



**TREATY SERIES 2007
N° 20**

**Agreement Between the Government of Ireland and the
Government of the Republic of Bulgaria on Co-operation in
Combating Illicit Trafficking in Drugs and Precursors,
Money Laundering, Organised Crime, Trafficking in
Persons, Terrorism and Other Serious Crime**

Done at Dublin on 31 January 2002

**Notification of completion of requirements for entry into force on 5 June 2003
and 13 January 2006**

Entered into force on 12 February 2006

Presented to Dáil Éireann by the Minister for Foreign Affairs

**AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF BULGARIA ON CO-OPERATION
IN COMBATING ILLICIT TRAFFICKING IN DRUGS AND PRECURSORS,
MONEY LAUNDERING, ORGANISED CRIME, TRAFFICKING IN
PERSONS, TERRORISM AND OTHER SERIOUS CRIME**

The Government of Ireland and the Government of the Republic of Bulgaria
(hereinafter referred to as “the Contracting Parties”)

SEEKING to make a contribution to the development of their bilateral relations;

CONVINCED of the importance of co-operation in combating serious crime,
especially, illicit trafficking in drugs and precursors, money laundering, organised
crime, trafficking in persons and terrorism;

REFERRING to the international conventions in criminal matters by which their
countries are bound

HAVE AGREED as follows:

Article 1
Subject of Agreement

By virtue of this Agreement, the Contracting Parties shall co-operate in combating
illicit trafficking in drugs and precursors, money laundering, organised crime,
trafficking in persons, terrorism and other serious crime.

Article 2
Competent Authorities

1. In the implementation of this Agreement, the competent authorities are:-

(i) For Ireland:

the Minister for Foreign Affairs,
the Minister for Health and Children,
the Minister for Justice, Equality and Law Reform,
the Commissioner, An Garda Síochána,
the Revenue Commissioners

(ii) For the Republic of Bulgaria

the Minister of Interior

2. The competent authorities of the Contracting Parties may, in accordance with the national law of the respective states and the provisions of this Agreement, co-operate directly and determine the concrete methods and parameters of this co-operation.
3. The competent authorities shall establish appropriate direct channels of communication with their equivalents. Any requests for information or any other action covered by this Agreement shall be made directly to the equivalent competent authority concerned.
4. In the absence of any other agreement, English shall be the language of communication between the competent authorities.
5. The Parties shall exchange details of the relevant contact points of the competent authorities responsible for implementing this Agreement.

Article 3 *Exchange of Information*

1. The exchange of information under this Agreement shall be in accordance with the national law of the Contracting Parties.
2. Without prejudice to the provisions of the European Convention on Mutual Assistance in Criminal Matters done at Strasbourg on the 20th day of April, 1959, the competent authorities of the Contracting Parties shall, to the fullest extent possible, co-operate in the exchange of information relevant to the prevention, detection and investigation of the crimes under Article 1.
3. Exchanges of information under this Agreement shall include in particular:
 - data on or relating to persons and organisations suspected of being involved in trafficking in drugs and precursors, money laundering, organised crime, trafficking in persons, terrorism and other serious crime;
 - data on the commission of or activities preparatory to such crimes;
 - data on the methodology of persons and organisations suspected of being involved in the crimes under Article 1 of this Agreement;
 - data on measures to control the legal trade in drugs and precursors, and on experience in implementing these measures.

Article 4 *Use and confidentiality of information*

1. The Contracting Parties undertake to:-

- (i) use any information received under this Agreement only for the purpose for which it is requested or which is specified by the requested Contracting Party; and
 - (ii) keep confidential any such information except to the extent authorised by the requested Contracting Party.
2. Information received under this Agreement can only be forwarded to authorities of third countries if the consent of the requested authority is obtained in writing.
3. The competent authorities of the Contracting Parties in accordance with their national law shall ensure the protection of all information received under this Agreement.

Article 5
Protection of Personal Data

The Contracting Parties, for the purposes of protecting personal data, undertake to:-

- (i) apply the principles of the Council of Europe Convention for the Protection of Individuals with regard to automatic processing of personal data done at Strasbourg on the 28th day of January, 1981 and, in doing so, shall take account of Recommendation No. R(87) 15 of the Committee of Ministers of the Council of Europe regulating the use of personal data in the police sector adopted on the 17th day of September, 1987, as they apply to each Party;
- (ii) keep a register of all personal data received under this Agreement and protect such personal data against accidental loss or accidental destruction, unauthorised access, alteration, dissemination, destruction or deletion;
- (iii) delete or destroy such data in accordance with the conditions set forth by the requested Contracting Party, or in the absence of such conditions, as soon as the data is no longer required for the purpose for which it was requested or forwarded. Upon the termination of this Agreement the data received in the course of its implementation shall be deleted or destroyed.

Article 6
Refusal of Assistance

1. If a competent authority is of the opinion that a request for co-operation or assistance under this Agreement would:-
 - (i) impair its state's sovereignty, security or other essential interests, or
 - (ii) be contrary to its national law, or

(iii) impose an excessive burden,

that authority may refuse to fulfil the request or may fulfil the request subject to certain conditions.

2. If assistance is withheld or denied, the decision and the reasons therefore must be notified to the applicant authority without delay.
3. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.

Article 7

Training

The competent authorities of the Contracting Parties shall, to the extent that may be agreed between them, co-operate in the development of training programmes designed to share experience in the prevention, detection, and investigation of crimes under Article 1, including the exchange of law enforcement personnel.

Article 8

Bearing of Costs

1. The requested competent authority shall bear all ordinary costs incurred by it in complying with a request, but the payment of any extraordinary costs shall be agreed separately by the competent authorities concerned.
2. The requesting competent authority shall bear all travel and subsistence costs of its representatives unless there is agreement to the contrary.

Article 9

Implementation of Agreement

The Department of Justice, Equality and Law Reform of Ireland and the Ministry of Interior of the Republic of Bulgaria shall monitor the implementation of this Agreement and senior officials of the Department and Ministry, with any relevant experts, shall meet as necessary to discuss any issues arising.

Article 10

Relation to Other International Agreements

This Agreement shall not effect the rights and obligations of the Contracting Parties arising from other international agreements that are in force in those countries.

Article 11

Closing Provisions

1. This Agreement is concluded for an unlimited period of time.

2. Each Party shall notify the other in writing, through the diplomatic channel, that the legal procedures required to give effect to this Agreement in their respective countries have been completed. The Agreement shall enter into force thirty days after the date of receipt of the later of the two notifications.
3. This Agreement may be terminated unilaterally by either of the Contracting Parties by giving notice, in writing, addressed to the other Contracting Party through a diplomatic channel. The termination of the Agreement shall enter into force six months after the date of receipt of such notice.

DONE at Dublin on the thirty-first day of January two thousand and two in two original copies, each in the English and Bulgarian languages, both texts being equally authentic.