

TITLE III
FREEDOM, SECURITY AND JUSTICE

ARTICLE 14

Rule of law

1. In their cooperation in the area of freedom, security and justice the Parties shall attach particular importance to the promotion of the rule of law, including the independence of the judiciary, access to justice, and the right to a fair trial.
2. The Parties will cooperate fully on the effective functioning of institutions in the areas of law enforcement and the administration of justice.
3. Respect for human rights and fundamental freedoms will guide all cooperation on freedom, security and justice.

ARTICLE 15

Protection of personal data

1. The Parties affirm their commitment to ensuring a high level of personal data protection and shall endeavour to work together to promote high international standards.
2. Any processing of personal data shall be subject to the legal provisions referred to in Annex I to this Agreement. The transfer of personal data between the Parties shall only take place if such transfer is necessary for the implementation, by the competent authorities of the Parties, of this agreement.

ARTICLE 16

Cooperation on migration, asylum and border management

1. The Parties reaffirm the importance of a joint management of migration flows between their territories, including legal migration, international protection, illegal migration, smuggling and trafficking in human beings.
2. Cooperation will be based on a specific needs assessment, conducted in mutual consultation between the Parties, and implemented in accordance with their relevant legislation in force. It will, in particular, focus on:
 - (a) the root causes and the consequences of migration;

(b) the development and implementation of national legislation and practices as regards international protection, with a view to satisfying the provisions of the Geneva Convention relating to the Status of Refugees of 1951 and of the Protocol relating to the Status of Refugees of 1967 and of other relevant international instruments, and to ensuring the respect of the principle of '*non-refoulement*';

(c) the admission rules and rights and status of persons admitted, fair treatment and integration of lawfully residing non-nationals, education and training, and measures against racism and xenophobia;

(d) the establishment of an effective and preventive policy against illegal immigration, smuggling of migrants and trafficking in human beings, including the issue of how to combat networks of smugglers and traffickers and how to protect the victims of such trafficking;

(e) the promotion and facilitation of the return of illegal migrants; and

(f) in the area of border management and document security, on issues of organisation, training, best practices and other operational measures.

ARTICLE 17

Movement of persons

The Parties agree that they may enter into dialogue regarding the movement of people within the current or future national frameworks governing these issues, particularly the movement of skilled individuals.

ARTICLE 18

Preventing and combating organised crime, corruption and other illegal activities

1. The Parties shall cooperate on preventing and combating all forms of criminal and illegal activities, organised or otherwise, including those of a transnational character, such as:

(a) smuggling and trafficking in human beings;

(b) smuggling and trafficking in goods, including in small arms and illicit drugs;

(c) illegal economic and financial activities such as counterfeiting, fiscal fraud and public procurement fraud;

- (d) fraud, as defined in Protocol III of this Agreement, in projects funded by international donors;
- (e) acts of corruption and related acts, both in the private and public sector, including the abuse of office or abuse of power and trading in influence;
- (f) fraud and forging documents and submitting false statements; and
- (g) cyber crime.

2. The Parties shall enhance bilateral, regional and international cooperation among law enforcement bodies, including strengthening cooperation with the relevant authorities of the Republic of Moldova. The Parties are committed to implementing effectively the relevant international standards, and in particular those enshrined in the United Nations Convention against Transnational Organised Crime (UNTOC) of 2000 and its three Protocols, the United Nations Convention against Corruption of 2003, and relevant Council of Europe instruments on preventing and combating corruption.

ARTICLE 19

Tackling illicit drugs

1. Within their respective powers the Parties shall cooperate to ensure a balanced and integrated approach towards drug issues. Drug policies and actions shall be aimed at reinforcing structures for tackling illicit drugs, reducing the supply of, trafficking in and the demand for illicit drugs, coping with the health and social consequences of drug abuse, as well as at a more effective prevention of diversion of chemical precursors used for the illicit manufacture of narcotic drugs and psychotropic substances.

2. The Parties shall agree on the necessary methods of cooperation to attain those objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions, and taking into account the 2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem and the outcome document of the thirtieth special session of the General Assembly 2016 on the world drug problem, entitled “Our joint commitment to effectively addressing and countering the world drug problem”.

ARTICLE 20

Preventing and combating money laundering and financing of terrorism

1. The Parties shall cooperate in order to prevent the use of their financial and relevant non-financial systems to launder the proceeds of criminal activities, as well as for the purpose of financing of terrorism. That cooperation extends to the recovery of assets or funds derived from the proceeds of crime.
2. Cooperation in this area shall allow exchanges of relevant information within the framework of respective legislations and the adoption of appropriate standards to combat money laundering and financing of terrorism, equivalent to those adopted by relevant international bodies active in this area, such as the Financial Action Task Force on Money Laundering and Terrorist Financing (FATF).

ARTICLE 21

Combating terrorism

The Parties agree to cooperate in the prevention and suppression of acts of terrorism in full respect for the rule of law, international human rights, and refugee and humanitarian law and in accordance with the UN Global Counter-Terrorism Strategy of 2006 as well as their respective laws and regulations. They shall do so in particular in the framework of the full implementation of UN Security Council Resolutions 1267 (1999), 1373 (2001), 1540 (2004) and 1904 (2009) and other relevant UN instruments, and applicable international conventions and instruments:

- (a) by exchanging information on terrorist groups and their support networks in accordance with international and national law;
- (b) by exchanging views on terrorism trends and on means and methods of combating terrorism, including in technical areas and training, and by exchanging experiences in respect of the prevention of terrorism; and
- (c) by sharing best practices in the area of protection of human rights in the fight against terrorism.

ARTICLE 22

Legal cooperation

1. The Parties agree to develop judicial cooperation in civil and commercial matters as regards the negotiation, ratification and implementation of multilateral conventions on civil judicial cooperation and, in particular, the conventions of the Hague Conference on Private International Law in the field of international legal cooperation and litigation as well as the protection of children.

2. As regards judicial cooperation in criminal matters, the Parties will seek to enhance cooperation on mutual legal assistance. That would include, where appropriate, accession to, and implementation of, the relevant international instruments of the UN and the Council of Europe. and closer cooperation with Eurojust, where that is possible.