

DECLARATION

BETWEEN

**THE DEPARTMENT OF HOMELAND SECURITY OF
THE UNITED STATES OF AMERICA**

AND

THE MINISTRY OF INTERIOR OF THE REPUBLIC OF CROATIA

REGARDING

PRINCIPLES OF COOPERATION

**ON ENHANCED BILATERAL SECURITY MEASURES FOR
INTERNATIONAL TRAVEL AND THE REQUIREMENTS OF THE U.S. VISA
WAIVER PROGRAM**

WHEREAS the U.S. Department of Homeland Security and the Ministry of Interior of the Republic of Croatia (hereinafter collectively “the Participants”) wish to facilitate travel by their respective citizens between their two countries by increasing border security cooperation and enhancing international travel security in a manner compatible with the requirements of the U.S. Visa Waiver Program (hereinafter “VWP”);

WHEREAS Section 711 of the “Implementing Recommendations of the 9/11 Commission Act of 2007” (hereinafter “9/11 Act”) reforms the VWP by amending conditions for the designation of countries as participants in the VWP;

WHEREAS the Ministry of Interior of the Republic of Croatia acknowledges that VWP privileges may be extended only to those countries that meet the requirements set forth in Section 711 of the 9/11 Act and Section 217 of the U.S. Immigration and Nationality Act (hereinafter “INA”);

WHEREAS, the Ministry of Interior of the Republic of Croatia expresses its intention to meet the requirements set forth in Section 711 of the 9/11 Act and Section 217 of the INA.

NOW THEREFORE THE PARTICIPANTS UNDERSTAND AS FOLLOWS:

A. General Commitments

1. The Participants, together with other competent authorities, intend to closely cooperate to enhance the security of international travel and border security, in a manner compatible with the requirements of the Visa Waiver Program.

2. As part of this cooperation, the U.S. Department of Homeland Security and other appropriate U.S. Government agencies intend to assist the Ministry of Interior of the Republic of Croatia and other competent authorities of the Republic of Croatia in taking measures to develop travel and border security programs, systems, and procedures that are consistent with Section 711 of the 9/11 Act and Section 217 of the INA; conform to international best practice; and are compatible with the programs, systems, and procedures in use by the U.S. Department of Homeland Security and other relevant U.S. Government agencies.

3. Such measures, programs, systems, and procedures include but are not limited to:

- a) development and issuance of electronic passports;
- b) timely reporting of lost and stolen passports;
- c) sharing information to improve border security and border screening including information on passengers;

- d) enhanced security standards for travel documents;
- e) establishment of and training for air marshals programs; and
- f) other mutually beneficial measures to improve border and travel security.

B. Security Commitments

1. Information Sharing

a) The Participants, in cooperation with other competent authorities, intend to work together closely to enhance capabilities to share information, including but not limited to the exchange of terrorist screening information to identify persons known or suspected of terrorism or terrorist activities.

2. Reporting of Lost and Stolen Passports (LASP)

a) The Ministry of Interior of the Republic of Croatia, in coordination with other competent authorities of the Republic of Croatia, intends to continue to report to Interpol passport data for blank passports and issued passports reported as lost or stolen in compliance with relevant Interpol rules, regulations, and performance standards.

3. Air Marshals

a) The competent authorities of the Republic of Croatia intend to develop and deploy an air marshals program that is in accordance with standards acceptable to the participants.

b) The competent authorities of the Republic of Croatia intend to conclude an instrument with the U.S. Department of Homeland Security, Transportation Security Administration, to permit United States Federal Air Marshals to operate and carry authorized weapons onboard flights by U.S. carriers that proceed to, from, or over the United States.

C. Effect

The foregoing understandings and arrangements reflect the good faith intentions of the Participants. Nothing in this Declaration is intended to be legally binding against the Participants under domestic or international law. This Declaration should not be construed to create any right or benefit, substantive or procedural, enforceable at law or otherwise as between the Participants or by any third party against the Participants, their parent agencies, the United States, the Republic of Croatia or the officers, employees, agents, or other associated personnel thereof.

Nothing in this Declaration is to be interpreted to affect the rights and obligations of the Participants as prescribed in the laws and legal regulations of the United States of America, the Republic of Croatia and or by their participation in international treaties and agreements.

Signed at Washington on ... *January 16, 2009*



**For the Department of Homeland Security
of the United States of America**



**For the Ministry of Interior
of the Republic of Croatia**