

COOPERATION AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND
THE GOVERNMENT OF THE REPUBLIC OF GHANA
ON COMBATING SERIOUS CRIME
IN PARTICULAR
TERRORISM AND ORGANIZED CRIME

PREAMBLE

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

DESIRING to enhance bilateral cooperation in order to strengthen and develop friendly relationships between the Republic of Turkey and the Republic of Ghana to promote welfare and stability in a peaceful atmosphere in both States in the framework of the principles of mutual respect of the sovereignty, equality and interest of both Parties;

BEING CONCERNED about the increase of the acts of international terrorism and international organized crime;

IN ACCORDANCE WITH the principle of protecting effectively their citizens and other persons in their countries from acts of terrorism and other criminal acts;

STRIVING TO enhance cooperation in this area by confirming the significance of international cooperation in combating terrorism and organized crime;

CONSIDERING national legislation and international obligations of both Parties;

TAKING INTO CONSIDERATION the basic principles of the Law of Nations defined in the United Nations Charter as well as the protection of human rights;

RESPECTING the principle of sovereignty and equality of States and wishing to further strengthen the friendly relations between both Parties;

HAVE AGREED the following:

ARTICLE I OBLIGATION TO COOPERATE

1. The Parties shall cooperate, in conformity with their relevant national legislation, the international treaties in force, in fighting against serious crime, in particular against crimes related to terrorism, organized crime, smuggling of migrants, trafficking in human beings, narcotic drugs and psychotropic substances and their precursors.

2. This Agreement shall not affect the international legal assistance procedures in force.

ARTICLE 2 FIELDS OF COOPERATION

1. The Parties shall cooperate, in the framework of their means, in order to prevent, suppress and conduct investigations into crime, including but not limited to, the following:

- transnational organized crime, including money laundering, cybercrime, smuggling of works and objects of art and historical artifacts;
- illicit production of and trafficking in narcotic drugs, psychotropic substances and their precursors;
- trafficking in persons and smuggling of migrants;
- illicit trafficking in weapons, ammunitions, explosives, nuclear, radioactive and toxic materials.

2. The Parties shall also cooperate to prevent and suppress terrorist acts and financing of terrorism, in conformity with their relevant national legislation in force and the international obligations, including the relevant international Conventions and UN Security Council Resolutions.

ARTICLE 3 COOPERATION PROCEDURES

In the framework of cooperation, for the purpose of implementing Article 2 of this Agreement and in compliance with their national legislation Parties shall:

- exchange operative information on criminal organizations and criminal acts, which are planned or were perpetrated, and the structure, composition, external contacts and modus operandi of such organizations in order to prevent and combat serious crimes and terrorist groups:

- in conformity with their national laws, agree to carry out joint police operations. The relevant operational procedures shall be agreed upon by the Authorities of both Parties as mentioned in Article 6 of this Agreement;

- in compliance with their relevant national legislation, take measures to prevent and combat the illicit production of and trafficking in narcotic drugs, psychotropic substances and their precursors:

- exchange experiences in the control of legal trade in narcotic drugs, psychotropic substances and their precursors, and shall take measures to prevent abuses in this field. They shall also exchange and analyze information on narcotic drugs, psychotropic substances and their precursors, places and methods of production and manufacturing, channels and means used by traffickers, including concealing modalities, as well as on analysis techniques;

- exchange operational information in order to identify and detect persons, objects and money referable to the crimes covered by this Agreement;

- cooperate to coordinate the necessary measures for the implementation of special investigative techniques such as controlled deliveries and undercover operations;
- exchange information on techniques and methods implemented and developed in combating crime and criminality in terms of Juvenile Police, juvenile delinquency and crimes against children;
- exchange information on the current migration policies and practices, as well as on the effects of these practices on irregular migration;
- cooperate by exchanging information on the main illegal immigration flows, the routes followed by illegal migrants, their *modus operandi* and transportation methods. The Parties may also exchange their relevant risk assessment reports;
- cooperate by exchanging information on passports and other travel documents, visas as well as entry and exit stamps in order to detect counterfeited documents;
- cooperate in executing the requests envisaged in Article 4 of this Agreement;
- take any other action, in compliance with their national legislation and other international conventions by which the Parties are bound and in accordance with the purposes of this Agreement;
- cooperate to organize mutual training courses through their respective Authorities mentioned in Article 6 of this Agreement.

ARTICLE 4 REQUESTS FOR ASSISTANCE AND EXECUTION

1. Cooperation in the framework of this Agreement shall take place based on the requests for assistance made by the competent authority concerned or upon initiative of the competent authority which deems said assistance is of interest to the other competent authority.
2. The information may - without request - be transmitted to the other Party if there are grounds to believe that they are of interest to said Party.
3. Requests for assistance shall be submitted in writing. In case of emergency they may be made orally, but shall be confirmed in writing within seven (7) days.
4. Requests for assistance shall contain
 - the name of the body of the Party which requests assistance and the name of the body of the Party to which a request for assistance has been submitted;
 - detailed information on the case;
 - aim of and reasons for the request;
 - description of the assistance requested;
 - any other information which may contribute to the effective execution of a request.

5. If the execution of a request for assistance or a cooperation activity jeopardizes the sovereignty or security or is contrary to national law, international obligations or other essential interests of one of the Parties, that Party may refuse to execute the request wholly or partly or may execute the request subject to certain conditions.

6. The requested Party shall adopt all the measures necessary to execute the request in the most rapid and complete way as possible.

7. During the execution of a request the law of the requested Party shall apply.

8. The requested Party shall be authorized to request further information to the requesting Party, if deemed necessary for an appropriate execution of the request.

