

List of declarations made with respect to treaty No. 030

European Convention on Mutual Assistance in Criminal Matters

Status as of: 13/11/2012



Albania :

Reservation contained in the instrument of ratification deposited on 4 April 2000 - Or. Engl.

The execution of letters rogatory for search or seizure of property shall be dependant on the conditions stipulated in Article 5, paragraph 1, letters "a" and "c".

Period covered: 3/7/2000 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 4 April 2000 - Or. Engl.

In accordance with Article 15, paragraph 6, Albania declares that a copy of all requests for assistance which are communicated directly between judicial authorities, as well as of accompanying acts, shall be transmitted at the same time to its Ministry of Justice.

Period covered: 3/7/2000 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 4 April 2000 - Or. Engl.

In accordance with Article 16, paragraph 2, Albania declares that requests and annexed documents shall be accompanied by an official translation into one of the official languages of the Council of Europe, unless agreements concluded on the basis of reciprocity provide otherwise.

Period covered: 3/7/2000 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note Verbale from the Permanent Representation of Albania, dated 27 July 2006, registered at the Secretariat General on 2 August 2006 – Or. Engl.

In accordance with Article 24 and for the purposes of the Convention, the Republic of Albania considers the following to be as the judicial authorities :

The Supreme Court
The Courts of Appeal
The Courts of First Instance
The General Prosecutor Office
The Prosecutor Offices at the Courts of Appeals
The Prosecutor Offices at the Courts of First Instance.

Period covered: 2/8/2006 -

The preceding statement concerns Article(s) : 24



Andorra :

Reservation contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

In accordance with Article 5 of the Convention, the Principality of Andorra reserves the ability to submit the execution of letters rogatory, for the purposes of search or seizure of objects, to the conditions provided for by Article 5, paragraph 1, sub-paragraphs a and c, of the Convention.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

For the purposes of Article 7, paragraph 3, the Principality of Andorra declares that service of a summons on an accused person in a criminal procedure who is in its territory should be transmitted to the Andorran authorities at least 30 days before the date set for the appearance of this person.

The Principality of Andorra declares also that, when the subject of a letter rogatory includes a summons to appear in court as person charged, injured party, expert or witness, the summons can be made by a registered letter if the law of the requesting State authorises it.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

Taking into account what is stipulated in Article 15, paragraph 6, the Principality of Andorra declares the following:

A copy of the letters rogatory referred to in Article 15, paragraph 2 and of the requests for a preliminary investigation mentioned by Article 15, paragraph 4, shall be transmitted to the Ministry of Justice and of Interior of the Government of Andorra.

In case of urgency, the Andorran judicial authorities will return the letters rogatory, executed or not according to the case, to the authorities indicated in Article 15, without prejudice to the fact that, simultaneously, they may be transmitted through Interpol or handed over to the authorities of the requesting State expressly entitled thereto.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

The Principality of Andorra declares that, in accordance with Article 16, paragraph 2, the requests and the annexed documents, should be addressed to the Andorran authorities accompanied by a translation into Catalan, Spanish or French.

Period covered: 27/5/2005 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

The Principality of Andorra declares that in case of urgency, information referred to in Article 21 can be addressed simultaneously to the Ministry of Justice and of Interior and to the Public Prosecutor of the Principality of Andorra accompanied by all the necessary information for the procedure brought into

action.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 21

Reservation contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

Regarding Article 2 of the Convention, the Principality of Andorra reserves the right to grant mutual assistance in pursuance of the Convention at the express condition that the results of inquiries as well as information contained in the documents and files transmitted cannot, without its prior consent, be used or transmitted by the authorities of the requesting Party for purposes (of investigations or procedures) different from those indicated in the request.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

Regarding Article 2 of the Convention, the Principality of Andorra reserves the right to refuse a request for mutual assistance:

a) if the criminal offences upon which a letter rogatory is based are not punished by the Andorran Law as criminal offences;

b) if the person subject of the request has been convicted by a final judgment in the Principality of Andorra and that he/she has served his/her sentence or if he/she has been acquitted in Andorra for the same facts.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

With respect to Article 13 of the Convention, the Principality of Andorra reserves the ability to submit the communication of extracts from judicial records of a person residing in the Principality of Andorra to the condition that he/she has been indicted or summoned to a judgment as the accused.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 13

Reservation contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

Concerning Article 22 of the Convention, the Principality of Andorra declares that, due to the internal organisation and the functioning of the register of judicial records, the authorities responsible for keeping the register of judicial records are not able to guarantee a systematical exchange of information concerning decisions to convict contained in these registers.

Nevertheless, upon the previous request of the foreign judicial authority who is competent for a specific criminal procedure, these authorities will deliver the extracts of judicial records of foreigners not residing in the Principality of Andorra and of residents having been charged or summoned to appear in court as the accused.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 22

Declaration contained in the instrument of ratification deposited on 26 April 2005 - Or. Fr.

In accordance with Article 24, the Principality of Andorra declares that it considers as judicial authorities of the Principality of Andorra for the purposes of this Convention, the following authorities :

- the Higher Court of Justice of Andorra;

- the Court of Corts (Court with exclusively criminal competences);
- The President of the Court of Corts;
- The Court of Batlles (Court of first instance);
- The Batlle (the judge);
- The Prosecutor General;
- The Deputy Prosecutor.

Period covered: 25/7/2005 -

The preceding statement concerns Article(s) : 24



Armenia :

Reservation contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In addition to the grounds provided for in Article 2, the Republic of Armenia reserves the right to refuse assistance in any one of the following cases:

- a) if the offence, in respect of which legal assistance is requested, is not qualified as a “crime” and is not punishable under the legislation of the Republic of Armenia,
- b) if, in respect of the criminal offence for which legal assistance is requested, an action is brought in the Republic of Armenia,
- c) if there is a judgement in force or another final decision regarding the criminal offence, in respect of which legal assistance is requested.

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In accordance with Article 3 of the Convention, the Republic of Armenia at the time of execution of any letters rogatory for procuring evidence of witnesses will take into account Article 42 of the Constitution according to which a person shall not be compelled to be a witness against himself or herself, or to be a witness against his or her spouse or against a close relative.

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 3

Reservation contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In conformity with Article 5 of the Convention, the Republic of Armenia reserves the right to make the execution of letters rogatory for search and/or seizure of property dependent on the conditions, provided for in sub-paragraphs a, b, c, paragraph 1 of Article 5 of the Convention.

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In accordance with Article 7 of the Convention, the Republic of Armenia declares that the letters rogatory for service of summons shall be transmitted not less than 50 days before the date set for

appearance.

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In accordance with Article 15, paragraph 6, a copy of all requests for assistance, which are communicated between judicial authorities, in the cases provided in paragraph 2 of the same Article, shall be transmitted simultaneously to the Ministry of Justice of the Republic of Armenia.

[Note by the Secretariat: See also the [declaration](#) made by Armenia to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 8 December 2010.]

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In accordance with Article 16, paragraph 2, the Republic of Armenia declares that requests and annexed documents shall be accompanied by certified translation into the Armenian language or one of the official languages of the Council of Europe.

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 25 January 2002 - Or. Engl.

In accordance with Article 24 of the Convention, for the purposes of the Convention, the judicial authorities for the Republic of Armenia shall be :

Ministry of Justice
General Prosecutor's Office
Police of the Republic of Armenia (*)
Ministry of National Security
Court of Cassation
Courts of Review
District courts of first instance of Yerevan City
Kotayk Region court of first instance
Ararat Region court of first instance
Armavir Region court of first instance
Aragatzotn Region court of first instance
Shirak Region court of first instance
Tavoush Region court of first instance
Gegharqunik Region court of first instance
Vayotz Tzor Region court of first instance
Sjuniq Region court of first instance.

[Notes by the Secretariat:

(*) Declaration amended by a letter from the Permanent Representative of Armenia, dated 22 October 2008, registered at the Secretariat General on 24 October 2008 - Or. Engl. The former declaration read "The Ministry of Internal Affairs".

See also the [declaration](#) made by Armenia to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 8 December 2010.]

Period covered: 25/4/2002 -

The preceding statement concerns Article(s) : 24

Amendment of declaration contained in a letter from the Permanent Representative of Armenia, dated 22 October 2008, registered at the Secretariat General on 24 October 2008 - Or. Engl.

In the declaration made by the Republic of Armenia in 2002 to the Convention, the Ministry of Internal Affairs of the Republic of Armenia, was designated among others as a competent judicial authority for the purposes of the Convention. As of 2003, the Ministry of Internal Affairs of the Republic of Armenia has been reorganised into the Police of the Republic of Armenia; thereby the Police of the Republic of Armenia succeeds the previous Ministry of Internal Affairs of the Republic of Armenia as a competent judicial authority.

Period covered: 24/10/2008 -

The preceding statement concerns Article(s) : 24



Austria :

Reservation contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

Austria will only grant assistance in proceedings in respect of offences also punishable under Austrian law and the punishment of which, at the time of the request for assistance, falls within the jurisdiction of the judicial authorities.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 1

Declaration made by the Minister for Foreign Affairs and registered at the Secretariat General on 2 May 1983 - Or. Engl.

The cases where Chapter 1 of the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters is not applicable, the Republic of Austria will apply Article 2, paragraph (a) of the European Convention on Mutual Assistance in Criminal Matters in accordance with the relevant national legislation (Federal Act of 4 December 1979 on Extradition and Mutual Assistance in Criminal Matters, Federal Law Gazette No. 529/1979). According to Section 51, paragraph 1 of the said Act the performance of assistance is precluded in all cases where extradition would be inadmissible according to Sections 14 and 15 of the Act. The provisions read as follows:

Section 14. Extradition shall be inadmissible

1. for political offences;
2. for other offences based on political motivation or aims unless, taking into consideration all the circumstances of the individual case, in particular the method of committing the offence, the means employed or threatened, or the gravity of the consequences caused or intended, the criminal character of the offence supersedes its political character.

Section 15. Extradition shall be inadmissible for offences which under Austrian law exclusively

1. are of a military nature, or
2. consist in a violation of regulations on duties, monopolies, customs or exchange, or of rules on the rationing of goods or on foreign trade.

Period covered: 2/5/1983 -

The preceding statement concerns Article(s) : 2

Declaration contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

In "other essential interests of its country" Austria will include maintaining the secrecy stipulated by

Austrian legislation.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

In the cases mentioned in Article 11, paragraph 1. a, b and c, the transfer of a person in custody as a witness or for purposes of confrontation will not be authorised.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 11

Reservation contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

Austria will make the execution of letters rogatory for search or seizure of property subject to the condition laid down in sub-paragraph c.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

Austria will not serve a summons on an accused person who is in Austrian territory, unless the summons is transmitted to the competent Austrian judicial authority at least 30 days before the date set for appearance.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 2 October 1968 - Or. Engl.

Subject to the provisions of paragraph 3 of Article 16, requests and annexed documents, which are not drawn up in the German, French or English language, must be accompanied by a translation into one of these languages. A translation of informations mentioned in paragraph 1 of Article 21 is not required.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 16, 21

Declaration contained in the instrument of ratification deposited on 2 October 1968 – Or. Engl.

For the purposes of the Convention, Austria will regard as judicial authorities the Criminal Courts, the Department of Public Prosecution and the Federal Ministry of Justice.

Period covered: 31/12/1968 -

The preceding statement concerns Article(s) : 24

Withdrawal of objection contained in a Note verbale from the Permanent Representative of Austria, dated 1 December 2003, registered at the Secretariat General on 3 December 2003 - Or. Engl./Germ.

The Republic of Austria agrees to the extension of the United Kingdom's ratification of the European Convention on Mutual Assistance in Criminal Matters to the Bailiwick of Guernsey.

The Note of the United Kingdom of Great Britain and Northern Ireland and this Note are representing an arrangement in the sense of Article 25, paragraph 5, of the Convention, which shall enter into force on the first day of the second month after the receipt of this Note by the Directorate General I (Legal Affairs).

With this Note, the objection raised by the Note of the Permanent Representation of Austria No. 8.2.29/6-2002 of 20 November 2002, is withdrawn.

Period covered: 1/2/2004 -

The preceding statement concerns Article(s) : 25



Azerbaijan :

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

The Republic of Azerbaijan declares that it will be unable to guarantee compliance with the provisions of the Convention in its territories occupied by the Republic of Armenia until these territories are liberated from that occupation (the schematic map of the occupied territories is [enclosed](#)).

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : -

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

The Republic of Azerbaijan declares that letters rogatory relating to criminal matters provided for in Article 3 of the Convention and for the purpose of procuring evidence shall be executed by taking into consideration the provisions of Article 66 of the Constitution of the Republic of Azerbaijan :

"Extract from the Constitution of the Republic of Azerbaijan:

Article 66. Prohibition on testifying against relatives

"No one may be forced to testify against him/herself or against his/her spouse, children, parents or siblings. The complete list of relatives against whom testifying is not obligatory is specified by law."

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 3

Reservation contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

The Republic of Azerbaijan declares that letters rogatory for search or seizure of property shall be executed on conditions provided for in sub-paragraphs a and c of Article 5, paragraph 1, of the Convention.

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

In accordance with Article 7 of the Convention, the Republic of Azerbaijan declares that service of summons on a person shall be transmitted not less than 50 days before the date set for appearance.

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

In accordance with Article 15, paragraph 6, of the Convention, the Republic of Azerbaijan declares that all requests for assistance which are communicated directly between judicial authorities, as well as other covering documents shall be transmitted at the same time to the Ministry of Justice of the

Republic of Azerbaijan.

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

In accordance with Article 16, paragraph 2, of the Convention, the Republic of Azerbaijan declares that requests or any other documents relating to the application of the Convention shall be accompanied by a translation into Azerbaijani or English.

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 16

Reservation contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

In accordance with Article 23, paragraph 1, of the Convention, the Republic of Azerbaijan declares that in addition to grounds provided for in Article 2 of this Convention, the assistance may be refused also in the following cases :

- if the request for assistance concerns acts which are not qualified as an offence under the legislation of the Republic of Azerbaijan;
- if there is an enforceable judgment of the court of the Republic of Azerbaijan or of a third State in respect of the person for committing the same offence of which he is suspected or accused in the requesting State;
- if the request for assistance concerns an offence that is under the investigation or judicial consideration in the Republic of Azerbaijan and if the postponement of execution of this request is impossible.

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 2

Declaration contained in the instrument of ratification deposited on 4 July 2003 – Or. Engl.

In accordance with Article 24 of the Convention, the Republic of Azerbaijan declares that, for the purposes of the Convention, the following authorities shall be deemed as judicial authorities :

- the Ministry of Justice of the Republic of Azerbaijan;
- the General Prosecutor Office of the Republic of Azerbaijan;
- the courts of the Republic of Azerbaijan (except the Constitutional Court).

Period covered: 2/10/2003 -

The preceding statement concerns Article(s) : 24



Belgium :

Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 - Or. Fr.

