

Memorandum of Understanding

between

the Federal Department of Justice and Police of the Swiss Confederation

and

the Home Office of the United Kingdom of Great Britain and Northern Ireland

on Strengthening Police and other law enforcement Cooperation, Combating and Preventing Crime and Terrorism

The Federal Department of Justice and Police of the Swiss Confederation, also representing the Federal Department of Finance of the Swiss Confederation regarding the border control aspects and the Home Office of the United Kingdom of Great Britain and Northern Ireland (“the Participants”),

Recognising the geographic proximity of Switzerland and the United Kingdom, their shared values and shared threats they face;

Acknowledging the need to further intensify international cooperation between the participants in combatting transnational and serious crime, particularly terrorism, organised economic crime and other relevant criminal acts in a comprehensive manner;

Recognising the mutual benefit in close bilateral cooperation to protect their populations, values and interests, taking into account the differences in the structure and the competences of their authorities;

Aiming to continue and deepen the relations of friendship and cooperation between the two participants, motivated by their common interest in fighting and preventing terrorism and cross-border crime and protecting their citizens from harm;

Recognising that timely and methodical information-sharing and making information available in real time to front-line officers is a crucial factor in fighting and preventing terrorism and cross-border crime;

Considering that Switzerland and the United Kingdom are both parties to Conventions of the Council of Europe, especially the European Convention on Mutual Assistance in Criminal Matters and its Additional Protocols as well as the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, as well as to the United Nations conventions against Transnational Organized Crime, Corruption, Illicit Traffic in Narcotic Drugs and Psychotropic Substances, along with several international anti-terrorism Conventions.

Considering that Switzerland and the United Kingdom are both members of Interpol;

Noting the value in the existing annual Swiss-UK strategic dialogue;

Considering the participants' commitment to the protection of individual rights including in relation to personal data, reflected in their national applicable laws;

Noting that this document is a statement of intent and does not constitute a binding legal agreement and that the participants cooperate under this Memorandum of Understanding within the framework of their applicable national laws;

Without prejudice to other international commitments or future relationships of the participants;

Acting in the spirit of partnership and cooperation;

Have reached the following understanding:

Paragraph 1 Purpose

In accordance with this Memorandum of Understanding (MoU) and with their respective applicable national laws, both Participants intend to explore ways to strengthen police cooperation in an effort to prevent threats to public security and combat all forms of crime, notably serious offences, particularly by exchanging information at strategic and operational levels, and by maintaining regular contact between competent authorities.

Paragraph 2 Interpretation

For the purposes of this MoU, 'Competent Authority' means a law enforcement

authority, a border control authority or other authority competent to exchange information for these purposes responsible for the prevention, investigation, detection or prosecution of criminal offences, including terrorism, be it at a national, federal or cantonal level.

Paragraph 3 Areas of Cooperation

1. The Participants acknowledge the existing high level of strategic and operational cooperation between them. They reaffirm their commitment to continue that cooperation, bilaterally and through other multilateral fora.
2. The Participants intend to work together to progress shared priorities, including in relation to:
 - a. terrorism and its financing;
 - b. serious and organised crime;
 - c. criminality using digital tools or cybercrime;
 - d. money laundering and economic crime;
 - e. tracing of assets of criminal origin;
 - f. corruption;
 - g. trafficking in human beings and smuggling of migrants;
 - h. sexual exploitation of children and child pornography;
 - i. illicit trafficking in narcotic drugs and psychotropic substances and precursors;
 - j. trafficking in weapons and explosives;
 - k. kidnapping and hostage taking; as well as
 - l. other crimes, as mutually determined in writing by the competent authorities of both the Participants.
3. Cooperation under this MoU will not extend to matters of a political, military or fiscal nature.

Paragraph 4 Main Forms of Cooperation

1. The Participants intend to work together to:
 - strengthen and consolidate existing cooperative networks and ensure that current cooperation mechanisms are operated as effectively as possible, including bilaterally and multilaterally;

- identify practical mechanisms for improving cooperation between competent authorities to exchange information for these purposes to combat shared threats;
 - support close collaboration between competent authorities to exchange information for these purposes through international fora, including Interpol and the Council of Europe, to enhance global efforts in the fight against crime and terrorism and promote international crime strategies;
 - promote close cooperation and mutual support in the field of liaison officers;
 - exchange operational experiences and technical developments;
 - support each other in the field of capacity building and professional development.
2. The Participants will continue to develop a dynamic relationship capable of adapting as current threats evolve and new ones emerge, proactively seeking out opportunities for joint working. In doing so they recognise the importance of keeping pace with modern technologies and ensuring the most cutting-edge tools and platforms are available to practitioners.

Paragraph 5 Information Exchange

1. The Participants endeavour to support the effective exchange of information between competent authorities (including financial intelligence units) in accordance with their respective applicable national laws and regulations.
2. The Participants intend to explore ways for competent authorities to make use of the most efficient and secure means available to exchange information, taking into account the standards of data protection afforded by their respective domestic legal regimes.
3. Each Participant will ensure the confidentiality of the information exchanged and ensure that it is not passed to a third party without the written consent of the Participant that provided the information.

Paragraph 6 Joint Working Group

The Participants will explore options for supporting the exchange of knowledge and expertise. A joint working group may meet, if needed, alternately in Switzerland and the UK.

Paragraph 7
Final Provisions

1. The Participants endeavour to take forward this MoU in accordance with their respective applicable national laws and regulations and in accordance with their respective international legal obligations. This MoU does not affect the participants' rights and obligations arising from mutually applicable bilateral or multilateral instruments in these fields.
2. This MoU is not legally binding between the participants and it does not apply to mutual legal assistance in criminal matters, extradition, and transfer of proceedings and/or enforcement of criminal judgements.
3. The participants express their shared ambition to explore more formal arrangements, building on this MoU, to further strengthen efficient and effective cooperation.

This MoU will come into effect on the date of signature.

SIGNED in duplicate, at London, on July 10, 2019, in English language.

**For the Federal Department of
Justice and Police of the
Swiss Confederation**

**For the Home Office of the
United Kingdom of Great Britain
and Northern Ireland**

Karin Keller-Sutter
Federal Councillor

Rt Hon Sajid Javid MP