

法規名稱：AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN)
AND THE GOVERNMENT OF SAINT VINCENT AND THE GRENADINES ON COMBATING
TRANSNATIONAL CRIMES

簽訂日期：民國 108 年 07 月 16 日

生效日期：民國 108 年 07 月 16 日

The Government of the Republic of China (Taiwan) and the Government of Saint Vincent and the Grenadines hereinafter referred to individually as a “ Party ” and collectively as the “ Parties ” ;

Realizing that cross border criminal activities, especially in its organized form, between the territories of the Parties pose a very real danger to the stability and security of the people;

Recognizing the need to strengthen an active contribution in combating transnational crimes in all its forms in a comprehensive manner;

Acting in the spirit of partnership and cooperation;

Have agreed as follows:

1. Goals and Scope

- 1.1. The Parties shall strengthen and consolidate cooperative efforts especially in the areas of exchange of information, conduct of coordinated operations and cooperative assistance;
- 1.2. The Parties shall implement this Agreement in their respective jurisdictions, consistent with their respective domestic laws and international legal obligations;
- 1.3. This Agreement is intended to build upon existing cooperative agreements between the Parties in developing law enforcement cooperation, in particular the prevention and suppression of transnational crimes; and
- 1.4. The goal of this Agreement is to form the basic framework for cooperation between the Parties in combating transnational crimes.

2. Implementing Agencies

The competent authorities responsible for the implementation of this Agreement are as follows:

- 2.1. For the Government of the Republic of China (Taiwan):
National Police Agency, Ministry of the Interior;
- 2.2. For the Government of Saint Vincent and the Grenadines:
Royal Saint Vincent and the Grenadines Police Force,
Ministry of National Security.

3. Areas and Forms of Cooperative Activity

Cooperative Activities shall include the following areas and forms:

- 3.1. Information sharing in the area of law enforcement;
- 3.2. Coordinated operations;
- 3.3. Repatriation;
- 3.4. Investigation and evidence-gathering;
- 3.5. Cooperative assistance.

4. Strategies

To ensure the effective implementation of this Agreement, the Parties shall, consistent with their respective domestic laws, adopt the following strategies in their respective jurisdictions:

- 4.1. Information sharing in the area of law enforcement - The Parties recognize the importance of developing sound law enforcement intelligence capabilities. These capabilities will enable opportunities for the sharing of information related to a broad range of transnational criminals and transnational crimes.
- 4.2. Coordinated operations - The Parties recognize the importance and value of cooperation and coordination in law enforcement operations. Coordinated operations shall provide opportunities to the Parties to disrupt and dismantle transnational crimes common to the Parties. Hence, the Parties shall develop strategies and procedures for conducting operations through existing liaisons and future networks. The Parties also agree to exchange information regarding the commission of crimes, help apprehend and repatriate criminals and criminal suspects, and when necessary, cooperate in assisting the conduct of criminal investigation and detection.
- 4.3. Repatriation - The Parties agree to help apprehend and repatriate criminals and criminal suspects. In the process of repatriation, criminals and criminal suspects identified by the other Party as its national shall be returned to the territory of the Party, and documents handed over to the other Party.
- 4.4. Investigation and evidence-gathering - The Parties agree to help in the conduct of criminal investigation and gather evidences relating to transnational crimes, including obtaining testimonial, object and documentary evidence as well as audio-visual materials.
- 4.5. Cooperative assistance - The Parties shall strengthen, deepen and expand cooperative assistance through, among others, exchange of best practices and for the purpose of capacity building and professional development, exchange of personnel for study.

5. Criminal Issues Covered by this Agreement

The priority criminal issues for the Parties under this Agreement are:

- 5.1. Illegal firearms and weapons smuggling, organized illegal immigration, human trafficking and other transnational crimes;
- 5.2. Counterfeiting currency, negotiable securities and document authentication;
- 5.3. Cybercrime;
- 5.4. Commercial crimes, bank offences and telecommunication and credit card frauds;
- 5.5. Transnational economic crimes and offences related to intellectual property rights;
- 5.6. Offences of malfeasance in office and bribery;
- 5.7. Serious crimes including homicide, robbery, kidnapping and transnational sex offenses;
- 5.8. Hijacking of aircrafts or ships and crimes involving terrorist activities; and
- 5.9. Other criminal offences as determined by the Parties.

6. Information Exchange

- 6.1. The Parties shall exchange information pursuant to this Agreement, subject to relevant domestic laws and regulations of the Parties.
- 6.2. The Parties shall protect any information provided by the other Party from unauthorized access or disclosure.
- 6.3. A Party shall not release or disclose any information or intelligence obtained under this Agreement to any third party without prior consent of the other Party.

7. Media Announcement

- 7.1. The Parties shall coordinate on separate or joint media releases in connection with this Agreement to ensure that the interests of the Parties are protected.
- 7.2. Media releases should be intended to promote the capacities of law enforcement and to frustrate the activities of transnational criminal syndicates.

8. Expenses

Ordinary expenses incurred in processing a request pursuant to this Agreement shall be paid by the requesting Party, unless otherwise agreed by the Parties. Should the request involve high or extraordinary expenses, the Parties shall consult with each other on the terms and conditions for the processing of the request and on the manner in which the expenses will be allocated.

9. Resolution of Disputes

The Parties shall make all reasonable efforts and negotiate in good faith to solve any dispute that may arise in the course of the implementation of this Agreement.

10. Supplementation and Amendment

10.1. In order to ensure the implementation of this Agreement, the Parties may supplement it with one or more technical arrangements. Such technical arrangements shall be jointly decided by the Parties and may be made in furtherance of the objectives of this Agreement.

10.2. This Agreement may be amended by written agreement of the Parties. The amendment shall take effect on the date mutually determined by the Parties.

11. Final Provisions

11.1. This Agreement shall enter into force upon the signing thereof by the authorized representatives of the Parties.

11.2. This Agreement shall be reviewed upon the request of either Party every three years from the date it became effective.

11.3. This Agreement remains effective until either Party notifies the other Party, in writing, of its intention to terminate the Agreement. The termination shall become effective six months after the date of said notice.

11.4. The termination of this Agreement shall not adversely affect any valid and subsisting activity or arrangement concluded or entered into pursuant to this Agreement.

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

Done on this 16th day of July, 2019 in the City of Kingstown in duplicate in the Chinese and English languages, both texts being equally authentic.

For the Government
of the Republic of
China (Taiwan)

H.E. Dr. Jaushieh
Joseph Wu

Minister of Foreign
Affairs

For the Government
of Saint Vincent and
the Grenadines

Hon. Sir Louis Straker

Deputy Prime Minister
and Minister of Foreign
Affairs, Trade and
Commerce