The Government of the Kingdom of Belgium reserves the right not to comply with a request for assistance

- a. if there are good grounds for believing that it concerns an inquiry instituted with a view to

prosecuting, punishing or otherwise interfering with an accused person because of his political convictions or religion, his nationality, his race or the population group to which he belongs;

b. is so far as it concerns a prosecution or proceedings incompatible with the principle non bis in idem;

c. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in Belgium.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 2

**Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 -
Or. Fr.**

The Government of the Kingdom of Belgium will not grant temporary transit as provided for in Article 11, save where the person concerned is serving a sentence in its territory and where there are no special considerations opposed thereto.

[Note by the Secretariat: See also the [reservation](#) made by Belgium to Article 3 of the Second Additional Protocol to the Convention (ETS No. 182), on 9 March 2009.]

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 11

**Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 -
Or. Fr.**

The Government of the Kingdom of Belgium will not notify the subsequent measures referred to in Article 22 except in so far as the organisation of its judicial records allows of so doing.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 22

**Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 -
Or. Fr.**

By reason of the special arrangements between the Benelux countries, the Government of the Kingdom of Belgium does not accept Article 26, paragraphs 1 and 3 in respect of its relations with the Netherlands and Luxembourg.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 26

**Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 -
Or. Fr.**

The Government of the Kingdom of Belgium reserves the right to derogate from these provisions in respect of its relations with other member States of the European Economic Community.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 26

**Reservation made at the time of deposit of the instrument of ratification on 13 August 1975 -
Or. Fr.**

The Government of the Kingdom of Belgium declares that letters rogatory for search or seizure within Belgium will not be executed save for extraditable offences within the meaning of the European Convention on Extradition, and provided that the Belgian court has authorised execution in accordance with its municipal law.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 5

Declaration made at the time of deposit of the instrument of ratification on 13 August 1975 - Or. Fr.

The Government of the Kingdom of Belgium declares that, as regards Belgium, judicial authorities for the purposes of the Convention are to be understood as meaning members of the judiciary responsible for administering the law, examining magistrates and members of the Department of Public Prosecution.

Period covered: 11/11/1975 -

The preceding statement concerns Article(s) : 24

Communication contained in a joint letter from the Ministers of Justice of Belgium and of the Netherlands, dated 5 February 2010, registered at the Secretariat General on 10 February 2010 – Or. Fr., supplemented by a joint letter from the Permanent Representatives of Belgium and of the Netherlands, dated 16 February 2010, registered at the Secretariat General on 18 February 2010 - Or. Fr.

On 1 February 2010, a Convention between the Kingdom of the Netherlands and the Kingdom of Belgium came into effect under which the Netherlands made available to Belgium a prison located on Dutch territory (Tilburg) for the execution of criminal sentences imposed in Belgium under Belgian law(*). The Convention applies in principle until 31 December 2012, but the validity period may be reduced to 31 December 2011, or extended until 31 December 2013.

The Convention contains a specific provision for criminal co-operation with third States. Article 18 of the Convention deals with criminal action at the request of third States concerning Belgian prisoners detained in the prison located on Dutch territory. According to the first paragraph of this provision, the Netherlands will not examine requests for extradition and/or mutual assistance from third States, but they will transmit them to Belgium. This agreement logically follows on from other provisions of the Convention, according to which the judicial and other authorities of the Netherlands do not normally deal with prisoners of the prison of Tilburg.

In this context, Belgium and the Netherlands communicate the following:

Requests for extradition and provisional arrest

We recommend that States Parties to the European Convention on Extradition send exclusively to the Belgian authorities requests for extradition and provisional arrest of persons detained in the prison of Tilburg under the Convention concluded on 31 October 2009 in Tilburg between the Kingdom of the Netherlands and the Kingdom of Belgium, on the provision of a prison in the Netherlands for the enforcement of prison sentences imposed under Belgian law. If the Dutch authorities still receive requests for extradition or for provisional arrest of these persons, they will not deal with them but will transmit them to the Belgian authorities for further action.

Alerts via Interpol for the surrender and the requests for provisional arrest of persons who are in the prison in Tilburg will not be carried out in the Netherlands.

Requests for mutual assistance

We recommend that central and judicial authorities of the States Parties to the Convention on Mutual Assistance in Criminal Matters send exclusively to the competent Belgian authorities requests for mutual assistance concerning persons detained in the prison of Tilburg under the Convention concluded on 31 October 2009 in Tilburg between the Kingdom of the Netherlands and the Kingdom of Belgium, on the provision of a prison in the Netherlands for the enforcement of prison sentences imposed under Belgian law. If, nevertheless, requests for mutual assistance concerning these persons are sent to the Netherlands, they will be forwarded to the competent authorities of the Kingdom of Belgium.

[(*) Note by the Secretariat: The text of this Convention is available upon request to the Treaty Office

(French and Dutch only).]

Period covered: 18/2/2010 -

The preceding statement concerns Article(s) : 15



Bosnia and Herzegovina :

Note by the Secretariat: See the [declaration](#) made by Bosnia and Herzegovina to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 7 November 2007.

Period covered: 1/3/2008 -

The preceding statement concerns Article(s) : 15

Note by the Secretariat: See the [declaration](#) made by Bosnia and Herzegovina to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 7 November 2007.

Period covered: 1/3/2008 -

The preceding statement concerns Article(s) : 24



Bulgaria :

Reservation made at the time of signature, on 30 September 1993, confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr. - and partially withdrawn by a Note verbale from the Permanent Representation of Bulgaria, dated 5 January 2004, registered at the Secretariat General on 6 January 2004 – Or. Engl.

On 12 November 2003 the National Assembly of the Republic of Bulgaria adopted a Law amending the Law for the Ratification of the European Convention on Mutual Assistance in Criminal Matters and the Additional Protocol thereto, the Convention on the Transfer of Sentenced Persons and the European Convention on Extradition and the two Additional Protocols thereto. The said Law was published in the Official Journal, No. 103/2003, dated 25 November 2003.

Therefore, the reservation made by the Republic of Bulgaria in respect of Article 2 of the European Convention on Mutual Assistance in Criminal Matters is partially withdrawn and shall read :

"The Republic of Bulgaria declares that it will refuse legal aid in cases where :

- the offender shall not be held responsible by virtue of amnesty;
- the criminal responsibility is precluded by statutory limitation;
- after having committed the offence, the offender has fallen into a state of lasting mental disturbance precluding criminal responsibility;
- there is a pending penal procedure, an enforceable sentence, an order or an enforceable decision to terminate the case, with respect to the same person for the same offence.

[Note by the Secretariat : The original reservation read as follows : " The Republic of Bulgaria declares that it will refuse assistance where:

- the committed act is not incriminated as an offence according to the Bulgarian criminal law;

- the offender shall not be held responsible by virtue of amnesty;
- the criminal responsibility is precluded by statutory limitation;
- after having committed the offence, the offender has fallen into a state of lasting mental disturbance precluding criminal responsibility;
- there is a pending penal procedure, an enforceable sentence, an order of the Public Prosecutor or an enforceable decision of the court to terminate the case, with respect to the same person for the same offence.]

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 2

Reservation made at the time of signature, on 30 September 1993, and confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr.

The Republic of Bulgaria declares that it reserves the right to execute letters rogatory for search or seizure of property only on the conditions set out in Article 5 paragraph 1 (a) and (c).

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 5

Declaration made at the time of signature, on 30 September 1993, and confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr.

The Republic of Bulgaria declares that a summons on an accused person who is in its territory must be transmitted to the competent authorities no later than 50 days before the date set for that person's appearance.

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 7

Reservation made at the time of signature, on 30 September 1993, and confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr.

The requirement to communicate extracts from judicial records applies solely to such information concerning pending criminal cases as is not covered by official secrecy under Bulgarian law.

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 13

Declaration made at the time of signature, on 30 September 1993, and confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr.

The Republic of Bulgaria declares that requests for assistance or letters rogatory must be addressed to the Ministry of Justice.

[Note by the Secretariat: See the [declaration](#) made by Bulgaria to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 11 May 2004.]

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 15

Declaration made at the time of signature, on 30 September 1993, and confirmed at the time of deposit of the instrument of ratification, on 17 June 1994 - Or. Fr.

The Republic of Bulgaria declares that for the purposes of the Convention it deems to be judicial authorities the courts, the Public Prosecutor Office and the Ministry of Justice.

[Note by the Secretariat: See the [declaration](#) made by Bulgaria to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 11 May 2004.]

Period covered: 15/9/1994 -

The preceding statement concerns Article(s) : 24

Amendment of declaration contained in a Note Verbale from the Permanent Representation of Bulgaria, dated 7 March 2002, registered at the Secretariat General on 11 March 2002 - Or. Engl.

The Republic of Bulgaria declares that it will require that requests for assistance and annexed documents be accompanied by a translation into Bulgarian, or in the absence of such, by a translation into either of the official languages of the Council of Europe.

Period covered: 11/3/2002 -

The preceding statement concerns Article(s) : 16



Chile :

Declaration contained in the instrument of accession deposited on 30 May 2011 – Or. Spa./Engl.

In accordance with Article 15, paragraph 6, of the Convention, the Republic of Chile declares that for the purposes of Article 15, paragraph 1, letters rogatory referred to in Articles 3, 4 and 5 as well as the applications referred to in Article 11 shall be addressed by the Ministry of Foreign Affairs of Chile.

[Note by the Secretariat: See also the [declarations](#) made by Chile to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 May 2011.]

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 11, 15, 3, 4, 5

Declaration contained in the instrument of accession deposited on 30 May 2011 – Or. Spa./Engl.

In accordance with Article 7, paragraph 3, of the Convention, the Republic of Chile declares that service of a summons on an accused person shall be transmitted to its authorities at least fifty (50) days in advance of the date set for appearance.

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of accession deposited on 30 May 2011 – Or. Spa./Engl.

In accordance with the provisions in Article 15, paragraph 6, of the Convention, for the purposes of Article 15, paragraph 3, in relation to Article 13, paragraphs 1 and 2, the Republic of Chile declares that requests for mutual assistance consisting in transmission of extracts and information on court files shall be sent to the Ministry of Justice, and an information copy thereof to the Ministry of Foreign Affairs of Chile.

[Note by the Secretariat: See also the [declarations](#) made by Chile to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 May 2011.]

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 13, 15

**Declaration contained in the instrument of accession deposited on 30 May 2011 – Or.
Spa./Engl.**

In accordance with the provisions in Article 16, paragraph 2, of the Convention, the Republic of Chile declares that requests shall be addressed to it accompanied by a translation into the Spanish language. With respect to annexed documentation, the Republic of Chile reserves the right to demand that it be translated into the Spanish language.

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 16

**Reservation contained in the instrument of accession deposited on 30 May 2011 – Or.
Spa./Engl.**

In accordance with Article 5, paragraph 1, of the Convention, the Republic of Chile declares that it reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the condition in letter (c), paragraph 1, of said Article 5.

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 5

**Declaration contained in the instrument of accession deposited on 30 May 2011 – Or.
Spa./Engl.**

In accordance with the provisions in Article 15, paragraph 6, of the Convention, the Republic of Chile declares that for the purposes of enforcing Article 21, paragraph 1, communications shall be transmitted to the Chilean Public Prosecutor's Office.

[Note by the Secretariat: See also the [declarations](#) made by Chile to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 May 2011.]

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 15

**Declaration contained in the instrument of accession deposited on 30 May 2011 – Or.
Spa./Engl.**

In accordance with Article 24 of the Convention, the Republic of Chile declares that the courts of justice composing The Judiciary shall, for the purposes of the Convention, be deemed as judicial authority.

Mutual assistance requests for the purposes of this Convention may also be transmitted to the Public Prosecutor's Office, which shall request the intervention of the competent Guarantee Judge where, under Chilean laws, it is required due to the nature of the request. However, in no case will this declaration grant jurisdictional powers to the Public Prosecutor's Office or make it a judicial authority.

[Note by the Secretariat: See also the [declaration](#) made by Chile to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 May 2011.]

Period covered: 28/8/2011 -

The preceding statement concerns Article(s) : 21, 24



Croatia :

Reservation contained in the instrument of ratification deposited on 7 May 1999 - Or. Engl./Cro.

The Republic of Croatia declares that letters rogatory delivered for search or seizure of property will be executed only if conditions determined in sub-paragraphs a), b) and c) of Article 5, paragraph 1, are fulfilled.

Period covered: 5/8/1999 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 7 May 1999 - Or. Engl./Cro.

The Republic of Croatia declares that service of a summons on a person residing in the Croatian territory must be transmitted to the competent Croatian judicial authorities no less than 30 days before the date set for appearance.

Period covered: 5/8/1999 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 7 May 1999 - Or. Engl./Cro.

The Republic of Croatia declares that letters rogatory for mutual assistance are to be addressed to the Ministry of Justice of the Republic of Croatia. In case of urgency, letters rogatory may be addressed to the Ministry of Justice of the Republic of Croatia through the International Criminal Police Organisation (INTERPOL).

[Note by the Secretariat: See also the [declaration](#) made by Croatia to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 28 March 2007.]

Period covered: 5/8/1999 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 7 May 1999 - Or. Engl./Cro.

The Republic of Croatia declares that letters rogatory for mutual assistance and annexed documents shall be accompanied by a translation into the Croatian language or, if not possible, into the English language.

Period covered: 5/8/1999 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 7 May 1999 - Or. Engl./Cro.

For the purposes of the Convention, judicial authorities in the Republic of Croatia are courts and offices of public prosecutor.

[Note by the Secretariat: See also the [declaration](#) made by Croatia to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 28 March 2007.]

Period covered: 5/8/1999 -

The preceding statement concerns Article(s) : 24



Cyprus :

Reservation contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

The Government of the Republic of Cyprus reserves the right to refuse assistance if the person who is the subject of a request for assistance has been convicted in the Republic of Cyprus of an offence which arises from the same conduct as that giving rise to proceedings in the requesting State in respect of that person.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

The Government of the Republic of Cyprus reserves the right to make the execution of letters rogatory for search and seizure of property dependent on the conditions stated in Article 5, paragraph 1 a) and c).

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 5

Reservation contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

For the purpose of Article 11, paragraph 1, the Government of the Republic of Cyprus reserves the right to refuse transfer of a person in custody in all the cases enumerated in sub-paragraph 2 of paragraph 1 of this Article.

For the purpose of Article 11, paragraph 2, the Government of the Republic of Cyprus reserves the right to refuse to grant transit to its own nationals.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 11

Declaration contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

For the purpose of Article 7, paragraph 3, the Government of the Republic of Cyprus requests that the summons to be served on an accused person who is in its territory be transmitted to its authorities at least 40 days before the date set for appearance.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

The Government of the Republic of Cyprus declares that all requests for assistance sent to the Republic of Cyprus under this Convention must be addressed to the Ministry of Justice and Public Order. In cases of urgency requests may be transmitted through Interpol.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

The Government of the Republic of Cyprus declares that requests and annexed documents not drawn up in English or Greek should be accompanied by a translation into one of these languages.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 24 February 2000 - Or. Engl.

