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TITLE III

JUSTICE, FREEDOM AND SECURITY

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Article 12

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. The respect for human rights and fundamental freedoms will guide all cooperation on freedom, security and justice.

Article 13

Protection of personal data

1. The Parties agree to cooperate in order to ensure a high level of protection of personal data in accordance with the European Union, Council of Europe (CoE) and international legal instruments and 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 or other agreements concluded between the Parties.

Article 14

Cooperation on migration, asylum and border management

1. The Parties reaffirm the importance of a joint management of migration flows between their territories and shall strengthen the existing comprehensive dialogue on all migration-related issues, 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 be 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 of 1951 on the status of refugees and of the Protocol of 1967 and 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 as well as strengthening cooperation between the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) and the Border Guard Service of the Republic of Moldova.
3. Cooperation may also facilitate circular migration for the benefit of development.

Article 15

Movement of persons

1. The Parties will ensure the full implementation of:
- (a) the Agreement between the European Community and the Republic of Moldova on the readmission of persons residing without authorisation, which entered into force on 1 January 2008, and
 - (b) the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas, which entered into force on 1 January 2008 as amended on 27 June 2012.
2. The Parties shall also endeavour to enhance mobility of citizens and shall take gradual steps towards the shared objective of a visa-free regime in due course, provided that the conditions for well-managed and secure mobility, set out in the Action Plan on Visa Liberalisation, are in place.

Article 16

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 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 referred to in Title VI (Financial Assistance, and Anti-Fraud and Control Provisions) of this Agreement, in projects funded by international donors;
 - (e) active and passive corruption, both in the private and public sector, including as regards the abuse of functions and influence;
 - (f) 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 between Europol and 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 UN Convention against Transnational Organised Crime (UNTOC) of 2000 and its three Protocols, the UN Convention against Corruption of 2003 and Council of Europe relevant instruments on preventing and combating corruption.

Article 17

Tackling illicit drugs

1. Within their respective powers and competencies, 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 these objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions, the EU Drug Strategy (2013-20), the Political Declaration and the Special Declaration on the guiding principles of drug demand reduction, approved by the Twentieth United Nations General Assembly Session on Drugs in June 1998.

Article 18

Money laundering and terrorism financing

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 terrorism financing. This 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 (FATF).

Article 19

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, 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 Resolution no. 1267, 1373, 1540 and 1904 of the UN Security Council 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 terrorism prevention; and
- (c) by sharing best practices in the area of protection of human rights in the fight against terrorism.

Article 20

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. This would include, where appropriate, accession to, and implementation of, the relevant international instruments of the UN and the CoE and closer cooperation with Eurojust.