

法規名稱：AGREEMENT BETWEEN THE MINISTRY OF THE INTERIOR OF THE REPUBLIC OF CHINA (TAIWAN) AND THE MINISTRY OF STATE OF THE REPUBLIC OF PALAU CONCERNING COOPERATION IN IMMIGRATION AFFAIRS AND HUMAN TRAFFICKING PREVENTION

簽訂日期：民國 106 年 03 月 17 日

生效日期：民國 106 年 03 月 17 日

The Ministry of the Interior of the Republic of China(Taiwan)
and the Ministry of State of the Republic of Palau (hereinafter
collectively referred to as “ the Parties ”);

CONSCIOUS of the principle of equality, reciprocity and comity
between States;

RECOGNISING the importance of promoting cooperation between
immigration agencies in both countries;

ACKNOWLEDGING the need for both countries to continue bilateral
cooperation on issues of mutual concern;

DESIROUS of promoting cooperation between immigration agencies
of both countries on the issue of transnational crimes and in
particular human trafficking, through the exchange of
information and promotion of capacity building;

MINDFUL of the impact of human trafficking on both countries;

HAVE agreed as follows:

Article 1

Competent Authorities

1. The Competent Authorities that conclude and implement the
terms of this Agreement shall be the Ministry of the Interior
of the Republic of China(Taiwan) and the Ministry of State of
the Republic of Palau.
2. The Parties shall dedicate themselves to engaging in exchange

and sharing of information and cooperation in accordance with their respective domestic laws and national policies.

Article 2

Scope of Cooperation

The Parties agree to cooperate in the following areas:

1. To cooperate in the exchange and sharing of information pertaining to national security, anti-terrorist, the stolen and lost travel documents, the prevention of human trafficking and smuggling, illegal immigration and other transnational crimes;
2. To cooperate on capacity building related to entry and exit control;
3. To foster cooperation between the immigration agencies in both countries as set out in the preamble of this Agreement specifically in relation to human trafficking, smuggling and other transnational crimes;
4. To foster cooperation and sharing of experience in relation to detecting, and resolving cases of human trafficking, smuggling and other transnational crimes and personnel training on these issues; and
5. To facilitate cooperation on other matters related to human trafficking, smuggling and other transnational crimes.

Article 3

Forms of Cooperation

For the purpose of effectively enforcing Article 2, the Parties shall undertake, on the principle of equality, reciprocity and comity, to cooperate as follows:

1. Exchange of information on crime and stolen and lost travel documents;
2. Official exchange visits;
3. To invite one to three immigration officers from the other

- Party to participate in immigration training held by one of the Parties; and
4. To implement other mutual assistance that might be requested.

Article 4

Request for Assistance

1. The Parties agree that requests for assistance shall be made in writing through formal diplomatic channels.
2. In the event of urgency, an informal note in writing may be made to the foreign ministry of the Requested Party but the official request must be done within ten (10) days of the informal request.
3. The written request shall include the following content:
 - a. The name of the department that is making the request;
 - b. The purpose of the request;
 - c. The details of the request;
 - d. The summary of the case;
 - e. Other information necessary for meeting the request.
4. In case the request cannot be met due to inadequate information contained in the request, the Requesting Party may be required to provide additional information.

Article 5

Refusal of Requests

The Parties agree that in the event the request is contrary to the Constitution, domestic laws, public policy or national security interest of the Requested Party, the request shall be refused.

Article 6

Request Fulfillment

1. The Requested Party undertakes to expedite requests for assistance provided that the requests have complied with the provisions of this Agreement and the laws of the Requested

- Party. The Requesting Party shall be informed as soon as practicable about any information pertaining to the request.
2. The Requested Party shall immediately notify the Requesting Party through proper diplomatic channels in circumstances where it has no authority to satisfy the request.

Article 7

Confidentiality

1. The Parties shall ensure that all information, documents, and personal data provided under this Agreement are kept confidential.
2. In the event that the information is to be used for any purpose not consistent with this Agreement, the Requesting Party shall obtain the consent of the Requested Party.

Article 8

Expenses

1. The funds needed to cover the expenses for personnel training as stated in subparagraph 3 of Article 3 shall be decided by the Parties on a case-by-case basis through bilateral consultation.
2. General expenses incurred in fulfilling a request by a Party in accordance with this Agreement will be borne by the Requested Party unless otherwise mutually agreed.
3. In circumstances where a request involves additional expenses, the Parties shall negotiate beforehand to affirm the defrayment of those expenses.

Article 9

Languages

The Parties shall use English as the medium of their communication when they engage in cooperation in accordance with this Agreement.

Article 10

Meetings and Consultations

The representatives of the Parties may hold meetings or conduct consultations in order to discuss and improve the cooperation carried out in accordance with this Agreement.

Article 11

Settlement of Disputes

Disputes arising from the application of this Agreement shall be resolved through negotiations by the Parties.

Article 12

Effectiveness, Termination and Amendments

1. This Agreement shall be effective on the date of its latter signature by the Parties and may be terminated by either Party by giving the other Party a thirty-day prior written notice.
2. This Agreement may be amended by the mutual consent of the Parties.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE in duplicate in the Chinese and English languages, both texts being equally authentic.

FOR THE MINISTRY
OF THE INTERIOR
OF THE REPUBLIC
OF CHINA (TAIWAN)

Jiunn-Rong Yeh

FOR THE MINISTRY
OF STATE OF THE
REPUBLIC OF
PALAU

Billy G. Kuartei

Minister

Minister

Date: 2 March 2017

Date: 17th March 2017

Place: Taipei, Taiwan

Place: Koror, Palau