For the purposes of the Convention, the Government of the Republic of Cyprus deems the following to be "judicial authorities":

- all courts of the Republic exercising criminal jurisdiction;
- all attorneys of the Law Office of the Republic (Office of the Attorney General);
- the Ministry of Justice and Public Order;
- the authorities or persons empowered by national law to investigate into criminal cases including the Police, the Department of Customs and Excise and the Department of Inland Revenue.

Period covered: 24/5/2000 -

The preceding statement concerns Article(s) : 24



Czech Republic :

Reservation originally made by the Czech and Slovak Federal Republic at the time of deposit of the instrument of ratification on 15 April 1992, and confirmed in a letter from the Minister for Foreign Affairs of the Czech Republic dated 1 January 1993, registered at the Secretariat General on 2 January 1993 - Or. Engl.

Under the terms of Article 5.1.a and 5.1.c the execution of letters rogatory for search or seizure of property will be made on conditions that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and the law of the Czech Republic and the execution of the letters rogatory is consistent with the law of the Czech Republic.

Period covered: 1/1/1993 -

The preceding statement concerns Article(s) : 5

Declaration contained in a Note Verbale from the Permanent Representation of the Czech Republic, dated 15 March 1994, registered at the Secretariat General on 16 March 1994 - Or. Engl.

Within the meaning of Article 15, paragraph 6 of the European Convention on Mutual Assistance in Criminal Matters, the letters rogatory relating to a criminal matter shall be addressed to the General Attorney Office of the Czech Republic before the case is brought before a court and to the Ministry of Justice of the Czech Republic after it has been brought before a court.

[Note by the Secretariat: See also the [declarations](#) made by the Czech Republic to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 1 March 2006.]

Period covered: 16/3/1994 -

The preceding statement concerns Article(s) : 15

Declaration contained in a Note Verbale from the Permanent Representation of the Czech Republic, dated 15 March 1994, registered at the Secretariat General on 16 March 1994 - Or. Engl.

In accordance with the European Convention on Mutual Assistance in Criminal Matters, the service of a summons on an accused person who is in the territory of the **Czech Republic** shall be transmitted to the respective authorities of the **Czech Republic** at least 30 days before the date set for appearance.

Period covered: 16/3/1994 -

The preceding statement concerns Article(s) : 7

Declaration contained in a Note Verbale from the Permanent Representation of the Czech Republic, handed to the Secretary General at the time of deposit of the instrument of ratification of the Additional Protocol to the Convention, on 19 November 1996 - Or. Engl.

In compliance with Article 24 of the European Convention on Mutual Assistance in Criminal Matters and Article 8 of its Additional Protocol, I declare that, for the purposes of the Convention and its Additional Protocol, the following authorities shall be considered as judicial authorities: the Office of the Supreme Prosecutor of the Czech Republic, the Regional and District Offices of the Prosecutors, the Town Prosecutor's Office in Prague, the Ministry of Justice of the Czech Republic, the Regional and District Courts and the Town Court in Prague.

[**Note by the Secretariat:** See also the [declaration](#) made by the Czech Republic to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 1 March 2006.]

Period covered: 19/11/1996 -

The preceding statement concerns Article(s) : 24



Denmark :

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

Assistance may be refused if the judicial authorities of Denmark or those of a third State have instituted legal proceedings against the accused for the offence which gave rise to proceedings in the requesting State; or if the accused has been convicted or acquitted by a final judgment given by the judicial authorities of Denmark or by those of a third State in respect of the offence which gave rise to proceedings in the requesting State; or if the said authorities have decided to waive or to discontinue proceedings in respect of the same offence.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 2

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

A request for evidence to be taken on oath from a witness or expert may be refused if the competent Danish court does not consider the oath to be necessary.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 3

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

A request for service to be effected otherwise than by a simple transmission of the writ to the person to be served may be refused.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 7

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

The Danish Government reserves its position on the whole of this clause.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 11

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

The obligation to communicate extracts from judicial records under this provision shall apply only to the criminal record of a person charged with an offence.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 13

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

The Danish Government reserves its position on the whole of this clause.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 13

Reservation contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

A request for search or seizure may be refused if the conditions laid down in sub-paragraph a and c of Article 5, paragraph 1, are not fulfilled.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

A summons to be served on a person charged with an offence who is in Danish territory must be transmitted to the competent Danish authority at least 30 days before the date set for appearance.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 7

Declaration contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

Requests and annexed documents from countries other than Austria, France, the Federal Republic of Germany, Ireland, Norway, Sweden or the United Kingdom must be accompanied by a translation into either Danish or one of the official languages of the Council of Europe. With regard to longer documents, the Danish Government reserves the right, in any specific case, to require a Danish translation or to have one made at the expense of the requesting State.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 16

Declaration contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

The term "judicial authorities" in Denmark means the Courts of Law and the Department of Public Prosecutions which itself, according to the Danish judicature and procedural code, includes the Ministry of Justice, the Attorney-General, the prosecutors, the Copenhagen Prefect of Police and the Police Commissioners.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Ministry of Foreign Affairs, dated 30 August 1962 handed to the Secretary General at the time of deposit of the instrument of ratification on 13 September 1962 - Or. Fr.

The Protocol on mutual legal assistance concluded on 26 June 1957 between Denmark, Norway and Sweden will remain in force.

Period covered: 12/12/1962 -

The preceding statement concerns Article(s) : 26



Estonia :

Reservation contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl.

Pursuant to Article 23, paragraph 1 and Article 2 of the Convention, the Republic of Estonia reserves the right to refuse her assistance in case the request concerns an act which is not considered an offence under Estonian laws.

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl. - and partially withdrawn by a letter from the Minister of Foreign Affairs of Estonia, dated 9 September 2004, handed over to the Secretary General on 9 September 2004 - Or. Engl.

Pursuant to Article 5, paragraph 1, of the Convention, the Republic of Estonia declares that it will only

execute the letters rogatory for search or seizure of property on conditions given in Article 5, paragraph 1, sub-paragraph (c).

[Note by the Secretariat : The former reservation read as follows: "*Pursuant to Article 5, paragraph 1, of the Convention, the Republic of Estonia declares that she will only execute letters rogatory for search or seizure of property under the conditions provided in Article 5, paragraph 1, sub-paragraphs (a) and (c).*"

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl.

Pursuant to Article 7, paragraph 3, of the Convention, the Republic of Estonia declares that the service of summons on an accused person who is in the Estonian territory shall be transmitted not later than 40 days before the date of trial.

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl.

Pursuant to Article 15, paragraph 6, of the Convention, the Republic of Estonia declares that a copy of the letters rogatory addressed directly to her judicial authorities shall be transmitted to the Ministry of Justice.

[Note by the Secretariat: See also the [declaration](#) made by Estonia to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 9 September 2004]

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl.

Pursuant to Article 16, paragraph 2, of the Convention, the Republic of Estonia declares that requests and annexed documents addressed to the Estonian authorities shall be accompanied by a translation into English.

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification, deposited on 28 April 1997 - Or. Engl.

Pursuant to Article 24 of the Convention, the Republic of Estonia declares that for the purposes of this Convention, the judicial authorities for Estonia shall be the courts, the State Prosecutor's Office, the Ministry of Justice and the Ministry of Internal Affairs.

[Note by the Secretariat: See also the [declaration](#) made by Estonia to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 9 September 2004]

Period covered: 27/7/1997 -

The preceding statement concerns Article(s) : 24



Finland :

Reservation transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that judicial assistance may be refused:

- a. where the offence is one which is already subject to investigation in Finland or a third State;
- b. where the person who has been charged in the requesting State is on trial, or has been definitively convicted or acquitted either in Finland or in a third State;
- c. where the competent authorities in Finland or in a third State have decided to abandon the investigation or proceedings or not to initiate them for the offence in question;
- d. where the prosecution or enforcement of the sentence is time-barred under Finnish law.

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 2

Reservation transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that it will make the execution of letters rogatory for search or seizure of property referred to in Article 5 dependent on the conditions mentioned in sub-paragraph a and c of the said Article.

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 5

Declaration transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that the service of summons on an accused person who is in Finland may be refused where the summons have not been transmitted to the competent Finnish authority at least 30 days prior to the date set for appearance.

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 7

Declaration transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that the request and the annexed documents shall be drawn up in Finnish, Swedish, Danish or Norwegian or in English, French or German, or be accompanied by a translation into one of these languages.

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 16

Declaration transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that it will notify other Parties of the criminal convictions under Article 22 only as far as such information is available from the Criminal Register according to the Criminal Register Act of 20 August 1993 (770/93). Finland will not notify of measures taken subsequent to the conviction.

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 22

Declaration transmitted in a letter from the Permanent Representative of Finland, dated 9 March 1994, registered at the Secretariat General on 10 March 1994 - Or. Engl.

Finland declares that for the purposes of the Convention the following are deemed to be judicial authorities in Finland:

- The Ministry of Justice,
- The Courts of First Instance (käräjäoikeus/tingsrätt), the Courts of Appeal (hovioikeus/hovrätt) and the Supreme Court (korkein oikeus/högsta domstolen),
- the public prosecutors,
- the police authorities, the customs authorities as well as the frontier guard officers in their capacity of preliminary criminal investigations authorities in criminal proceedings under the Preliminary Criminal Investigations Act of 30 April 1987 (449/87).

Period covered: 10/3/1994 -

The preceding statement concerns Article(s) : 24



France :

Reservation made at the time of signature on 28 April 1961 - Or. Fr. – and confirmed in the instrument of ratification deposited on 23 May 1967 – Or. Fr.

The French Government declares that, by reason of the internal organisation and functioning of the judicial records department in France, the authorities responsible are unable to inform automatically the Contracting Parties to the present Convention, under Article 22 thereof, of measures taken subsequently to the conviction of their nationals - such as measures of clemency, rehabilitation or amnesty - which are entered in the judicial records.

The French Government gives, however, an assurance that the responsible authorities, if requested to do so in particular cases, will as far as possible supply the said Contracting Parties with details of the position of their nationals as regards the criminal law.

Period covered: 21/8/1967 -

The preceding statement concerns Article(s) : -

Declaration made at the time of signature on 28 April 1961 - Or. Fr. – and confirmed in the instrument of ratification deposited on 23 May 1967 – Or. Fr.

The French Government declares that the authorities to be considered for the purposes of this Convention as French judicial authorities are the following:

- first presidents, presidents, counsellors and judges (conseillers) of criminal courts;
- examining magistrates (juges d'instruction) of these courts;
- members of the Department of Public Prosecution (Ministère public) acting in those courts, namely:
 - * Directors of Public Prosecution;
 - * Deputy Directors of Public Prosecution;
 - * Assistant Public Prosecutors;
 - * Head of the Prosecution Department in courts of first instance and their assistants;
 - * Representatives of the Department of Public Prosecution in Police courts;
 - * Judge-advocates in courts martia

[Note by the Secretariat: See also the [declaration](#) made by France to Article 6 of the Second

Additional Protocol to the Convention (ETS No. 182), on 6 February 2012.]].

Period covered: 21/8/1967 -

The preceding statement concerns Article(s) : 24

Declaration contained in the instrument of ratification deposited on 23 May 1967 - Or. Fr.

The Government of the French republic declares that it avails itself of the option provided for in Article 7, paragraph 3, and accordingly specifies that service of summonses on accused persons who are in French territory shall be transmitted to the French authorities not less than 30 days before the date set for the appearance of such persons.

Period covered: 21/8/1967 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 23 May 1967 - Or. Fr.

The Government of the French republic declares that it avails itself of the option provided for in Article 15, paragraph 6, in relation to paragraphs 2 and 4 of Article 15, so that the provisions of those two paragraphs shall apply as follows:

Article 15, paragraph 2: in case of urgency, when the letters rogatory referred to in Articles 3, 4 and 5 are addressed directly by the judicial authorities of the requesting Party to the judicial authorities of the requested Party, a copy thereof shall at the same time be communicated to the Ministry of Justice of the requested Party;

Article 15, paragraph 4: requests for mutual assistance other than those provided for in paragraphs 1 and 3 of Article 15, and in particular, requests for investigation preliminary to prosecution shall be addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the requested Party and returned by the same channel.

[Note by the Secretariat: See also the [declaration](#) made by France to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 6 February 2012.]

Period covered: 21/8/1967 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 23 May 1967 - Or. Fr.

Notwithstanding the provisions of Article 25, paragraph 2, the European Convention on Mutual Assistance in Criminal Matters shall not apply to Algeria as that country acceded to independence after signature of the Convention by the French Government.

Period covered: 21/8/1967 -

The preceding statement concerns Article(s) : 25



Georgia :

Reservation contained in a Note Verbale from the Minister of Foreign Affairs, handed to the Secretary General at the time of deposit of the instrument of ratification of the Convention, on 13 October 1999 - Or. Engl.

The Minister of Foreign Affairs of Georgia declares that Legal assistance may be refused:

(a) if criminal proceedings have been instituted in Georgia for the offence in respect of which assistance is requested;

(b) if the offence in respect of which assistance is requested has already been tried by a court of law and the judgment has entered into force.

Period covered: 11/1/2000 -

The preceding statement concerns Article(s) : 2

Reservation contained in a Note Verbale from the Minister of Foreign Affairs, handed to the Secretary General at the time of deposit of the instrument of ratification of the Convention, on 13 October 1999 - Or. Engl.

Georgia reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the conditions given in sub-paragraphs "a", "b" and "c" of Article 5, paragraph 1.

Period covered: 11/1/2000 -

The preceding statement concerns Article(s) : 5

Declaration contained in a Note Verbale from the Minister of Foreign Affairs, handed to the Secretary General at the time of deposit of the instrument of ratification of the Convention, on 13 October 1999 - Or. Engl.

As provided in Article 15, paragraph 6, copies of the letters rogatory shall be transmitted to the Ministry of Justice of Georgia.

Period covered: 11/1/2000 -

The preceding statement concerns Article(s) : 15

Declaration contained in a Note Verbale from the Minister of Foreign Affairs, handed to the Secretary General at the time of deposit of the instrument of ratification of the Convention, on 13 October 1999 - Or. Engl.

Request for a legal assistance and annexed documents shall be provided in English or Russian language.

Period covered: 11/1/2000 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note Verbale from the Minister of Foreign Affairs, handed to the Secretary General at the time of deposit of the instrument of ratification of the Convention, on 13 October 1999 - Or. Engl.

For the purposes of the present Convention, Georgia considers as "judicial authorities":

the Constitutional Court,
the courts of the common jurisdiction,
the General Prosecutor's Office.

Period covered: 11/1/2000 -

The preceding statement concerns Article(s) : 24



Germany :

Reservation made by the Permanent Representative of the Federal Republic of Germany at the time of deposit of the instrument of ratification on 2 October 1976 - Or. Engl.

