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**Turkey
and
Georgia**

Memorandum of Understanding between the Government of the Republic of Turkey and the Government of Georgia on cooperation in combating crime. Tbilisi, 22 February 2012

Entry into force: *1 September 2012, in accordance with article 12*

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**Turquie
et
Géorgie**

Mémorandum d'accord entre le Gouvernement de la République turque et le Gouvernement de la Géorgie relatif à la coopération en matière de lutte contre la criminalité. Tbilissi, 22 février 2012

Entrée en vigueur : *1^{er} septembre 2012, conformément à l'article 12*

Textes authentiques : *anglais, géorgien et turc*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**Memorandum of Understanding
Between
The Government of the Republic of Turkey
And
The Government of Georgia
On Cooperation in Combating Crime**

The Government of the Republic of Turkey and the Government of Georgia, hereinafter referred to as the "Parties",

Desiring to develop and strengthen the existing friendship and partnership relations between their States and particularly to take into consideration common will to strengthen the police cooperation between them,

Concerned by the increasing scale and trends of the crime especially the forms of organized crime,

Being aware that any form of crime endangers international peace, law and order, rule of law, security, stability and territorial integrity of their States, impedes development of economy, establishment of investment environment, democratic values and justice,

Stemming from the desire to provide reliable protection of life, rights and legal interests of human, interests of the society and the State from crime,

Recognizing the importance of international cooperation in the fight against crime,

Based on the provisions of the "Agreement between the Government of the Republic of Turkey and the Government of the Republic of Georgia on cooperation in the field of security", signed at Ankara on 13 January 1994; the "Agreement between the Republic of Turkey, Georgia and the Republic of Azerbaijan, on cooperation in the fight against terrorism, organized crime and other serious crimes", signed at Trabzon on 30 April 2002; and the "Protocol between the Republic of Turkey and Georgia on the implementation of the Article 9 to the Agreement between the Republic of Turkey, Georgia and the Republic of Azerbaijan on cooperation in the fight against terrorism, organized crime and other serious crimes", signed at Ankara on 10 March 2005,

Considering the basic principles of international law and the international conventions to which their States are parties and which concern the scope of the present MoU,

Agreed as follows:

**Article 1
Fields and Forms of Cooperation**

1. The Parties shall cooperate and provide mutual assistance in the following fields:

a) combating international terrorism;

- b) combating organized crime;
- c) combating illicit trafficking in narcotic drugs, psychotropic substances and their precursors;
- d) combating migrant smuggling, human trafficking and illegal migration;
- e) combating illegal acts related to arms, ammunition, explosives, nuclear, chemical and biological materials;
- f) combating illegal crossing of state border and falsification of travel documents;
- g) combating cybercrime;
- h) combating other crimes falling within the competence of the Parties.

2. The cooperation between the two Parties shall be realized in following forms:

- a) provision of crime-related information and personal data on persons committing crime;
- b) assistance in searching of persons accused or convicted in commission of crime;
- c) exchange of legal information, documentation, publications and results of scientific research;
- d) organization of trainings, seminars and workshops and cooperation in the field of improving the qualification of personnel of the Parties;
- e) provision of police equipment.

3. Parties will cooperate and share criminal intelligence information between their competent authorities on counter-terrorism so as to trail and dismantle terrorist acts and the members of the terrorist groups.

4. The Parties shall realize the cooperation under the present MoU in accordance with the national legislation in force in their States and the norms of international law.

Article 2

Provision of Information on Detained Persons

Each Party shall provide the other Party with details on the citizens of the State of the other Party who may be under detention in the respective country, in accordance with the national legislation in force in its State and international norms on protection of personal data.

Article 3

Cooperation in Searching of Persons

The Parties, in accordance with the national legislation in force in their States, shall conduct all necessary measures in order to find, detain, arrest or provide information on wanted persons.

Article 4

Holding of Expert Meetings

The Parties shall hold expert meetings within the framework of their competence, whenever they both agree that there is a need to face urgent or special matters relating to the fields of cooperation.

Article 5

Realization of Cooperation

1. The cooperation within the frames of the present MoU is realized in English language, or in the state language of either Parties.
2. Requests on provision of information or rendering assistance within the frames of the present MoU are made by the Parties in written form. In urgent cases, request may be made verbally, which shall be confirmed in written form within reasonable time.

Article 6

Non-fulfillment of Request

Request may be wholly or partially refused, if the receiving Party considers, that it may threaten sovereignty, security, national interests of its State, public order, human health, or other important interests of its State or if it might contradict the national legislation in force in its State.

Article 7

Limits on the Use of Information and Document

1. The Parties agree that the information and personal data transmitted under the present MoU shall be used exclusively for the purposes envisaged by it, in conformity with the provisions of the international conventions on human rights and shall be protected in accordance with the national legislation in force in their States.
2. The Parties shall aim to conclude an agreement on cooperation in the exchange and mutual protection of classified information.
3. Under the present MoU any information and documents will not be disclosed to any third Parties without the prior consent of the competent authority that provided them.

Article 8

Competent Authorities for the Implementation of the present MoU

1. The competent Authorities for the implementation of the present MoU shall be:
 - for the Turkish Party: the Ministry of the Interior of the Republic of Turkey;
 - for the Georgian Party: the Ministry of Internal Affairs of Georgia.
2. For the purposes of effective realization of the present MOU, the Competent Authorities of the Parties shall provide each other their contact information and inform each other any changes to their names, competences and contact information.

Article 9
Relation to Other International Agreements

The provisions of the present MoU do not affect the rights and obligations of the Parties arising from other bilateral or multilateral international agreements to which their States are parties.

Article 10
Settlement of Disputes

Disputes arising during implementation and interpretation of the present MoU shall be settled through consultations between the Parties or negotiations via diplomatic channels.

Article 11
Amendments and Supplements

The present MoU may be amended and supplemented in written form upon a mutual consent of the Parties. Such amendments and supplements shall be drawn up as a Single Protocol and be the integral part of the present MoU. The Protocol shall enter into force in accordance with the procedure provided by the Paragraph 1 of the Article 12 of the present MoU.

Article 12
Final Provisions

1. The present MoU shall enter into force on the first day of the following month from the date of the receipt of the last written notification by which the Parties notify each other, through diplomatic channels, of the completion of their internal legal procedures required for the entry into force of the present MoU.

2. The present MoU shall be concluded for an indefinite period of time. Either Party may terminate the application of the present MoU by a written notification to the other Party communicated through diplomatic channels. The termination shall become effective 6 (six) months from the date of the receipt of the notification of termination.

Done in Tbilisi, on 22/02/2012, in two equally valid original copies, each in Turkish, Georgian and English languages. In case of divergence in the interpretation of the present MoU by the Parties, the English text shall prevail.

**For the Government of the
Republic of Turkey**

**For the Government of
Georgia**

İdris Naim ŞAHİN
Minister of the Interior

Ivane MERABISHVILI
Minister of Internal Affairs