Republic and the Republic of Croatia is being conducted, exchange of police officers may be carried out as observers on a temporary basis.
- (2) The officers as mentioned in paragraph 1 may analyze, exchange and transmit relevant information concerning all activities in connection with the operations carried out at sea, seaports and airports, and contribute to a coordinated cooperation under the present Agreement.
- (3) Operational details for this kind of cooperation will be regulated by protocols to be agreed by the Competent Authorities.

### **Article 9 JOINT WORKING GROUPS**

Where appropriate, the Competent Authorities may establish joint working groups for conducting police tasks, within the framework of which the officers of one Party may, in the territory of the other Party, operate only on advisory or expert assistance level.

### **Article 10 SECONDMENT OF LIAISON OFFICERS**

- (1) Each Party may, upon a prior consensus of the Competent Authority of the other Party, second a liaison officer to the Competent Authorities of the other Party.
- (2) The liaison officers may operate by providing advice and expert assistance, transmitting information within the framework of the instructions agreed by both Parties.
- (3) The liaison officers seconded by one Party to a third state may, upon a mutual agreement of the Competent Authorities of both Parties, represent the interests of the other Party as well.

### **Article 11 COORDINATED OPERATIONAL ACTIVITIES**

- (1) With reference to the coordinated operational activities which may be carried out by the officers of the Competent Authorities within the framework of this Agreement, the use of uniform and other technical means and further details as well as provisions on liability in damages will be established by an implementation Protocol as referred to in Article 14.



- (2) The officers of the other Party are subject to the law of the state where the activities are carried out and operate only on advisory and expert assistance level.

### **III. DATA PROTECTION**

#### **Article 12 PERSONAL DATA PROTECTION**

- (1) The Parties agree that personal data and special categories of data transmitted in the framework of this Agreement shall be used only for the purposes envisaged by it and according to the conditions determined by the providing Competent Authority. Such data shall comply with the provisions envisaged by international conventions on human rights.
- (2) Personal data and special categories of data may be retransmitted for the purposes of this Agreement to other institutions only by previous written authorization of the sending Party, in compliance with the provisions contained in the paragraph above.

#### **Article 13 PROVISIONS CONCERNING CONFIDENTIALITY**

The Parties shall guarantee the confidentiality of all the transmitted data in compliance with their respective national legislation.

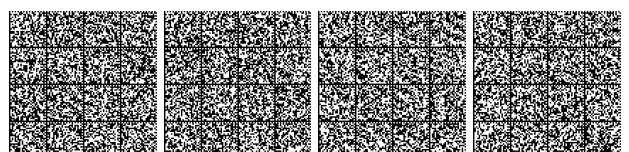
### **IV. FINAL PROVISIONS**

#### **Article 14 IMPLEMENTATION OF THE AGREEMENT**

- (1) The Ministry of the Interior - Department of Public Security of the Italian Republic and the Ministry of the Interior - General Police Directorate of the Republic of Croatia may, where appropriate, conclude protocols for carrying out coordinated operational activities at sea and all other forms of cooperation envisaged under the present Agreement.
- (2) The Competent Authorities under the paragraph 1 of the present Article shall notify each other of all circumstances relevant for the implementation of the present Agreement and related protocols.

#### **Article 15 EFFECT OF THE PRESENT AGREEMENT ON OTHER AGREEMENTS**

This Agreement shall not affect the existing rights and obligations arising out from other international agreements by which the Parties are bound.



**Article 16**  
**SETTLEMENT OF DISPUTES**

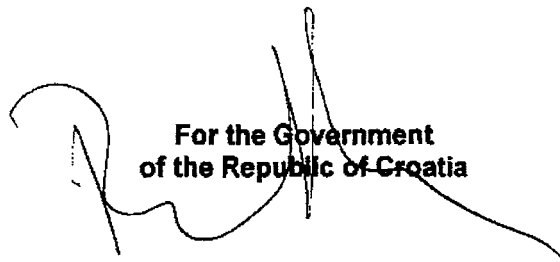
- (1) The disputes concerning the interpretation or application of the present Agreement shall be settled by the Ministry of the Interior - Department of Public Security of the Italian Republic and the Ministry of the Interior of the Republic of Croatia - General Police Directorate.
- (2) When the competent authorities mentioned in paragraph 1 of the present Article cannot resolve a dispute, it shall be settled through diplomatic channels.

**Article 17**  
**ENTRY INTO FORCE, DURATION AND TERMINATION**

- (1) This Agreement shall enter into force on the date of the receipt of the last written notification by which the Parties have notified each other, through diplomatic channels, that their internal legal procedures for its entry into force have been completed.
- (2) This Agreement is concluded for an indefinite period of time. Either Party may denounce this Agreement by giving the other Party notice in writing through diplomatic channels. In that case, this Agreement shall terminate six (6) months from the date on which the other Party has received the denunciation notice.

Done at Zagreb, on 5 July 2011, in two originals, in the Italian, Croatian and English languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

**For the Government  
of the Italian Republic**  


**For the Government  
of the Republic of Croatia**  


LAVORI PREPARATORI

*Senato della Repubblica* (atto n. 2027):

Presentato dal Ministro degli affari esteri (GENTILONI) il 28 luglio 2015.

Assegnato alla 3<sup>a</sup> commissione (affari esteri), in sede referente, il 9 settembre 2015, con pareri delle commissioni 1<sup>a</sup>, 2<sup>a</sup>, 5<sup>a</sup> e 8<sup>a</sup>.

Esaminato dalla 3<sup>a</sup> commissione, in sede referente, il 15 settembre 2015 e 11 gennaio 2017.

Esaminato in aula ed approvato il 12 gennaio 2017.

*Camera dei deputati* (atto n. 4224):

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

Esaminato dalla III commissione, in sede referente, il 5 aprile 2017; 21 giugno 2017 e 27 settembre 2017.

Esaminato in aula il 25 settembre 2017 ed approvato il 27 settembre 2017.

17G00172