Search and seizure of property is permitted only if the conditions of Article 5, paragraph 1.a and c of the European Convention on Mutual Assistance in Criminal Matters have been met.

Period covered: 1/1/1977 -

The preceding statement concerns Article(s) : 5

Declaration made by the Permanent Representative of the Federal Republic of Germany at the time of deposit of the instrument of ratification on 2 October 1976 - Or. Engl.

A request for the service of the summons on an accused person who is in the territory of the Federal Republic of Germany will, on principle, be executed only if it is received by the German authorities, at the latest one month before the date set for the appearance of the accused person.

Period covered: 1/1/1977 -

The preceding statement concerns Article(s) : 7

Declaration made by the Permanent Representative of the Federal Republic of Germany at the time of deposit of the instrument of ratification on 2 October 1976 - Or. Engl.

Transfer of a witness will be refused in all the cases enumerated in Article 11, paragraph 1, subparagraph 2.

Period covered: 1/1/1977 -

The preceding statement concerns Article(s) : 11

Declaration made by the Permanent Representative of the Federal Republic of Germany at the time of deposit of the instrument of ratification on 2 October 1976 - Or. Engl.

Where the request for mutual assistance and the annexed documents are not in the German language they must be accompanied by translations of the request and the supporting documents into the German language or into one of the official languages of the Council of Europe.

Period covered: 1/1/1977 -

The preceding statement concerns Article(s) : 16

Declaration made by the Permanent Representative of the Federal Republic of Germany at the time of deposit of the instrument of ratification on 2 October 1976 - Or. Engl.

Judicial authorities for the purposes of this Convention are:

- der Bundesminister der Justiz, Bonn-Bad-Godesberg (the Federal Minister of Justice);
- der Bundesgerichtshof, Karlsruhe (the Federal Court of Justice);
- der Generalbundesanwalt bei dem Bundesgerichtshof, Karlsruhe (the Federal Prosecutor-General at the Federal Court of Justice);
- das Justizministerium Baden-Württemberg, Stuttgart (the Ministry of Justice of Baden-Württemberg);
- das Bayerische Staatsministerium der Justiz, München (the Bavarian State Ministry of Justice);
- der Senator für Justiz, Berlin (the Senator of Justice);
- der Senator für Rechtspflege und Strafvollzug, Bremen (the Senator for Judicial and Penal Affairs);
- die Justizbehörde der Freien und Hansestadt Hamburg, Hamburg (the Judicial Authority of the Free and Hanseatic City of Hamburg);
- der Hessische Minister der Justiz, Wiesbaden (the Hessian Minister of Justice);
- der Niedersächsische Minister der Justiz, Hannover (the Minister of Justice of Lower Saxony);

- der Justizminister des Landes Nordrhein-Westfalen, Düsseldorf (the Minister of Justice of Land Northrhine/Westphalia);
- das Ministerium der Justiz des Landes Rheinland-Pfalz, Mainz (the Ministry of Justice of Land Rhineland-Palatinate);
- der Minister für Rechtspflege des Saarlandes, Saarbrücken (the Minister for Judicial Affairs of the Saarland);
- der Justizminister des Landes Schleswig-Holstein, Kiel (the Minister of Justice of Land Schleswig-Holstein);
- das Bayerische Oberste Landesgericht, München (the Bavarian Supreme Court);
- die Oberlandesgerichte (the Higher Regional Courts);
- die Landgerichte (the Regional Courts);
- die Amtsgerichte (the Local Courts);
- die Staatsanwaltschaft bei dem Bayerischen Obersten Landesgericht, München (the Directorate of Prosecutions at the Bavarian Supreme Court);
- die Staatsanwaltschaften bei den Oberlandesgerichten (the Directorates of Prosecutions at the Higher Regional Courts);
- die Staatsanwaltschaften bei den Landgerichten (the Directorates of Prosecutions at the Regional Courts);
- die Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen, Ludwigsburg (Central Office of the Land Judicial Administrations for the Investigation of National Socialist Crimes).

Period covered: 1/1/1977 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of Germany, dated 2 December 1993, registered at the Secretariat General on 3 December 1993 - Or. Engl.

The declaration on Article 24 is herewith supplemented to the effect that judicial authorities for the purposes of the Convention are, in addition:

- Das Ministerium der Justiz des Landes Brandenburg, Potsdam (the Ministry of Justice of Land Brandenburg),
- der Minister für Justiz, Bundes- und Europaangelegenheiten des Landes Mecklenburg-Vorpommern, Schwerin (the Minister for Justice, Federal and European Affairs of Land Mecklenburg-Western Pomerania),
- das Sächsische Staatsministerium der Justiz, Dresden (the Saxon State Ministry of Justice),
- das Ministerium der Justiz des Landes Sachsen-Anhalt, Magdeburg (the Ministry of Justice of Land Saxony-Anhalt),
- das Thüringer Ministerium für Justiz, Bundes- und Europaangelegenheiten, Erfurt (the Thuringian Ministry of Justice, Federal and European Affairs).

Period covered: 3/12/1993 -

The preceding statement concerns Article(s) : 24



Greece :

Reservation made at the time of signature on 20 April 1959 - Or. Fr.

The Greek Government formulates a reservation with regard to Article 4 of the Convention, which is incompatible with Article 97 of the Greek Code of Criminal Procedure.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 4

Reservation made at the time of signature on 20 April 1959 - Or. Fr.

The Greek Government formulates a reservation with regard to Article 11 of the Convention, which is incompatible with Article 459 of the Greek Code of Criminal Procedure.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 11



Hungary :

Reservation contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Hungary reserves the right to afford assistance only in procedures instituted in respect of such offences, which are also punishable under Hungarian law.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 2

Reservation contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Extracts from or information on the judicial records will be made available only in respect of an individual who has been charged or brought to trial.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 13

Reservation contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

The assistance referred to in Article 13, paragraph 2 can not be given by Hungary.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 13

Reservation contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Search and seizure will be executed in Hungary on condition provided for in subparagraph c.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Summons on persons staying in Hungary will only be served, if the summons is transmitted to the competent Hungarian authority at least 40 days before the date set for appearance.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : -

Declaration contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Hungary declares that requests addressed to its judicial authorities for assistance shall be sent to the Ministry of Justice.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 15

Declaration contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

A translation of the request for assistance and documents annexed thereto into either Hungarian, or any of the official languages of the Council of Europe, will be required, if they are not drawn up in these languages.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 16

Reservation contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

Hungary declares that it will not inform other Contracting Parties automatically of criminal convictions and subsequent measures referred to in this article.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 22

Declaration contained in a letter from the Permanent Representative of Hungary, handed to the Secretary General at the time of deposit of the instrument of ratification, on 13 July 1993 - Or. Engl.

For the purpose of the Convention the following shall be deemed judicial authorities in Hungary: courts, public prosecutor's offices, the Ministry of Justice and the Chief Public Prosecutor's Office.

Period covered: 11/10/1993 -

The preceding statement concerns Article(s) : 24



Iceland :

Reservation contained in the instrument of ratification deposited on 20 June 1984 - Or. Engl.

Iceland will only afford assistance in proceedings in respect of offences also punishable under Icelandic law.

Assistance may be refused:

- a. if the judicial authorities of Iceland or of a third State have instituted legal proceedings against the accused for the offence which gave rise to proceedings in the requesting State; or
- b. if the accused has been convicted or acquitted by a final judgement given by the judicial authorities of Iceland or of a third State in respect of the offence which gave rise to proceedings in the requesting State; or
- c. if the judicial authorities of Iceland or of a third State have decided to discontinue proceedings or not to initiate them in respect of the offence which gave rise to proceedings in the requesting State.

Period covered: 18/9/1994 -

The preceding statement concerns Article(s) : 1

Reservation contained in the instrument of ratification deposited on 20 June 1984 - Or. Engl.

The obligation to communicate extracts from and information relating to judicial records under this provision applies only to the criminal record of the person charged with an offence in the requesting State.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 13

Reservation contained in a letter from the Permanent Representative of Iceland, handed at the time of deposit of the instrument of ratification - Or. Engl.

A request for search or seizure of property may be refused if the conditions laid down in Article 5, paragraph 1, sub-paragraphs a, b and c are not fulfilled.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Permanent Representative of Iceland, handed at the time of deposit of the instrument of ratification - Or. Engl.

A summons to be served on an accused person who is in Iceland must be transmitted to the competent Icelandic authorities at least 50 days before the date set for appearance.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 7

Declaration contained in a letter from the Permanent Representative of Iceland, handed at the time of deposit of the instrument of ratification - Or. Engl.

All requests for assistance in Iceland under the Convention must be addressed to the Ministry of Justice.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 15

Declaration contained in a letter from the Permanent Representative of Iceland, handed at the time of deposit of the instrument of ratification - Or. Engl.

Requests and annexed documents not drawn up in Icelandic, Danish, English, Norwegian or Swedish

shall be accompanied by a translation into Icelandic or English.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 16

Declaration contained in a letter from the Permanent Representative of Iceland, handed at the time of deposit of the instrument of ratification - Or. Engl.

For the purposes of the Convention, the term "judicial authorities" in Iceland means the Ministry of Justice, the Courts, the State Prosecutor and Chiefs of Police.

Period covered: 18/9/1984 -

The preceding statement concerns Article(s) : 24



Ireland :

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland reserves the right to refuse assistance if criminal proceedings have been instituted or concluded in Ireland or in a third State against a person who is the subject of the request for assistance in respect of the same conduct as that giving rise to proceedings in the requesting State in respect of that person.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland reserves the right to make the supply of any material or evidence, in response to a request for assistance, subject to the condition that such material or evidence shall not, without its consent, be used for a purpose that was not specified in the request.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland reserves the right not to take the evidence of witnesses or require the production of records or documents where its law recognises in relation thereto privilege, non-compellability or other exemption from giving evidence.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 3

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland is unable to grant requests made under Article 11, paragraph 2, for a person in custody to transit through its territory.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 11

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland reserves the right not to apply Article 21.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 21

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland will not notify criminal convictions or subsequent measures under Article 22 except insofar as the organisation of its judicial records allows of so doing.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 22

Reservation contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

The Government of Ireland reserves the right to make the execution of letters rogatory for search and seizure of property dependent on the following conditions:

a. that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and Irish law, and

b. that execution of the letters rogatory is consistent with Irish law.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

In respect of the Government of Ireland, references to the "Ministry of Justice" for the purposes of Article 11, paragraph 2, Article 15, paragraphs 1, 3 and 6, Article 21, paragraph 1, and Article 22 are to the Department of Justice.

[Note by the Secretariat: See also the [declaration](#) made by Ireland to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 26 July 2011.]

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification, deposited on 28 November 1996 - Or. Engl.

In accordance with Article 15, paragraph 6, the Government of Ireland gives notice that requests for assistance under the Convention should be sent to the Department of Justice.

[Note by the Secretariat: See also the [declaration](#) made by Ireland to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 26 July 2011.]

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification, deposited on 28 November 1996 -

Or. Engl.

In accordance with Article 16, paragraph 2, the Government of Ireland reserves the right to stipulate that requests and annexed documents shall be addressed to it accompanied by translations into either Irish or English.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 16

**Declaration contained in the instrument of ratification, deposited on 28 November 1996 -
Or. Engl.**

In accordance with Article 24, for the purposes of the Convention, the Government of Ireland deems the following to be judicial authorities:

- the District Court;
- the Circuit Court;
- the High Court;
- a Special Criminal Court;
- the Court of Criminal Appeal;
- the Supreme Court;
- the Attorney General of Ireland;
- the Director of Public Prosecutions;
- the Chief State Solicitor.

Period covered: 26/2/1997 -

The preceding statement concerns Article(s) : 24

Withdrawal of objections contained in a letter from the Permanent Representative of Ireland, dated 10 February 2010, registered at the Secretariat General on 11 February 2010 – Or. Engl.

The Government of Ireland agrees to the extension of the United Kingdom's ratification of the European Convention on Mutual Assistance in Criminal Matters to the Bailiwick of Guernsey and to the Isle of Man.

The objections raised by the letters from the Permanent Representative of Ireland dated 16 January 2003 and 16 September 2003 are hereby withdrawn.

Period covered: 11/2/2010 -

The preceding statement concerns Article(s) : 25



Israel :

**Declaration contained in the instrument of accession deposited on 27 September 1967 -
Or. Engl.**

A summons to be served on an accused person who is in its territory shall be transmitted to its authorities not later than 40 days before the date set for appearance.

Period covered: 26/12/1967 -

The preceding statement concerns Article(s) : 7

Declaration as amended by Note Verbale from the Ministry for Foreign Affairs of Israel dated

27 January 1999 and registered at the Secretariat General on 8 February 1999 - Or.Engl.

All requests and other communications to Israel under the Convention should be sent to the following address: Ministry of Justice, Directorate of Courts, Department of Legal Assistance to Foreign Countries, P.O. Box 34142 - 91340 Jerusalem.

[**Note by the Secretariat:** See also the [declaration](#) made by Israel to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 20 March 2006.]

Period covered: 8/2/1999 -

The preceding statement concerns Article(s) : 15

Declaration as amended by Note Verbale from the Ministry for Foreign Affairs of Israel dated 27 January 1999 and registered at the Secretariat General on 8 February 1999 - Or.Engl.

For the purposes of the Convention, the following authorities shall be considered Judicial Authorities by the State of Israel:

- Any competent court or tribunal
- The Attorney General of the State of Israel
- The State Attorney of the State of Israel
- The Director of the Department of International Affairs of the Ministry of Justice
- The Deputy Director of the Department of International Affairs of the Ministry of Justice.

[**Note by the Secretariat:** See also the [declaration](#) made by Israel to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 20 March 2006.]

Period covered: 8/2/1999 -

The preceding statement concerns Article(s) : 24

Declaration contained in the instrument of accession deposited on 27 September 1967 - Or. Engl.

Israel will require requests and annexed documents addressed to it to be accompanied by a translation into Hebrew, English or French.

Period covered: 26/12/1967 -

The preceding statement concerns Article(s) : 16

Reservation contained in the instrument of accession deposited on 27 September 1967 - Or. Engl.

Israel will not undertake to notify automatically the "subsequent measures" referred to in Article 22, but will use its best efforts to do so.

Period covered: 26/12/1967 -

The preceding statement concerns Article(s) : 22



Italy :

Declaration made at the time of deposit of the instrument of ratification on 23 August 1961 - Or. Fr.

In accordance with Article 24 and for the purposes of the Convention the following authorities are to be considered Italian judicial authorities:

- Directors of Public Prosecution,
- Assistant Public Prosecutors,
- Ordinary Courts of Justice,
- Military Courts,
- Offices of the Public Prosecutor attached to the Military Courts,
- Examining Magistrates,
- Superior Magistrates,
- Praetors.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 24

Declaration made at the time of deposit of the instrument of ratification on 23 August 1961 - Or. Fr.