9. If the requested Party holds that the immediate execution of a request may interfere with criminal proceedings started in its Country, said Party can delay the execution of the request or make it subordinate to the respect of the conditions established as necessary as a result of consultations with the requesting Party. If the requesting Party agrees to provide assistance on the conditions proposed, it shall comply with them.

10. Unless the national legislation of the requested Party establishes other time limits, its competent authority shall notify the results concerning the execution of the request to the requesting Party within 30 days from its receipt.

11. In case of total or partial refusal of an assistance request, the requested Party shall notify the reason for the refusal to the requesting Party.

ARTICLE 5 LIMITS ON THE USE OF INFORMATION AND DOCUMENT

1. The Parties agree that the information and personal data transmitted under this Agreement shall be used exclusively for the purposes envisaged by it, in conformity with the provisions of the International Conventions on Human Rights.

2. Personal data and, in particular, sensitive information exchanged between the Parties shall be, in conformity with the Parties' domestic law on data and information, protected according to the same standards applying to national data.

3. The Parties shall adopt the necessary technical and organizational measures to safeguard sensitive and personal data against accidental or unlawful destruction, accidental loss or disclosure, unauthorized alteration or access or any unauthorized form of processing. The Parties, in particular, shall take any relevant measure to ensure that only those authorized to access personal data can have access to such data.

4. The information and documents supplied by a competent authority under this Agreement may be disclosed to other persons, Countries or international organizations only upon agreement of the competent authority that transmitted them.

5. At the request of the transmitting Party the receiving Party shall be obliged to correct, block or delete, consistent with its national law, the data received under this Agreement that are incorrect or incomplete or if its collection or further processing contravenes this Agreement or the rules applicable to the supplying Party.

6. Where a Party becomes aware that data it has received from the other Party under this Agreement are not accurate, it shall take all appropriate measures to safeguard against erroneous reliance on such data, which shall include in particular supplementation, deletion or correction of such data.

7. Each Party shall notify the other if it becomes aware that material data it has transmitted to the other Party or received from the other Party under this Agreement are inaccurate or unreliable or might give rise to significant doubt.

ARTICLE 6

COMPETENT AUTHORITIES FOR THE IMPLEMENTATION OF THE AGREEMENT

1. The competent Authorities for the implementation of this Agreement shall be:

- for the Turkish Party: the Ministry of the Interior,
- for the Ghanaian Party: the Ministry of the Interior.

2. Within 30 days from the entry into force of this Agreement the Parties shall exchange the list of the national offices authorized to maintain direct contacts in order to implement the provisions of this Agreement and establish the relevant communication channels.

3. The Parties shall immediately notify each other possible changes in the list of the national offices authorized to maintain direct contacts in order to implement the provisions of this Agreement. They shall also notify each other of changes in their communication channels.

4. The Parties, in addition to the above mentioned authorized offices, shall cooperate through the "Interpol" channel, their respective Liaison Officers and other experts in the field of crimes that are covered by this Agreement.

ARTICLE 7
MEETINGS AND CONSULTATIONS

1. With a view to facilitating implementation of this Agreement the representatives of the competent authorities may, if necessary, hold bilateral meetings and consultations to assess the progress made under this Agreement as well as to analyze and enhance cooperation.
2. Meetings shall take place in Turkey and in Ghana, alternately.

ARTICLE 8
SETTLEMENT OF DISPUTES

Possible disputes arising from the interpretation or implementation of this Agreement shall be settled amicably through consultations between the competent Authorities mentioned in Article 6 and negotiations through diplomatic channels.

ARTICLE 9
**RELATIONS OF THIS AGREEMENT WITH OTHER
INTERNATIONAL TREATIES**

This Agreement shall not prejudice the rights and duties stemming from other international treaties concluded by the Parties.

ARTICLE 10
EXPENSES

1. Ordinary expenses for the processing of a request under this Agreement shall be borne by the requested Party unless otherwise agreed upon in writing by the Parties. If the request includes a considerable or extraordinary expense, the competent Authorities shall consult each other in order to establish terms and conditions for processing the request as well as cost sharing modalities.
2. Unless otherwise agreed upon, expenses for the meetings shall be borne by the receiving Party whereas international travel and accommodation expenses of delegates shall be borne by the sending Party.

ARTICLE 11
LANGUAGE OF COOPERATION

For the purposes of cooperation under this Agreement, the Parties shall use their official languages and enclose translations in the official language of the requested Party or in English.

ARTICLE 12
ENTRY INTO FORCE, CHANGE AND AMENDMENTS AND
TERMINATION

1. This Agreement shall enter into force one month after the date of the receipt of the last of the two notifications by which the Parties shall notify each other that their respective internal procedures have been completed.

2. This Agreement shall be valid for an indefinite period of time and may be terminated following a written notification thereon by the other Party. The Agreement shall remain in force for a period of six months after delivery of the written notification on the termination to the other Party.

3. This Agreement may be amended by mutual written consent of the Contracting Parties at any time. The amendments shall enter into force in accordance with the same legal procedure prescribed under Article 12 paragraph 1 of this Agreement.

IN WITNESS THEREOF, the undersigned - duly authorized by the Governments - have signed and sealed this Agreement on 16/04/2014 in Accra in two original copies, each in Turkish and English languages, all texts being equally authentic. In the case of any divergence of interpretation, the English text shall prevail.

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

**For the Government of the Republic of
Ghana**

Mehmet MÜEZZİNOĞLU
Minister of Health

Kwesi AHWOI
Minister of the Interior