



**TREATY SERIES 2001**  
**Nº 8**

**Agreement between the Government of Ireland  
and the Government of the Russian Federation  
on Co-operation in Fighting Crime**

Done at Moscow on 15 September 1999

Notifications of the completion of the procedures necessary for the entry into force of  
the Agreement exchanged on 11 May 2000  
and 19 June 2000

Entered into force on 22 July 2000

Presented to Dáil Éireann by the Minister for Foreign Affairs

## **AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE RUSSIAN FEDERATION ON CO-OPERATION IN FIGHTING CRIME**

The Government of Ireland and the Government of the Russian Federation hereinafter referred to as the Parties,

Expressing concern about the negative impact on society of crime, especially in its organised forms,

Reaffirming their joint determination to combat the threat it poses,

Recognising the importance of the promotion and development of international co-operation in the field of fighting crime,

Taking into account purposes and principles of relevant international agreement to which they are parties, as well as resolutions of the United Nations and its specialised agencies on fighting crime,

**HAVE AGREED** as follows:

### *Article 1 Scope of co-operation*

1. The Parties, in accordance with the laws of their States and the present Agreement, shall co-operate in fighting crime, especially in its organised form, in cases when prevention, identification, suppression and investigation of crime require the competent authorities of both States to work together.
2. The Parties shall co-operate particularly in fighting international terrorism, unlawful drug trafficking, laundering the proceeds of crime and other forms of serious crime.
3. The co-operation between the Parties shall include exchange of information, the provisions of assistance in connection with inquiries, and other actions relevant to the purposes of this Agreement.
4. The present Agreement does not apply to legal assistance in criminal matters or to extradition.

### *Article 2 Competent Authorities*

1. This Agreement shall be implemented by the following competent authorities:

On the part of Ireland, Department of Justice, Equality and Law Reform, Department of Foreign Affairs, An Garda Síochána and Revenue Commissioners.

On the part of the Russian Federation, the Office of the Prosecutor-General of the Russian Federation, the Ministry of Internal Affairs of the Russian Federation, the Federal Security Service of the Russian Federation, the State Customs Committee of the Russian Federation, the Federal Border Guard Service of the Russian Federation and the Federal Tax Police of the Russian Federation.

The Parties shall inform each other through diplomatic channel of changes to the composition of their competent authorities.

2. The Parties shall arrange for the exchange of details of the relevant contact points for each of the competent authorities responsible for implementing this Agreement.

3. The competent authorities of the Parties may establish joint working groups, hold meetings of experts and conclude agreements or arrangements with a view to implementing the provisions of this Agreement.

### Article 3

#### *Execution of requests for co-operation and assignment of costs*

1. A request for information or action, as provided for in this Agreement, shall be made in writing and communicated direct between the competent authorities of the Parties. In urgent cases, the request may be transmitted orally, followed, however, by an immediate written confirmation.

2. The competent authorities of the Parties shall respond to requests for information or action at the earliest possible opportunity. The requested competent authority may apply for additional data if it is necessary to meet the request for information or action.

3. Subject to sub paragraphs (a) and (b) of this paragraph, the requested competent authority shall bear all costs incurred within its own country when complying with a request.

(a) The requesting competent authority shall bear all costs associated with the travel of its representatives.

(b) The payment of any extraordinary costs shall be agreed by the competent authorities before the costs are incurred.

### Article 4

#### *Transfer of request to appropriate competent authority*

When the compliance with the request for information or action is beyond the competence of the requested authority, such authority shall immediately pass the request to a relevant competent authority and inform the requesting authority accordingly.

## Article 5

### *Denial of request for co-operation*

1. The request for information or action shall be denied when the requested competent authority believes that the compliance with the request may be detrimental to the sovereignty or security, or other essential interests of its State, is not permissible under its domestic law, or would impose an excessive or disproportionate burden.
2. The reasons for the denial of the request for information or action shall be brought to the attention of the relevant competent authority of the requesting Party.

## Article 6

### *Data protection*

The transfer, in accordance with this Agreement, of data relating to individuals, shall be subject to the following conditions:

- (a) Subject to the requirements of the domestic law of the receiving competent authority, the data may only be used for the purpose and under the conditions determined by the delivering competent authority.
- (b) Data may only be transmitted, in accordance with domestic law, to the competent authorities designated under Article 2 of this Agreement. Transmission to other authorities shall be permissible only with the prior agreement of the delivering competent authority. The data shall be passed through channels agreed by the competent authorities of the Parties.
- (c) If an individual who is the subject of transmitted data requests access to that data, the requested competent authority shall provide access, except where the request may be refused in accordance with its domestic law.

## Article 7

### *Confidentiality and limits on use of information*

1. The information, documents and materials received under this Agreement may not be used for purposes other than mentioned in the request without written consent of the requested competent authority.
2. Any information that the competent authority shall provide to each other orally or in writing for the purpose of the implementing of this Agreement shall be considered confidential except to the extent that its disclosure is authorised by the forwarding competent authority.

## Article 8

### *Other forms of co-operation*

The competent authorities of the Parties shall co-operate in the exchange of experience and expertise, providing each other with information on legal matters and data on the situation with regard to crime and criminal trends in their States. The

financial terms of such co-operation shall be agreed by the competent authorities of the Parties.

**Article 9**  
*Liaison Officers*

The competent authorities of the Parties may by agreement designate liaison officers to promote the implementation of co-operation within the framework of this Agreement.

**Article 10**  
*Review of implementation of the Agreement*

The competent authorities of the Parties may by agreement designate liaison officers to promote the implementation of co-operation within the framework of this Agreement.

**Article 11**  
*Relationship to other international instruments*

This Agreement shall not affect the rights and obligations of the Parties under other international agreements.

**Article 12**  
*Amendment, entry into force and termination*

1. The present Agreement may be amended by mutual consent of the Parties through exchange of diplomatic notes. Such amendments will enter into force in accordance with the procedure stipulated for the entry into force of the present Agreement.

Any dispute relating to the interpretation of application of this Agreement will be settled on the basis of mutual consultations.

2. This Agreement shall come into force 30 days after the Parties exchange, through diplomatic channels, written notices on accomplishment of domestic procedures required for its entry into force.

3. Either Party may terminate this Agreement by notification through diplomatic channels.

The termination shall take effect three months from the date of such notification.

**DONE** at Moscow on September 15<sup>th</sup> 1999 in two copies, one each in the English and Russian languages, both texts being equally authentic.

**FOR THE GOVERNMENT  
OF IRELAND**

Bertie Ahern

**FOR THE GOVERNMENT  
OF THE RUSSIAN  
FEDERATION**

Vladimir Putin