Having regard to the provisions of Articles 16 and 21, paragraph 3, Italy will require, subject to reciprocity, that requests for legal assistance, together with supporting documents, and denunciations as provided for in Article 21 of the Convention, shall be accompanied by a translation in French or English.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 16

Declaration made at the time of deposit of the instrument of ratification on 23 August 1961 - Or. Fr.

The Italian Government requests that having regard to the provisions of Article 15, paragraph 6, of the Convention, where a request for legal assistance is addressed directly to the Italian judicial authorities, a copy of the relevant letters rogatory shall be communicated to the Ministry of Justice.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 15

Declaration contained in a letter from the Permanent Representative of Italy dated 25 August 1977, registered at the Secretariat General on 29 August 1977 - Or. It.

With a view to completing the declaration made on 23 August 1961 when depositing the instrument of ratification of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, the Italian Government declares that with reference to Article 24 of the Convention the following authorities shall be deemed judicial authorities in addition to those already mentioned in the above-mentioned declaration which in all other respects shall remain unaltered:

- the Constitutional Court,
- the Parliamentary Commission of Enquiry.

The Italian Government wishes to point out in this connection that the two above-mentioned authorities only acquired their full jurisdiction at a date subsequent to the deposit by Italy of the instrument ratifying the Convention.

The Constitutional Court in fact issued the necessary supplementary rules for the exercise of its jurisdiction in relation to prosecutions within the meaning of Article 134 of the Constitution in the regulations of 27.11.1962 published in Official Gazette No 320 of 15 December 1962.

The jurisdiction of the Parliamentary Commission of Enquiry was specified in Act No 20 of 25 January 1962 dealing with "Rules relating to proceedings and prosecutions".

Period covered: 29/8/1977 -

The preceding statement concerns Article(s) : 24

Declaration contained in a Note Verbale from the Permanent Representation of Italy, dated 29 March 2007, registered at the Secretariat General on 30 March 2007 – Or. Fr.

In accordance with Article 24 and for the purposes of the Convention, Italy declares that :

1. the following authorities shall be deemed as Italian judicial authorities, in addition to those indicated in the previous declarations :

- *Juges de paix*.

2. the following authorities shall not be deemed as Italian judicial authorities anymore :

- Examining Magistrates,

- Superior Magistrates,

- Praetors

Period covered: 30/3/2007 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Deputy Permanent Representative of Italy, dated 3 October 2008, registered at the Secretariat General on 3 October 2008 – Or. Engl.

With reference to the United Kingdom's request for an extension of the scope of application of the European Convention on Mutual Assistance in Criminal Matters (ETS No. 30) and its Additional Protocol (ETS No. 99) to the Bailiwick of Jersey, I have the honour to inform you that Italy accepts the above-mentioned extension of the Convention and the Protocol.

Nevertheless, taking into account the very small number of Italian requests concerning the Bailiwick of Jersey and the bilateral treaties, Italy does not deem it necessary to consider a refund of expenses outside the scope of what is set out in Article 20.

Period covered: 3/10/2008 -

The preceding statement concerns Article(s) : 25



Korea :

Declaration contained in in the instrument of accession deposited on 29 September 2011 - Or. Engl.

The Republic of Korea declares that if the offence for which assistance is sought is punishable by death under the law of the Republic of Korea, and if in respect of such offence the death-penalty is not provided for by the law of the requested Party or is not normally carried out, the Republic of Korea, if requested, shall give assurance that the death-penalty will not be carried out even if it is imposed by a court of the Republic of Korea.

Period covered: 29/12/2011 -

The preceding statement concerns Article(s) : -

Declaration contained in in the instrument of accession deposited on 29 September 2011 - Or. Engl.

In respect of Article 7, paragraph 3, of the Convention, the Republic of Korea declares that it shall

specify "a certain time" to be 45 days.

Period covered: 29/12/2011 -

The preceding statement concerns Article(s) : 7

Declaration contained in in the instrument of accession deposited on 29 September 2011 - Or. Engl.

In accordance with Article 15 of the Convention, the Republic of Korea reserves the right to limit its channels of communication to the diplomatic channel and the direct channel between the Ministries of Justice.

Period covered: 29/12/2011 -

The preceding statement concerns Article(s) : 15

Declaration contained in in the instrument of accession deposited on 29 September 2011 - Or. Engl.

In respect of Article 16 of the Convention, the Republic of Korea reserves the right to apply Article 16, paragraph 2, as follows: "Requests, annexed documents and any other communications pursuant to this Convention shall be accompanied by a translation into the language of the requested Party or into the English language."

Period covered: 29/12/2011 -

The preceding statement concerns Article(s) : 16

Reservation contained in the instrument of accession deposited on 29 September 2011 - Or. Engl.

In respect of Article 5 of the Convention, the Republic of Korea reserves the right to make the execution of letters rogatory, provided that the conditions stipulated in subparagraphs 1.a and 1.c of Article 5 are complied with.

Period covered: 29/12/2011 -

The preceding statement concerns Article(s) : 5



Latvia :

Declaration contained in Notes Verbales from the Ministry of Foreign Affairs of Latvia, dated 2 May 1997, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 2 June 1997 - Or. Engl.

In pursuance of paragraph 6 of Article 15 of the Convention, the Republic of Latvia declares that requests for assistance shall be sent through:

The Ministry of Interior (*) - during pre-trial investigation until prosecution ;

Ciekurkalna 1st line 1, k-2

Riga, LV-1026

Latvia

Phone: +371 67219263

Fax: +371 67829686

E-mail: kanceleja@iem.gov.lv

Website : www.iem.gov.lv

General Prosecutors office - during pre-trial investigation until submitting the case to the court;
O. Kalpaka blvd 6,
Riga, LV - 1801, Latvia
Fax: 371.67.212231
Tel.: 371.67.320085

The Ministry of Justice - during the trial.
Brivibas blvd 36,
Riga, LV - 1536, Latvia
Fax: 371.67.285575
Tel.: 371.67.280437/371.67.282607

[(* Note by the Secretariat: Contact information up-dated by a Note verbale from the Permanent Representation of Latvia, dated 14 September 2010, registered at the Secretariat General on 16 September 2010 – Or. Engl.]

Period covered: 31/8/1997 -

The preceding statement concerns Article(s) : 15

Declaration contained in three Notes Verbales from the Ministry of Foreign Affairs of Latvia, dated 2 May 1997, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 2 June 1997 - Or. Engl.

In pursuance of paragraph 2 of Article 16 of the Convention, the Republic of Latvia requires that requests and annexed documents shall be addressed accompanied by a translation into English language.

Period covered: 31/8/1997 -

The preceding statement concerns Article(s) : 16

Declaration contained in three Notes Verbales from the Ministry of Foreign Affairs of Latvia, dated 2 May 1997, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 2 June 1997 - Or. Engl.

In pursuance of Article 24 of the Convention, the Republic of Latvia defines that, for the purposes of the Convention, the courts, the Public Prosecutor's Office and the police are deemed judicial authorities.

Period covered: 31/8/1997 -

The preceding statement concerns Article(s) : 24



Liechtenstein :

Reservation contained in the instrument of accession deposited on 28 October 1969 - Or. Fr.

The Government of the Principality of Liechtenstein declares that the Principality of Liechtenstein will make the execution of letters rogatory for the application of any coercive measure dependent on the condition mentioned under Article 5, paragraph 1.a of the Convention.

Period covered: 26/1/1970 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of accession deposited on 28 October 1969 - Or. Fr.

The Principality of Liechtenstein stipulates that letters rogatory and annexed documents addressed to the Liechtenstein authorities in a language other than German - with the exception of requests for service of summons - shall be accompanied by a translation into that language.

Period covered: 26/1/1970 -

The preceding statement concerns Article(s) : 16



Lithuania :

Reservation contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In respect of Article 2 of the Convention, the Republic of Lithuania reserves the right not to comply with a request insofar as it concerns:

- a. an offence which is not qualified as a "crime" and punishable as such under Lithuanian law;
- b. an offence in respect of which criminal proceedings have been instituted in the Republic of Lithuania or in a third State;
- c. an offence in respect of which the judicial authorities of the Republic of Lithuania either refused to institute, or discontinued criminal proceedings.

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In respect of Article 13 of the Convention, the Republic of Lithuania declares that extracts from and information relating to judicial records shall be communicated only insofar as the records relate to a person against whom criminal proceedings have been instituted.

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 13

Reservation contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In relation to Article 5, paragraph 1, of the Convention, the Republic of Lithuania reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the conditions mentioned in sub-paragraphs a), b) and c) of the said provision.

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In relation to paragraph 6 of Article 15 of the Convention, the Republic of Lithuania shall provide assistance only in the event that the letters rogatory are sent directly to the Ministry of Justice of the Republic of Lithuania.

[Note by the Secretariat: See also the [declaration](#) made by Lithuania to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 6 April 2004.]

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In relation to paragraph 2 of Article 16 of the Convention, the Republic of Lithuania reserves the right to stipulate that requests and annexed documents shall be addressed to it in Lithuanian or accompanied by a translation into one of the official languages of the Council of Europe, and that in default, the Republic of Lithuania will require compensation for all expenses incurred in translation.

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification, deposited on 17 April 1997 - Or. Engl.

In relation to Article 24 of the Convention, the Republic of Lithuania declares that for the purposes of the Convention the following authorities shall be considered as judicial authorities: the Ministry of Justice of the Republic of Lithuania, the Prosecutor General's Office of the Republic of Lithuania, the Courts of Lithuania except the Constitutional Court.

[Note by the Secretariat: See also the [declaration](#) made by Lithuania to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 6 April 2004.]

Period covered: 16/7/1997 -

The preceding statement concerns Article(s) : 24



Luxembourg :

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr., and partially withdraw by a letter from the Permanent Representation of Luxembourg, dated 9 October 2001, and registered at the SEcretariat General, on 10 October 2001 - Or. Fr.

The reservations with respect to Article 2 of the Convention, are modified as follows:

The State General Prosecutor of the Grand Duchy of Luxembourg reserves the right not to comply with a request for assistance :

- a. in so far as it concerns a prosecution or proceedings incompatible with the principle “non bis in idem”,
- b. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in the Grand Duchy of Luxembourg”.

This reservation is modified according to Article 13 of the Law of Luxembourg dated 8 August 2000 which has entered into force on 1 October 2000.

Note by the Secretariat : The reservations made at the time of deposit of the instrument of ratification, on 18 November 1976, read as follows :

The Government of the Grand Duchy of Luxembourg reserves the right not to comply with a request

for assistance:

a. if there are good grounds for believing that it concerns an inquiry instituted with a view to prosecuting, punishing or otherwise interfering with an accused person because of his political convictions or religion, his nationality, his race or the population group to which he belongs;

b. in so far as it concerns a prosecution or proceedings incompatible with the principle non bis in idem;

c. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in the Grand Duchy of Luxembourg.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 2

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg will not grant temporary transit as provided for in Article 11, save where the person concerned is serving a sentence in its territory and where there are no special considerations opposed thereto.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 11

Declaration contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg will require requests and annexed documents addressed to it to be accompanied by a translation into French, German or English.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 16

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg will not notify the subsequent measures referred to in Article 22 except in so far as the organisation of its judicial records allows of doing so.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 22

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

By reason of the special arrangements between the Benelux countries, the Government of the Grand Duchy of Luxembourg does not accept Article 26, paragraphs 1 and 3 in respect of its relations with the Netherlands and Belgium.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 26

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg reserves the right to derogate from these provisions in respect of its relations with other member States of the European Economic Community.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 26

Reservation contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg declares that letters rogatory for search or seizure within the Grand Duchy of Luxembourg will not be executed save for extraditable offences within the meaning of the European Convention on Extradition, and provided that the court has authorised execution in accordance with its municipal law.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Permanent Representative to the Council of Europe, dated 16 November 1976 handed to the Secretary General at the time of deposit of the instrument of ratification on 18 November 1976 - Or. Fr.

The Government of the Grand Duchy of Luxembourg declares that, as regards the Grand Duchy of Luxembourg, judicial authorities for the purposes of the Convention are to be understood as meaning members of the judiciary responsible for administering the law, examining magistrates and members of the Department of Public Prosecution.

Period covered: 16/2/1977 -

The preceding statement concerns Article(s) : 24



Malta :

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta reserves the right to refuse assistance if the person who is the subject of a request for assistance has been convicted or acquitted in Malta of any offence which arises from the same fact giving rise to proceedings in the requesting State in respect of that person.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 2

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta reserves the right not to take the evidence of witnesses or require the production of records or other documents where its law recognises in relation thereto privilege, non-compellability or other exemption from giving evidence.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 3

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta reserves the right not to execute letters rogatory for search or seizure if (a) the offence motivating the letters rogatory is not punishable under both the law of the requesting State and the law of Malta, or (b) the execution of the letters rogatory is not consistent with the law of Malta.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 5

Declaration made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

For the purpose of Article 7, paragraph 3, the Government of Malta requests that the summons to be served on an accused person who is in its territory be transmitted to its authorities at least 50 days before the date set for appearance.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 7

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta is unable to grant requests made under Article 11.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 11

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta will only consider the granting of immunity under Article 12 where this is specifically requested by the person to whom the immunity would apply or by the appropriate authorities of the State from whom assistance is requested. A request for immunity will not be granted where the Government of Malta considers that granting it would not be in the public interest.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 12

Declaration made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta notifies that all requests for assistance should be sent to it addressed to the Attorney General.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 15

Declaration made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta declares that requests and annexed documents should be addressed to it accompanied by a translation into English.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 16

Reservation made at the time of signature, on 6 September 1993 and confirmed at the time of deposit of the instrument of ratification, on 3 March 1994 - Or. Engl.

The Government of Malta reserves the right not to apply Article 21.

Period covered: 1/6/1994 -

The preceding statement concerns Article(s) : 21

Declaration contained in a Note verbale from the Permanent Representation of Malta, dated 10 April 2012, deposited with the instrument of ratification of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters on 12 April 2012 - Or. Engl.

In accordance with Article 24 for the purposes of the Convention, the Government of Malta deems the following to be "judicial authorities":

- Magistrates Courts, the Juvenile Court, the Criminal Court and the Court of Criminal Appeal;
- the Attorney General, Deputy Attorney General, Heads of Unit and Lawyers within the Attorney General's Office;
- Magistrates.

