

No. 54676*

**Poland
and
Viet Nam**

Agreement between the Government of the Republic of Poland and the Government of the Socialist Republic of Vietnam on co-operation in combating organized crime. Warsaw, 28 July 2003

Entry into force: *26 April 2004, in accordance with article 14*

Authentic texts: *English, Polish and Vietnamese*

Registration with the Secretariat of the United Nations: *Poland, 19 September 2017*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Pologne
et
Viet Nam**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement de la République socialiste du Viet Nam relatif à la coopération dans la lutte contre la criminalité organisée. Varsovie, 28 juillet 2003

Entrée en vigueur : *26 avril 2004, conformément à l'article 14*

Textes authentiques : *anglais, polonais et vietnamien*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Pologne, 19 septembre 2017*

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AGREEMENT

**between the Government of the Republic of Poland and the Government of the
Socialist Republic of Vietnam on co-operation in combating organised crime**

The Government of the Republic of Poland and the Government of the Socialist Republic of Vietnam, hereinafter referred to as the “Contracting Parties”:

- with the desire to continue developing the relations of friendship and co-operation between the two States,
- concerned about the situation of increasing organised crime,
- convinced about the importance of co-operation between competent agencies of the two States in effectively preventing and combating organised crime,
- on the basis of respecting laws and sovereignty of each State, equality, mutual understanding and benefit, in accordance with international laws and existing laws of their own State,

have agreed as follows:

Article 1

1. The Contracting Parties shall support the co-operation of security and public order organs in the field of preventing and combating organised crime, and the following crime in particular:
 - 1) against life and health,
 - 2) connected with international terrorism,
 - 3) trade in people and forcing people to prostitution,
 - 4) illegal migration,
 - 5) against the natural environment protected by the law,

- 6) theft, illicit trade and transport, illegal circulation and use or threaten to use nuclear and radioactive substances in order to cause damage or destruction to the environment,
 - 7) production and circulation of periodicals, films or other materials having the character of illicit pornography, in particular, with the participation of children,
 - 8) theft, forgery, and cross-border trafficking of culture values or objects of historical value,
 - 9) illegal production, transport and trade of arms, ammunition, explosives or other hazardous materials including double-purpose goods,
 - 10) production and circulation of forged documents, counterfeit money or other paying means,
 - 11) legalisation of the income from criminal activities, corruption or economic crimes such as commercial fraud, smuggling,
 - 12) illegal production, storage, possession, transport and trade of drug substances, psychotropic substances and precursors,
 - 13) illegal use of computers or telecommunication equipment.
2. The Contracting Parties shall also co-operate with respect to the following areas:
- 1) searching on the territory of the State being the Contracting Party herein for persons suspected of committing criminal offences, specified under paragraph 1 above, or evading of serving their sentences adjudged for the commission thereof,
 - 2) searching for missing persons and identifying of corpses whose identity is unknown,
 - 3) searching for objects deriving from the commission of criminal acts.

Article 2

Co-operation between the Contracting Parties of this Agreement will be implemented in the following forms:

- 1) provide each other with information about:
 - a) inspirers and persons secretly managing criminal operations,
 - b) criminal interrelations between offenders,
 - c) structures of criminal groups and organisations and their operating methods,
 - d) typical behaviours of individual offenders and criminal groups,

- e) significant circumstances of a given case with regard to time, place and method of committing the criminal act, its essentials and particulars,
 - f) infringed provisions of the criminal law,
 - g) activities undertaken and results thereof,
- 2) immediately implement activities as mutually agreed upon through appropriate organs.

Article 3

The Contracting Parties shall provide each other, in particular, with:

- 1) information pertaining to planned or committed acts of terrorism, operating methods used by offenders, and on groups of terrorists planning or committing criminal offences to the detriment of the vital interest of the State of one of the Contracting Parties,
- 2) information necessary to prevent and combat illegal migrations and organisation of illegal cross-border travel, in particular with respect to organisers of illegal migrations, specimen documents authorising border crossing, seals affixed on these documents, and types of visas and symbols,
- 3) information on:
 - a) trafficking in drug substances, psychotropic substances and precursors,
 - b) places and methods of production and storage of the aforementioned substances, and means of transport used for the purpose of their transportation,
 - c) places of destination of transported drug substances, psychotropic substances and precursors,
- 4) samples of new drug substances, psychotropic substances, precursors, and other hazardous substances, both of vegetable origin and synthetic ones,
- 5) experiences with regard to the control of legal trade in drug substances, psychotropic substances and precursors, as well as input products and semi-finished products necessary for the production thereof.

Article 4

The Contracting Parties shall conduct co-operation in the field of science and technology regarding to forensic science and criminology, and for that purpose the Contracting Parties shall exchange:

- 1) experiences and information pertaining to methods of combating organised crime and new forms of criminal operations,
- 2) results of research works from the areas of crime detection and criminology, legal solutions with regard to regulations on legalising income deriving from criminal offences and struggle against drug addiction,
- 3) information on objects related to the commission of criminal acts,
- 4) technical equipment used for the purpose of combating crime, and any relevant information in this respect,
- 5) experts, in order to enhance professional skills, in particular, with regard to crime detection techniques and crime combating methods, and professional literature, on a free of charge basis.

Article 5

1. The Contracting Parties shall ensure the protection of classified information exchanged with each other. The transferring Contracting Party shall determine the clause of secrecy with regard to the information transferred to the other Contracting Party.
2. Any information and technical equipment that the Contracting Parties shall provide each other with may be made available to third Parties exclusively upon the consent of the transferring Contracting Party.
3. If classified information provided by one Contracting Party is revealed or if there is a risk of it being revealed, the other Contracting Party shall immediately notify the transferring Contracting Party about this fact, shall inform about the circumstances and consequences thereof, and about actions taken in order to prevent future occurrence of such events.

Article 6

1. Personal data processing related to the execution of this Agreement shall conform to the rules established in paragraph 2.
2. The Contracting Parties shall observe the following principles while processing personal data for the needs of the execution of this Agreement:
 - 1) the Contracting Party – the recipient of personal data – may use them for those purposes only as provided in this Agreement with reference to the transfer of such