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**Poland
and
Sweden**

Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Sweden on co-operation in combating serious crime. Warsaw, 13 April 2005

Entry into force: *4 November 2005, in accordance with article 15*

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**Pologne
et
Suède**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement du Royaume de Suède relatif à la coopération dans la lutte contre les infractions graves. Varsovie, 13 avril 2005

Entrée en vigueur : *4 novembre 2005, conformément à l'article 15*

Textes authentiques : *anglais, polonais et suédois*

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AGREEMENT
between the Government of the Republic of Poland and the Government of
the Kingdom of Sweden on co-operation in combating serious crime

The Government of the Republic of Poland and the Government of the Kingdom of Sweden, hereinafter referred to as the "Contracting Parties",

desiring to develop further the friendly relations and good co-operation between the Contracting Parties,

undertaking together to take effective action to combat serious crime,

seeking to develop optimum rules, forms and methods of operational and preventive activities,

taking into account the current provisions of international law and of the national law of the Contracting Parties,

being guided by principles of equality, reciprocity and mutual benefits,
have agreed as follows:

Article 1

1. The Contracting Parties undertake to support co-operation between the competent bodies in combating serious crime through preventive measures and disclosure of perpetrators of the following crimes in particular:

- 1) against life and health;
- 2) sexual;
- 3) illegal migration and smuggling of human beings;
- 4) trafficking in human beings;
- 5) of terrorist nature;
- 6) corruption;
- 7) illegal production of and trafficking in narcotic drugs, psychotropic substances and precursors;
- 8) illegal production of and trafficking in arms, ammunition and explosives;
- 9) theft, trafficking in and smuggling of works of art and motor vehicles;
- 10) counterfeiting and introducing into circulation of counterfeit payment instruments and securities;
- 11) forgery of official documents and use of forged documents;
- 12) economic and financial;
- 13) environmental.

2. The Contracting Parties shall also co-operate in the following areas:

- 1) tracing of persons suspected of committing crimes or of evading a penalty imposed by a judicial sentence;
- 2) tracing of missing persons and taking measures to identify persons of unknown identity and corpses;
- 3) tracing of objects obtained by illegal means.

Article 2

1. For the purpose of implementation of this Agreement, the competent bodies of the Contracting Parties shall, within the limits of their statutory

competence, contact each other directly or through their authorised representatives.

The competent bodies are:

– in the Republic of Poland:

- 1) the Minister responsible for internal affairs;
- 2) the Minister responsible for public finances;
- 3) the Minister responsible for financial institutions;
- 4) the General Inspector of Financial Information;
- 5) the Chief of the Internal Security Agency;
- 6) the Chief Commander of the Police;
- 7) the Chief Commander of the Border Guard;

– in the Kingdom of Sweden:

- 1) the National Police Board;
- 2) the Swedish Customs Service;
- 3) the Swedish Coast Guard.

2. For the purpose of implementation of this Agreement, the bodies referred to in paragraph 1 may exchange liaison officers and conclude implementing agreements specifying detailed rules and exact areas of co-operation. They may, if necessary, consult each other to ensure the effectiveness of co-operation subject to this Agreement.

3. The Contracting Parties shall inform each other through diplomatic channels of any changes of competencies or names of the competent bodies referred to in paragraph 1.

Article 3

1. The competent bodies of the Contracting Parties shall ensure protection of any classified information transferred between them. Each Contracting Party shall, in accordance with its national legislation, respect the level of secrecy requested by the other Party.

2. Information referred to in paragraph 1 transferred by a competent body of one Contracting Party to a competent body of the other Contracting Party may be made available to competent bodies of third states only after obtaining the written consent of the competent transferring body.

3. In case the classified information transferred by the competent body of a Contracting Party is exposed to disclosure or is disclosed, the competent body of the receiving Contracting Party shall immediately notify the competent body of the transferring Contracting Party of the circumstances of the incident, its consequences and measures taken to prevent similar incidents in the future.

Article 4

In order to protect transferred personal data, the following rules of procedure shall apply:

- 1) data shall be used only for the purpose allowed and on conditions determined by the transferring Contracting Party;
- 2) upon request, the transferring Contracting Party shall be informed of the way in which the data is used and of the results of a case;
- 3) personal data shall be transferred only to competent bodies, and may be passed on to other bodies only after obtaining the prior consent of the transferring Contracting Party;
- 4) the transferring Contracting Party is responsible for the authenticity of the transferred data. If the transferred data is not authentic or if its transfer was unlawful, the receiving Contracting Party must be notified immediately. In such a case the receiving Contracting Party is required to correct or destroy the data.