Period covered: 12/4/2012 -

The preceding statement concerns Article(s) : 30



Moldova :

Reservation contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

Under Article 2 of the Convention, the Republic of Moldova declares that it will refuse assistance where:

- the committed act is not incriminated as an offence according to the legislation of the Republic of Moldova;
- the offender shall not be held responsible by virtue of amnesty;
- the criminal responsibility is precluded by statutory limitation;
- after having committed the offence, the offender has fallen into a state of lasting mental disturbance precluding criminal responsibility;
- there is a pending penal procedure with respect to the same person for the same offence;
- there is an enforceable sentence, or a court decision terminating the case, with respect to the same person and for the same offence.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

Under Article 5, paragraph 1, of the Convention, the Republic of Moldova declares that it reserves the right to execute letters rogatory for search or seizure of property in accordance with the respect of the conditions set out in Article 5, paragraph 1, letters (a), (b) and (c), of the Convention.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 5

Reservation contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

The Republic of Moldova reserves the right not to execute requests for assistance provided for under Article 13, paragraph 2, of the Convention.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 13

Declaration contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

Under Article 15, paragraph 6, of the Convention, the Republic of Moldova declares that requests for assistance must be addressed to the Ministry of Justice or to the Prosecutor General's Office.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

Under Article 16, paragraph 2, of the Convention, the Republic of Moldova declares that requests for assistance and annexed documents shall be drawn up in Moldovan or in one of the official languages of the Council of Europe or accompanied by a translation into one of these languages.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 4 February 1998 - Or. Mol./Fr.

Under Article 24 of the Convention, the Republic of Moldova declares that it considers, for the purposes of the European Convention on Mutual Assistance in Criminal Matters, the courts of first instance (judecatoriile), the courts (tribunalele), the Court of Appeal (Curtea de Apel), the Supreme Court of Justice (Curtea Suprema de Justitie), the Ministry of Justice (Ministerul Justitiei), the Prosecutor General's Office (Procuratura Generala), the organs of the General Prosecutor of the Republic of Moldova (organele procuraturii Republicii Moldova), as judicial authorities for the Republic of Moldova.

Period covered: 5/5/1998 -

The preceding statement concerns Article(s) : 24



Monaco :

Declaration contained in the instrument of ratification deposited on 19 March 2007 - Or. Fr.

The Principality of Monaco declares that it avails itself of the option provided for in Article 7, paragraph 3, and accordingly specifies that service of summonses on accused persons who are in its territory shall be transmitted to Monaco's authorities not less than 30 days before the date set for the appearance of such persons.

The Principality of Monaco declares that the terms "Ministry of Justice", for the purposes of the Convention, apply to the "*Direction des Services Judiciaires*".

Period covered: 17/6/2007 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 19 March 2007 - Or. Fr.

The Principality of Monaco declares that it avails itself of the option provided for in Article 15, paragraph 6, of the Convention in relation to paragraphs 2 and 4 of Article 15, so that the provisions of those two paragraphs shall apply as follows:

Article 15, paragraph 2: in case of urgency, when the letters rogatory referred to in Articles 3, 4 and 5 are addressed directly by the judicial authorities of the requesting Party to the judicial authorities of the requested Party, a copy thereof shall at the same time be communicated to the Ministry of Justice of the requested Party;

Article 15, paragraph 4: requests for mutual assistance other than those provided for in paragraphs 1 and 3 of Article 15, and in particular, requests for investigation preliminary to prosecution shall be addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the requested Party and returned by the same channel.

Period covered: 17/6/2007 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 19 March 2007 - Or. Fr.

The Principality of Monaco declares that it avails itself of the option provided for in Article 16, paragraph 2, of the Convention and requires that requests for mutual assistance and annexed documents shall be addressed to it accompanied by a translation into French.

Period covered: 17/6/2007 -

The preceding statement concerns Article(s) : 16

Reservation contained in the instrument of ratification deposited on 19 March 2007 - Or. Fr.

Regarding Article 2 of the Convention, the Principality of Monaco reserves the right to grant mutual assistance in pursuance of the Convention at the express condition that the results of inquiries as well as information contained in the documents and files transmitted cannot, without its prior consent, be used or transmitted by the authorities of the requesting Party for purposes different from those indicated in the request.

Period covered: 17/6/2007 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 19 March 2007 - Or. Fr.

In accordance with Article 5 of the Convention, the Principality of Monaco reserves the ability to submit the execution of letters rogatory, for the purposes of search or seizure of objects, to the conditions provided for by Article 5, paragraph 1, sub-paragraph a of the Convention.

Period covered: 17/6/2007 -

The preceding statement concerns Article(s) : 5



Montenegro :

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 1, paragraph 1, of the Convention, the Federal Republic of Yugoslavia shall grant legal assistance only in proceedings related to the criminal acts stipulated by the laws of the Federal Republic of Yugoslavia, whose criminal prosecution, at the moment legal assistance is requested, falls within the jurisdiction of the Yugoslav courts are competent.

[Note by the Secretariat: The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

Period covered: 6/6/2006 -

The preceding statement concerns Article(s) : 1

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 7, paragraph 3, of the Convention, the Federal Republic of Yugoslavia shall serve court summons issued to the name of a person against whom criminal proceedings have been initiated, residing in its territory, only if the summons is transmitted to the competent judicial authority 30 days before the date set for the appearance in the court by the said person.

[Note by the Secretariat: The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

Period covered: 6/6/2006 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 15, paragraph 6, of the Convention and in connection with implementation of Article 15, paragraph 2, of the Convention, the Federal Republic of Yugoslavia requests that a copy of the letter requesting legal assistance be transmitted to the Federal Ministry of Justice.

[Note by the Secretariat: The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

Period covered: 6/6/2006 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 24 of the Convention, the Federal Republic of Yugoslavia hereby states that judicial authorities, for the purposes of the present Convention, shall be considered regular courts and Public i.e. State Prosecutor's Offices.

[Notes by the Secretariat: The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.

See also the [declaration](#) made by Montenegro to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 20 October 2008.]

Period covered: 6/6/2006 -

The preceding statement concerns Article(s) : 24



Netherlands :

Reservation contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

The Netherlands Government reserves the right not to comply with a request for assistance:

- a. if there are good grounds for believing that it concerns an inquiry instituted with a view to prosecuting, punishing or otherwise interfering with an accused person because of his religion or political convictions, his nationality, his race or the population group to which he belongs;
- b. in so far as it concerns a prosecution or proceedings incompatible with the principle non bis in idem;
- c. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in the Netherlands.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

The Netherlands Government will not grant temporary transit, as provided for in Article 11, save where the person concerned is serving a sentence in its territory and where there are no special considerations opposed thereto.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 11

Reservation contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

The Netherlands Government will not notify the subsequent measures referred to in Article 22 except in so far as the organisation of its judicial records allows of so doing.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 22

Reservation contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

By reason of the special arrangement between the Benelux countries, the Netherlands Government does not accept Article 26, paragraphs 1 and 3 in respect of its relations with the Kingdom of Belgium and the Grand Duchy of Luxembourg.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 26

Reservation contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

The Netherlands Government reserves the right to derogate from these provisions in respect of its

relations with other member States of the European Economic Community.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 26

Declaration contained in the instrument of ratification deposited on 14 February 1969 - Or. Fr.

The Kingdom of the Netherlands accepts the said Convention for the Kingdom in Europe.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 25

Reservation contained in a letter from the Permanent Representative of the Netherlands dated 13 February 1969 handed to the Secretary General at the time of deposit of the instrument of ratification on 14 February 1969 - Or. Fr.

The Netherlands Government declares that letters rogatory for search or seizure within the Netherlands will not be executed save for extraditable offences within the meaning of the European Convention on Extradition, and provided that the Netherlands court has authorised execution in accordance with its municipal law.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Permanent Representative of the Netherlands dated 13 February 1969 handed to the Secretary General at the time of deposit of the instrument of ratification on 14 February 1969 - Or. Fr.

The Netherlands Government declares that, as regards the Netherlands, judicial authorities for the purposes of the Convention are to be understood as meaning members of the judiciary responsible for administering the law, examining magistrates and members of the Department of Public Prosecution.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of the Netherlands dated 13 February 1969 handed to the Secretary General at the time of deposit of the instrument of ratification on 14 February 1969 - Or. Fr.

In the event of the Netherlands Government making a declaration extending the application of the Convention to Surinam and/or the Netherlands Antilles, it may qualify such declarations by conditions relating to local needs and, in particular, may declare that the Convention can be denounced separately in respect of those countries.

Period covered: 15/5/1969 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the Netherlands, dated 20 February 1986, registered at the Secretariat General on 21 February 1986 - Or. Engl.

In addition to the letter of the Netherlands Permanent Representative No 1799 of 24 December 1985, I have the honour to bring the following to your attention in your capacity of depositary of the treaties listed in the annex.

The treaties referred to in the annex, to which the Kingdom of the Netherlands is a Party (for the Kingdom in Europe) apply as of 1 January 1986 equally to Aruba.

List of Treaties

...30. European Convention on Mutual Assistance in Criminal Matters (1959).

As the changes being made on 1 January 1986 concern a shift only in the internal constitutional relations within the Kingdom of the Netherlands, and as the Kingdom as such will remain the subject under international law with which treaties are concluded, the said changes will have no consequences in international law regarding to treaties concluded by the Kingdom which already apply to the Netherlands Antilles, including Aruba. These treaties will remain in force for Aruba in its new capacity of country within the Kingdom. Therefore these treaties will as of 1 January 1986, as concerns the Kingdom of the Netherlands, apply to the Netherlands Antilles (without Aruba) and Aruba.

Consequently the treaties referred to in the annex, to which the Kingdom of the Netherlands is a Party and which apply to the Netherlands Antilles, will as of 1 January 1986 as concerns the Kingdom of the Netherlands apply to the Netherlands Antilles and Aruba.

[Note by the Secretariat :The island of Aruba, which is at present still part of the Netherlands Antilles, will obtain internal autonomy as a country within the Kingdom of the Netherlands as of 1 January 1986. Consequently the Kingdom will from then on no longer consist of two countries, namely the Netherlands (the Kingdom in Europe) and the Netherlands Antilles (situated in the Caribbean region), but will consist of three countries, namely the said two countries and the country Aruba.]

Period covered: 1/1/1986 -

The preceding statement concerns Article(s) : 25

Declaration contained in a Note Verbale from the Permanent Representative of the Netherlands, dated 21 July 1993 and registered at the Secretariat General on the same day - Or. Engl.

The Permanent Mission of the Kingdom of the Netherlands declares that the Government of the Kingdom of the Netherlands, in accordance with Article 25, paragraph 4 of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, is extending the application of the Convention to the Netherlands Antilles, and that the declarations and reservations as made by the Kingdom of the Netherlands shall also apply to the Netherlands Antilles.

Period covered: 21/7/1993 -

The preceding statement concerns Article(s) : 25

Declaration contained in a Note Verbale from the Permanent Representative of the Netherlands, dated 21 July 1993 and registered at the Secretariat General on the same day - Or. Engl.

The Government of the Kingdom of the Netherlands declares having regard to Article 16, that the Kingdom of the Netherlands will require requests for legal assistance regarding the Netherlands Antilles and Aruba to be accompanied by an English translation.

Period covered: 21/7/1993 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note Verbale from the Permanent Representative of the Netherlands, dated 21 July 1993 and registered at the Secretariat General on the same day - Or. Engl.

The Government of the Kingdom of the Netherlands declares in accordance with the declaration of the Netherlands Government concerning Article 25, paragraph 4 that the Convention may be denounced separately in respect of the Netherlands Antilles and Aruba.

Period covered: 21/7/1993 -

The preceding statement concerns Article(s) : 25

Communication contained in a joint letter from the Ministers of Justice of Belgium and of the Netherlands, dated 5 February 2010, registered at the Secretariat General on 10 February 2010 – Or. Fr., supplemented by a joint letter from the Permanent Representatives of Belgium and of the Netherlands, dated 16 February 2010, registered at the Secretariat General on 18 February 2010 - Or. Fr.

On 1 February 2010, a Convention between the Kingdom of the Netherlands and the Kingdom of Belgium came into effect under which the Netherlands made available to Belgium a prison located on Dutch territory (Tilburg) for the execution of criminal sentences imposed in Belgium under Belgian law(*). The Convention applies in principle until 31 December 2012, but the validity period may be reduced to 31 December 2011, or extended until 31 December 2013.

The Convention contains a specific provision for criminal co-operation with third States. Article 18 of the Convention deals with criminal action at the request of third States concerning Belgian prisoners detained in the prison located on Dutch territory. According to the first paragraph of this provision, the Netherlands will not examine requests for extradition and/or mutual assistance from third States, but they will transmit them to Belgium. This agreement logically follows on from other provisions of the Convention, according to which the judicial and other authorities of the Netherlands do not normally deal with prisoners of the prison of Tilburg.

In this context, Belgium and the Netherlands communicate the following:

Requests for extradition and provisional arrest

We recommend that States Parties to the European Convention on Extradition send exclusively to the Belgian authorities requests for extradition and provisional arrest of persons detained in the prison of Tilburg under the Convention concluded on 31 October 2009 in Tilburg between the Kingdom of the Netherlands and the Kingdom of Belgium, on the provision of a prison in the Netherlands for the enforcement of prison sentences imposed under Belgian law. If the Dutch authorities still receive requests for extradition or for provisional arrest of these persons, they will not deal with them but will transmit them to the Belgian authorities for further action.

Alerts via Interpol for the surrender and the requests for provisional arrest of persons who are in the prison in Tilburg will not be carried out in the Netherlands.

Requests for mutual assistance

We recommend that central and judicial authorities of the States Parties to the Convention on Mutual Assistance in Criminal Matters send exclusively to the competent Belgian authorities requests for mutual assistance concerning persons detained in the prison of Tilburg under the Convention concluded on 31 October 2009 in Tilburg between the Kingdom of the Netherlands and the Kingdom of Belgium, on the provision of a prison in the Netherlands for the enforcement of prison sentences imposed under Belgian law. If, nevertheless, requests for mutual assistance concerning these persons are sent to the Netherlands, they will be forwarded to the competent authorities of the Kingdom of Belgium.

[(*) Note by the Secretariat: The text of this Convention is available upon request to the Treaty Office (French and Dutch only).]

Period covered: 18/2/2010 -

The preceding statement concerns Article(s) : 15

Declaration transmitted by a Note verbale from the Permanent Representation of the Netherlands, dated 4 January 2012, registered at the Secretariat General on 9 January 2012 - Or. Engl.

Having regard to the relations existing in public law between the European part of the Netherlands, Aruba, Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), the term "metropolitan territories", used in paragraph 1 of Article 25 of the present Convention, no longer has its original sense in relation to the Kingdom of the Netherlands and consequently shall be deemed to signify, so far as it concerns the Kingdom, "European territory".

[Note by the Secretariat: This Declaration supplements the [Communication](#) from the Permanent Representation of the Netherlands registered at the Secretariat General on 28 September 2010, concerning the modification in the structure of the Kingdom as of 10 October 2010.]

