

No. 54150*

Multilateral

Agreement on the cooperation in the area of witness protection. Stirin, 24 May 2012

Entry into force: *1 December 2012, in accordance with article 15*

Authentic text: *English*

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Note: *See also annex A, No. 54150.*

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Multilatéral

Accord sur la coopération dans le domaine de la protection des témoins. Stirin, 24 mai 2012

Entrée en vigueur : *1^{er} décembre 2012, conformément à l'article 15*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Slovénie, 16 décembre 2016*

Note : *Voir aussi annexe A, No. 54150.*

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Participant	Ratification, Accession (a) and Approval (AA)	
Hungary	7 Aug	2012
Slovakia	3 Oct	2012

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Ratification, Adhésion (a) et Approbation (AA)	
Hongrie	7 août	2012
Slovaquie	3 oct	2012

A G R E E M E N T
ON THE COOPERATION IN THE AREA OF WITNESS PROTECTION

The Contracting Parties to this Agreement,

- RECALLING the cooperation between the competent Ministries of the Republic of Austria, the Republic of Bulgaria, the Republic of Croatia, the Czech Republic, Hungary, the Republic of Poland, Romania, the Slovak Republic and the Republic of Slovenia in the framework of the Salzburg Forum;
- DESIRING to develop and enhance their cooperation in witness protection;
- HAVING REGARD TO the best practice models developed by Europol in the area of witness protection;
- RECOGNIZING bilateral and multilateral agreements on police cooperation concluded between the Contracting Parties;
- HAVING REGARD TO the national legislation of the Contracting Parties and European Union law, including regulations on personal data protection;
- HAVING REGARD TO the United Nations Convention against Transnational Organized Crime of 2000, UNTOC;
- RECALLING the United Nations Convention against Corruption of 2003, UNCAC;
- HAVING REGARD TO the relevant Council of Europe instruments;
- BEARING IN MIND the free movement of persons in the European Union and the challenges thus related to the area of witness protection;

Have agreed as follows:

Article 1

The purpose of this Agreement is to develop and enhance cooperation related to witness protection between the Contracting Parties.

Article 2

(1) The national contact points of the Contracting Parties referred to in Article 10 shall directly cooperate in the area of witness protection upon written request. The competence of the national contact points shall be governed by the national legislation.

(2) The cooperation shall, in particular, include the relocation and protection of persons, exchange of information, administrative, technical and logistical support and training of the staff of witness protection units.

(3) The protected person to be relocated must have been placed under the national protection programme of the requesting Contracting Party or, in case of urgent need, it must be presumable that this person will be taken into the national protection programme of the requesting Contracting Party, if this is foreseen under the national legislation of the requested Contracting Party. When taking supportive measures in connection with the protection of these persons the national legislation of the requested Contracting Party shall apply accordingly. The person to be protected shall remain under the national protection programme of the requesting Contracting Party.

(4) The requesting Contracting Party shall provide the requested Contracting Party with all necessary information which is relevant to this Contracting Party to come to a decision.

(5) Enrolling an endangered person into the national protection programme of the requesting Contracting Party shall be fully in competence of this Contracting Party. The requested Contracting Party shall not re-evaluate the reasons for the enrolment.

(6) For serious reasons and after having duly notified the requesting Contracting Party, the requested Contracting Party may cease the supportive measures. In this case, the requesting Contracting Party shall retake the person concerned.

Article 3

The mutually agreed conditions for the relocation, assistance and protection of persons in each individual case shall be set forth in a separate document concluded by the national contact points referred to in Article 10 of the Contracting Parties involved in this individual case. Significant changes in the situation of the protected person should be reflected in amendments or in a new separate document.

Article 4

Officers from the national contact point of one Contracting Party acting under this Agreement within the territory of another Contracting Party shall be subject to the instructions given by the national contact point of the host Contracting Party.

Article 5

(1) For the carrying of arms, ammunition and equipment and the use of vehicles by officers from the national contact point of one Contracting Party acting under this Agreement within the territory of another Contracting Party, the provisions of Article 19 of the Council