Period covered: 10/10/2010 -

The preceding statement concerns Article(s) : 25



Norway :

Reservation made at the time of signature of the Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

Assistance can be refused:

- a. if the accused person is being prosecuted by the public prosecutor of Norway or by the judicial authorities of a third State for the criminal offence or offences which have given rise to the proceedings in the requesting State; or
- b. if the accused person has been convicted or acquitted by final judgment of a Norwegian court or the judicial authorities of a third State in respect of the criminal offence or offences which have given rise to the proceedings in the requesting State, or if the public prosecutor of Norway or the judicial authorities of a third State have decided either not to institute proceedings or to terminate proceedings in respect of a said offence or offences.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 2

Reservation made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

A request for service of writs etc., otherwise than by the informal handing over of the document to the person in question, can always be refused.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 7

Reservation made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

A request for search or seizure can be refused if the conditions laid down in Article 5, paragraph 1.a, b and c are not fulfilled.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 5

Declaration made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

A summons which is to be served on an accused person who is staying in Norway must be transmitted to the competent Norwegian authority at least 30 days prior to the date set for his appearance in court.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 7

Declaration made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

Requests and annexed documents not drawn up in Norwegian, Danish, English or Swedish, should be accompanied by a translation into Norwegian. If not, the right is reserved for a translation into Norwegian to be made for the account of the requesting State.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 16

Declaration made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 - Or. Engl.

For the purpose of this Convention, the term "judicial authorities" applies in Norway to the courts and the office of the Public Prosecutor, including Chiefs of Police.

Period covered: 12/6/1962 -

The preceding statement concerns Article(s) : 24

Amendment of a declaration contained in a letter from the Minister of Foreign Affairs of Norway, dated 4 September 2002, registered at the Secretariat General on 30 September 2002 - Or. Engl

The Government of Norway replaces the declaration made in respect of Article 26, paragraph 4, of the Convention, with the following wording : "The Agreement of 26 April 1974 between Norway, Denmark, Iceland, Finland and Sweden on mutual assistance shall apply."

Note by the Secretariat :

The initial declaration, made at the time of signature of Convention on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962, read as follows : "The Protocol of 26 June 1957 between Norway, Denmark and Sweden on reciprocal assistance in legal matters shall remain in force. "

Period covered: 30/9/2002 -

The preceding statement concerns Article(s) : 26



Poland :

Reservation contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

The Republic of Poland reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the conditions mentioned in Article 5, paragraph 1 (a) (b) (c) of the Convention.

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

The transmission of the summons can be refused if less than 30 days remain before the date for

appearance.

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 7

Declaration contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

Only information available in the Central Register of Convicted Persons shall be transmitted.

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 13

Declaration contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

When the letters rogatory are addressed directly to the judicial authorities, a copy of these letters rogatory shall be transmitted to the Ministry of Justice.

[Note by the Secretariat: See also the [declaration](#) made by Poland to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 9 October 2003.]

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 15

Declaration contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

The requests and other documents being transmitted shall be accompanied by a translation into the Polish language or into an official language of the Council of Europe; the translation of the documents which are to be transmitted is not necessary if the transmission has the form of a simple service. In other cases they shall be translated into the Polish language if the receiver is a Polish national or if his permanent residence is in Poland.

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 16

Declaration contained in a letter from the Minister of Foreign Affairs of Poland, handed over to the Secretary General at the time of deposit of the instrument of ratification, on 19 March 1996 - Or. Pol./Engl.

For the purposes of the Convention, the public prosecutor's offices shall be also deemed to be "judicial authorities".

Period covered: 17/6/1996 -

The preceding statement concerns Article(s) : 24



Portugal :

Reservation contained in a letter from the Permanent Representative of Portugal, dated 3

April 1997, registered at the Secretariat General on 4 April 1997 – Or. Fr.

Portugal declares that it will execute letters rogatory for search or seizure only if the conditions laid down in sub-paragraph a) and c) of Article 5 are fulfilled.

Period covered: 4/4/1997 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Permanent Representative of Portugal, dated 3 April 1997, registered at the Secretariat General on 4 April 1997 – Or. Fr.

Portugal declares that requests and annexed documents addressed to it must be accompanied by a translation into Portuguese or French.

Period covered: 4/4/1997 -

The preceding statement concerns Article(s) : 16

Declaration contained in a letter from the Permanent Representative of Portugal, dated 3 April 1997, registered at the Secretariat General on 4 April 1997 – Or. Fr.

According to Article 7, paragraph 3, Portugal declares that a summons on an accused person who is in its territory must be transmitted to its authorities at least 50 days before the date set for appearance.

Period covered: 4/4/1997 -

The preceding statement concerns Article(s) : 7

Declaration contained in a letter from the Permanent Representative of Portugal, dated 3 April 1997, registered at the Secretariat General on 4 April 1997 – Or. Fr.

Under the terms of Article 24, Portugal declares that, for the purpose of the Convention, the Public Prosecutor must be considered as judicial authority.

Period covered: 4/4/1997 -

The preceding statement concerns Article(s) : 24

Communication contained in a letter of the Permanent Representative of Portugal, dated 19 December 1996, registered at the Secretariat General on 2 January 1997 - Or. Fr.

I have the honour to inform you of the following with regard to the Convention concerned:

1. On 14 July 1994 the Official Gazette of the Portuguese Republic published Assembly Resolution no. 39 and Decree no. 56 of the President of the Republic approving and decreeing ratification of the said Convention; please find enclosed a copy thereof.

2. On 27 September 1994 the instrument of ratification, of which I am also sending you a copy, was deposited with the Secretary General of the Council of Europe, the Convention entered into force in respect of Portugal on 26 December 1994.

3. As you can see, the Decree of the President of the Republic and the Assembly Resolution, as published, provide for reservations and declarations in respect of Article 5, paragraph 1 a. and c., Article 7, paragraph 3, and Article 24 of the Convention. However, certainly by inadvertence, the instrument of ratification omitted these reservations and declarations, which explains why notification thereof was not given to the Parties to the Convention and, of course, why no such indications appears in the "Chart of signatures and ratifications".

In view of the foregoing, the Portuguese authorities would like the Parties to the Convention to be notified of the said reservations and declarations as soon as possible. This would mean that future requests for judicial assistance and cooperation addressed to the competent Portuguese judicial

authorities take these reservations and declarations into account.

Period covered: 4/4/1997 -

The preceding statement concerns Article(s) : -



Romania :

Reservation contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr.

The letters rogatory for search or seizure of property will be made dependent on the following conditions:

that the offence motivating the letters rogatory is an extraditable offence according to Romanian law,

that execution of the letters rogatory is consistent with Romanian law.

Period covered: 15/6/1999 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr.

The service of a summons on an accused person who is in the Romanian territory, will be notified to the competent Romanian authority at the latest 40 days before the date set for the appearance.

Period covered: 15/6/1999 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr.

The requests for mutual assistance during investigation and prosecution will be sent to the Public Prosecutor's Department at the Supreme Court of Justice of Romania, the requests for mutual assistance during the proceedings will be sent to the Ministry of Justice, the requests for mutual assistance to which reference is made in Article 15, paragraph 3, will be sent to the Ministry of Home Affairs, in case of urgency, the requests for letters rogatory can be sent directly to the judicial authorities or to the prosecuting authorities at the former, a copy being sent to the Ministry of Justice or to the Public Prosecutor's Department at the Supreme Court of Justice of Romania, according to the case.

[**Note by the Secretariat:** See also the [declaration](#) made by Romania to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 29 November 2004]

Period covered: 15/6/1999 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr.

Requests for mutual assistance and annexed documents, addressed to the Romanian judicial authorities in accordance with this Convention, will be accompanied by a translation into one of the official languages of the Council of Europe.

Period covered: 15/6/1999 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr.

For the purpose of the Convention, Romanian judicial authorities are deemed to be the judicial authorities, the prosecuting authorities at them, the Ministry of Justice and the Public Prosecutor's Department at the Supreme Court of Justice and, for the requests for mutual assistance to which reference is made in Article 15, paragraph 3, the Ministry of Home Affairs.

[**Note by the Secretariat:** See also the [declaration](#) made by Romania to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 29 November 2004]

Period covered: 15/6/1999 -

The preceding statement concerns Article(s) : 24

Declaration contained in the instrument of ratification deposited on 17 March 1999 - Or. Fr. – and withdrawn by a letter of the Permanent Representative of Romania, dated 14 June 1999, registered at the Secretariat General on 30 June 1999 - Or. Fr.

The expenses relating to the execution of the requests for mutual assistance will be covered by the requesting judicial authorities.

The letter of the Permanent Representative of Romania read as follows:

" With reference to the ratification by Romania of the European Convention on Mutual Assistance in Criminal Matters (ETS 30) and its Additional Protocol (ETS 99), which are to enter into force on 15 June 1999, I have the pleasure of making the following clarifications:

The Government of Romania shall apply, without any reservation, the provisions of the Convention ETS 30.

The imperfect drafting of Article 4 of Law no. 236/1998 on the ratification of the Convention ETS 30 gave the impression that my authorities made a reservation, in accordance with Article 23, in respect of Article 20 of this Convention.

This interpretation was also shared by the Secretariat of the Council of Europe, which consequently notified on 1 April 1999 the deposit of the instrument of ratification by my State to all Contracting Parties, as well as a reservation concerning expenses relating to the requests for mutual assistance.

The "reservation" in question, as notified to the Contracting Parties, is in fact a norm of domestic law, adopted by the Parliament (Art. 4 of the Law no. 236/1998) in order to specify the modalities of sharing at national level, between different competent Romanian institutions, expenses relating to the application (without reservation) of Convention ETS 30. Unfortunately, the drafting of the text could give rise to interpretations which are contrary to the aim of the legislator.

In order to clarify these questions, my Government has adopted on 10 June 1999 an Emergency Order on the modification of Article 4 of the Law no. 236/1998.

This document, of which a copy is attached in Romanian and in French, foresees the application of Article 20 of the Convention ETS 30 from the point of view of sharing costs between the respective Romanian authorities, ie. the Ministry of Justice, the Prosecutor's Office and the Ministry of the Interior, in accordance with their specific competences."

Appendix:

GOVERNMENT OF ROMANIA

EMERGENCY ORDER

on the modification of article 4 of the Law no.° 236/1998 on the ratification of the European Convention on Mutual Assistance in Criminal Matters (ETS no. 30), adopted in Strasbourg, on 20 April 1959 and the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS no. 99), adopted in Strasbourg, on 17 March 1978.

In accordance with Article 114, paragraph 4, of the Constitution of Romania,

The Government of Romania issues the following Emergency Order:

Sole Article: Article 4 of the Law no. 236/1998 on the Ratification of the European Convention on Mutual Assistance in Criminal Matters, done at Strasbourg on 20 April 1959, and the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, done at Strasbourg on 17 March 1978, published in the Official Journal of Romania, first part, no 492, of 21 December 1998, is modified and will have the following wording:

"Article 4: In application of the provisions of Article 20 of the Convention, the expenses incurred in the execution of requests for mutual assistance, if Romania is the requested Party, as well as the expenses which are to be paid by Romania, if Romania is the requesting Party, shall be borne, as the case may be, by the Ministry of Justice, the Prosecutor's Office or the Ministry of the Interior".

The preceding statement concerns Article(s) : 20



Russia :

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 23, paragraph 1 of the Convention the Russian Federation declares that in addition to the grounds provided for in Article 2 of the Convention assistance may be refused in one of the following cases:

- a. if the person who is suspected or accused of an offence in the requesting State stands trial, or was convicted or acquitted in connection with this offence in the Russian Federation or in a third State, or in whose respect in the Russian Federation or in a third State a court decision has been passed not to commence a case or terminate the proceedings, in respect of which the request for assistance has been made;
- b. if the criminal proceedings or the enforcement of a sentence are impossible due to the expiration of period of limitation in accordance with the law of the Russian Federation.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 2

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 3 of the Convention the Russian Federation reserves the right to refuse to execute letters rogatory for procuring evidence, if the persons concerned used their right, granted to them by the law of the Russian Federation, not to give any evidence at all or in the relevant case.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 3

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 5 of the Convention the Russian Federation reserves the right to make the execution of letters rogatory for search or seizure of property dependent only on the conditions,

provided for in subparagraphs « a », « b », « c », paragraph 1 of the said article of the Convention.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 5

**Declaration contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 7 of the Convention the Russian Federation declares that letters rogatory for service of summons should be transmitted not less than 50 days before the date set for appearance.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 7

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 11 of the Convention the Russian Federation declares that in their request for temporary transfer of the person in custody for interrogation as a witness or for the purpose of confrontation, the competent authorities of the requesting State should provide the following information:

- a. full name of the person and, if possible, the place of his/her custody ;
- b. summary of the offence, time and place of its commitment ;
- c. circumstances to be clarified during interrogation or confrontation ;
- d. period during which the presence of this person in the requesting State is required.»

In accordance with Article 11, paragraph 2 of the Convention the Russian Federation declares that request for transit of a person in custody shall be addressed to the Prosecutor-General's Office of the Russian Federation.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 11

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

In accordance with Article 15, paragraph 6, of the Convention the Russian Federation declares that while rendering assistance in accordance with Articles 3, 4 and 5 of the Convention the designated authorities of the Contracting Parties communicate with:

- the Supreme Court of the Russian Federation - in matters of judicial activity of the Supreme Court of the Russian Federation, and the Ministry of Justice of the Russian Federation - in matters, related to the activities of other courts;

- the Ministry of Internal Affairs of the Russian Federation - in respect of letters rogatory, which do not require the sanction of a judge or a prosecutor and relate to conducting an inquiry and preliminary investigation into cases within the competence of bodies of the Ministry of Internal Affairs of the Russian Federation;

- the Federal Security Service of the Russian Federation - in respect of letters rogatory, which do not require the sanction of a judge or a prosecutor and relate to conducting an inquiry and preliminary investigation into cases within the competence of the bodies of the Federal Security Service;

- the Federal Tax Police Service of the Russian Federation - in respect of letters rogatory, which do not require the sanction of a judge or a prosecutor and relate to conducting an inquiry and preliminary investigation into cases within the competence of the bodies of the Federal Tax Police;

- the Prosecutor-General's Office of the Russian Federation - in all other cases of inquiry and preliminary investigation.

In case of urgency, requests may be addressed directly by the judicial authorities of the requesting State to the judicial authorities of the Russian Federation as stipulated in the reservation to Article 24 of the Convention. A copy of letters rogatory shall be transmitted at the same time to the appropriate central competent authority.

Requests, provided for in Article 13, paragraph 2 of the Convention shall be addressed to the Ministry of Justice of the Russian Federation or the Prosecutor-General's Office of the Russian Federation.

The Supreme Court of the Russian Federation and the Prosecutor-General's Office of the Russian Federation shall, if the authority which issues letters rogatory for legal assistance so requests, consider the possibility of applying procedural laws of the requesting foreign state when executing letters rogatory, if it is consistent with the law of the Russian Federation.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 15

**Reservation contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

The Russian Federation declares that in accordance with Article 22 of the Convention the Russian Federation shall inform other Contracting Parties of measures, subsequent to the conviction of their nationals on a reciprocal basis and only in respect of information, recognized as official in accordance with the law of the Russian Federation.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 22

**Declaration contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

The Russian Federation declares that for the purposes of this Convention set forth in Article 24 of the Convention courts and bodies of the prosecutor's office shall be deemed judicial authorities of the Russian Federation.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 24

**Declaration contained in the instrument of ratification deposited on 10 December 1999 -
Or. Engl./Russ.**

The Russian Federation proceeds from the understanding that the provisions of Article 2 of the Convention shall be applied in such a manner as to ensure inevitability of responsibility for the crimes coming within the Convention.

The Russian Federation proceeds from the understanding that the law of the Russian Federation does not contain a concept of « political offence ». In all cases in deciding whether to render assistance, the Russian Federation shall not consider as « political offences » or « offences related to political offences » in the following acts:

a. crimes against humanity provided for in Articles II and III of the Convention on the Prevention and Punishment of the Crime of Genocide (1948), Articles II and III of the Convention on the Suppression and Punishment of the Crime of Apartheid (1973), and Articles 1 and 4 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1948);

b. crimes provided for in Article 50 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949), Article 51 of the Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949), Article 130 of the Geneva Convention relative to the Treatment of Prisoners of War (1949), Article 147 of the Geneva Convention relative to the Protection of Civilian Persons in Time of

War (1949), Article 85 of Protocol I Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977), Articles 1 and 4 of Protocol II Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977);

c. offences provided for in the Convention for the Suppression of Unlawful Seizure of Aircraft (1970), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971), the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the above-mentioned Convention of 1971;

d. crimes provided for in the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973);

e. crimes provided for in the International Convention against the Taking of Hostages (1979);

f. offences provided for in the Convention on the Physical Protection of Nuclear Materials (1980);

g. offences provided for in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);

h. other comparable crimes provided for in multilateral international agreements to which the Russian Federation is a party.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 2

Declaration contained in the instrument of ratification deposited on 10 December 1999 - Or. Engl./Russ.

The Russian Federation declares that requests for assistance and annexed documents, addressed to the Russian Federation in accordance with Article 16, paragraph 2 of the Convention should be accompanied by a translation into the Russian language.

Period covered: 9/3/2000 -

The preceding statement concerns Article(s) : 16



San Marino :

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 5, paragraph 1 of the Convention, the Republic of San Marino declares that it reserves the right to accept requests for judicial assistance under the conditions referred to in Article 5 a) and c).

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 7, paragraph 3 of the Convention, the Republic of San Marino declares that it will only grant legal assistance within its territory if summons are transmitted to the San Marino relevant authority 40 days before the date set for the appearance.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 15, paragraph 6 of the Convention, the Republic of San Marino declares that any request for legal assistance and any document thereto shall be submitted directly to the relevant judicial authority and a copy shall be forwarded to the Secretary of State for Justice. The Republic of San Marino declares that, for the purposes of this Convention, the San Marino Single Court shall be the relevant judicial authority.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 16, paragraph 2 of the Convention, the Republic of San Marino declares that any request for legal assistance and document thereto submitted to the San Marino Authorities and drafted in a language other than Italian, shall be accompanied by a translation into Italian.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 16

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 26 paragraph 4 of the Convention, the Republic of San Marino declares that all the provisions included in bilateral agreements with Contracting Parties regarding legal assistance in criminal matters will remain in force insofar as they are not inconsistent with the provisions of this Convention.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 26

Reservation contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 2 of the Convention, the Republic of San Marino reserves the right to grant legal assistance under the condition that the results of inquiries as well as information, acts and documents transmitted shall neither be used nor transmitted, without previous consent, by the Requesting Party for purposes different from those stated in the request.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 2 of the Convention, the Republic of San Marino reserves the right to refuse legal assistance if the person subject of the request has been convicted for the same fact by a final judgement of the San Marino Judicial Authority.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 22 of the Convention, the Republic of San Marino declares that, due to organisational reasons, the Registry of the San Marino is not able to guarantee a systematic exchange of information regarding decisions contained in the judicial records. Nevertheless, the Republic of San Marino shall provide information regarding criminal ruling in the judicial records following a specific request from the relevant foreign judicial authorities.

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 22

Declaration contained in the instrument of ratification deposited on 18 March 2009 – Or. Engl.

Concerning Article 24 of the Convention, the Republic of San Marino declares that for the purposes of this Convention, the term Judicial Authorities shall be referred to:

- Law Commissioner – Investigating Judge (*Commissario della Legge – Giudice inquirente*)
- Law Commissioner – Trial Judge (*Commissario della Legge – Giudice decidente*)
- Public Attorney (*Procuratore del Fisco*)
- Judge of Appeal in Criminal Matters (*Giudice di appello penale*)
- Judge of Third Instance in Criminal Matters (*Giudice per la Terza Istanza penale*)
- Judge of Extraordinary Remedies in Criminal Matters (*Giudice per i Rimedi straordinari in materia penale*)
- Council of Guarantors for the Constitutionality of Rules (*Collegio Garante della costituzionalità delle norme*)

Period covered: 16/6/2009 -

The preceding statement concerns Article(s) : 24



Serbia :

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 1, paragraph 1, of the Convention, the Federal Republic of Yugoslavia shall grant legal assistance only in proceedings related to the criminal acts stipulated by the laws of the Federal Republic of Yugoslavia, whose criminal prosecution, at the moment legal assistance is requested, falls within the jurisdiction of the Yugoslav courts are competent.

Period covered: 29/12/2002 -

The preceding statement concerns Article(s) : 1

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 7, paragraph 3, of the Convention, the Federal Republic of Yugoslavia shall serve court summons issued to the name of a person against whom criminal proceedings have been initiated, residing in its territory, only if the summons is transmitted to the competent judicial authority 30 days before the date set for the appearance in the court by the said person.

Period covered: 29/12/2002 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 15, paragraph 6, of the Convention and in connection with implementation of Article 15, paragraph 2, of the Convention, the Federal Republic of Yugoslavia requests that a copy of the letter requesting legal assistance be transmitted to the Federal Ministry of Justice.

Period covered: 29/12/2002 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of accession deposited on 30 September 2002 - Or. Engl.

In accordance with Article 24 of the Convention, the Federal Republic of Yugoslavia hereby states that judicial authorities, for the purposes of the present Convention, shall be considered regular courts and Public i.e. State Prosecutor's Offices.

[Note by the Secretariat: See also the [declaration](#) made by Serbia to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 26 April 2007.]

Period covered: 29/12/2002 -

The preceding statement concerns Article(s) : 24



Slovakia :

Reservation originally made by the Czech and Slovak Federal Republic at the time of deposit of the instrument of ratification, on 15 April 1992, and confirmed in a letter from the Minister for Foreign Affairs of the Slovak Republic dated 6 April 1994, registered at the Secretariat General on 28 April 1994 - Or. Engl.

Under the terms of Article 5.1.a and 5.1.c the execution of letters rogatory for search or seizure of property will be made on conditions that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and the law of the **Slovak Republic** and the execution of the letters rogatory is consistent with the law of the **Slovak Republic**.

Period covered: 1/1/1993 -

The preceding statement concerns Article(s) : 5

Declaration originally made by the Czech and Slovak Federal Republic at the time of deposit of the instrument of ratification, on 15 April 1992, and confirmed in a letter from the Minister for Foreign Affairs of the Slovak Republic dated 6 April 1994, registered at the Secretariat General on 28 April 1994 - Or. Engl.

Within the meaning of Article 15, paragraph 6 of the European Convention on Mutual Assistance in Criminal Matters, the letters rogatory relating to a criminal matter shall be addressed to the General Prosecution of the Slovak Republic before the case is brought before a court and to the Ministry of Justice of the Slovak Republic after it has been brought before a court.

[Note by the Secretariat: See also the [declaration](#) made by Slovakia to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 11 January 2005.]

Period covered: 1/1/1993 -

The preceding statement concerns Article(s) : 15

Declaration originally made by the Czech and Slovak Federal Republic at the time of deposit of the instrument of ratification, on 15 April 1992, and confirmed in a letter from the Minister for Foreign Affairs of the Slovak Republic dated 6 April 1994, registered at the Secretariat General on 28 April 1994 - Or. Engl.

In accordance with the European Convention on Mutual Assistance in Criminal Matters, the service of

a summons on an accused person who is in the territory of the **Slovak Republic** shall be transmitted to the respective authorities of the **Slovak Republic** at least 30 days before the date set for appearance.

Period covered: 1/1/1993 -

The preceding statement concerns Article(s) : 7

Declaration originally made by the Czech and Slovak Federal Republic at the time of deposit of the instrument of ratification, on 15 April 1992, and confirmed in a letter from the Minister for Foreign Affairs of the Slovak Republic dated 6 April 1994, registered at the Secretariat General on 28 April 1994 - Or. Engl.

The judicial authorities in charge of the implementation of the European Convention on Mutual Assistance in Criminal Matters shall be the General Prosecution of the **Slovak Republic** and the Ministry of Justice of the **Czech Republic** and the Ministry of Justice of the **Slovak Republic**.

Period covered: 1/1/1993 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of Slovakia, dated 3 May 2000, registered at the Secretariat General on 4 May 2000 - Or. Engl.

For the purposes of this Convention, the following are deemed to be judicial authorities in the Slovak Republic: the Ministry of Justice of the Slovak Republic, the General Prosecutor's Office of the Slovak Republic, all courts and prosecutor's offices irrespective of their denomination.

Period covered: 4/5/2000 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of Slovakia, dated 3 May 2000, registered at the Secretariat General on 4 May 2000 - Or. Engl.

The Slovak Republic invites the other Contracting Parties to present their requests and supporting documents which are not drawn in either Slovak or one of the official languages of the Council of Europe together with a translation into one of these languages.

Period covered: 4/5/2000 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note verbale from the Permanent Representation of Slovakia, dated 25 July 2006, registered at the Secretariat General on 28 July 2006 – Or. Engl.

Slovakia declares that :

- Requests referred to in Article 11 of the Convention shall be addressed to the Ministry of Justice of the Slovak Republic.
- Request referred to in Article 13, paragraph 1, and information under Article 21, paragraph 1, of the Convention shall be addressed to the General Prosecutor's Office of the Slovak Republic.

This declaration replaces the previous declaration made by the Slovak Republic in a letter from the Permanent Representative of Slovakia dated 3 May 2000.

[Note by the Secretariat: See also the [declaration](#) made by Slovakia to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 11 January 2005.]

Period covered: 28/7/2006 -

The preceding statement concerns Article(s) : 11, 13, 15, 21



Slovenia :

Reservation contained in a Note Verbale, dated 17 July 2001, handed by the Permanent Representative of Slovenia at the time of deposit of the instrument of ratification, on 19 July 2001 - Or. Engl.

In accordance with Article 5, the Republic of Slovenia reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the following conditions :

- a. that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and the law of the Republic of Slovenia;
- b. that execution of the letters rogatory is consistent with the law of the Republic of Slovenia.

Period covered: 17/10/2001 -

The preceding statement concerns Article(s) : 5

Declaration contained in a Note Verbale, dated 17 July 2001, handed by the Permanent Representative of Slovenia at the time of deposit of the instrument of ratification, on 19 July 2001 - Or. Engl.

In accordance with Article 16, paragraph 2, , the Republic of Slovenia reserves the right to require that requests and annexed documents be addressed to it accompanied by a translation into Slovenian.

Period covered: 17/10/2001 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note Verbale, dated 17 July 2001, handed by the Permanent Representative of Slovenia at the time of deposit of the instrument of ratification, on 19 July 2001 - Or. Engl.

In accordance with Article 24, the Republic of Slovenia will, for the purposes of the Convention, deem to be judicial authorities the courts and the State prosecutor's offices.

Period covered: 17/10/2001 -

The preceding statement concerns Article(s) : 24



Spain :

Reservation contained in the instrument of ratification deposited on 18 August 1982 - Or. Fr.

Spain reserves the right to make the execution of letters rogatory for search or seizure of property dependent on the following conditions:

- a. that the offence motivating the letters rogatory is punishable under Spanish law;
- b. that the offence motivating the letters rogatory is an extraditable offence under Spanish law;

c. that execution of the letters rogatory is consistent with Spanish law.

Period covered: 16/11/1982 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 18 August 1982 - Or. Fr.

Spain declares that for the purpose of Article 7 (3) of the Convention, the time mentioned in this provision shall be not less than 30 days.

Period covered: 16/11/1982 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 18 August 1982 - Or. Fr.

Spain reserves the right to stipulate that requests and annexed documents shall be addressed to it accompanied by a duly authenticated translation into Spanish.

Period covered: 16/11/1982 -

The preceding statement concerns Article(s) : 16

Reservation contained in the instrument of ratification deposited on 18 August 1982 - Or. Fr.

Spain reserves the right not to inform other Parties of deleted entries in the criminal records of Spanish nationals.

Period covered: 16/11/1982 -

The preceding statement concerns Article(s) : 22

Declaration contained in a letter from the Permanent Representative of Spain dated 5 June 1987 - Or. Fr.

With reference to the provisions of Article 15.6 of the European Convention on Mutual Assistance in Criminal Matters, I have the honour to inform you that the Spanish Central Authority will be from now on: Secretario General Técnico - Ministerio de Justicia - San Bernardo 47 - 28015 MADRID Espagne.

Period covered: 5/6/1987 -

The preceding statement concerns Article(s) : 15

Declaration contained in a letter from the Chargé d'Affaires a.i. of Spain, dated 9 September 2008, registered at the Secretariat General on 10 September 2008 – Or. Fr. - and completed by a letter from the Permanent Representative of Spain, dated 15 January 2009, registered at the Secretariat General on 19 January 2009 - Or. Fr.

With reference to the extension and application of the European Convention on Mutual Assistance in Criminal Matters of 1959 (ETS No. 30) and its Additional Protocol (ETS No. 99) to the Island of Jersey, I have the honour to inform you that the competent Spanish authorities are in the process of examining the content of the Note prepared by the British authorities and communicated by the Depositary, as well as the mechanism used in order to reach a direct agreement as provided for by Article 25.5 of the Convention.

Thus, as long as the process of examining this Note is not completed and a decision not taken, Spain will not consider itself bound by the content of the said Note.

Declaration contained in a letter from the Permanent Representative of Spain, dated 15 January 2009, registered at the Secretariat General on 19 January 2009 - Or. Fr.

Following the communication dated 9 September 2008 concerning the extension and application of the Convention and its Additional Protocol to the Isle of Jersey, the Spanish authorities, especially the Ministry of Justice, which is the competent authority in this matter, reported that there is an interest on

their part to carry on mutual assistance in criminal matters with the Isle of Jersey.

The said authorities consider that the proper procedure to accomplish this task is that the United Kingdom requires the agreement of the Parties to the Convention to extend its application to the Isle of Jersey through direct bilateral agreement between the Parties and not just through a tacit acceptance after a certain time elapses.

In addition, the Ministry of Justice considers that the procedure for reimbursement of expenses generated by the mutual assistance in criminal matters proposed by the United Kingdom implies an exception to the general rules applicable which is not sufficiently justified, especially taking into account that the British argument to offer reimbursement (the legal authorities of Jersey receive more requests for assistance than they request) is also applicable to Spain in respect of the United Kingdom since Spain is facing more requests from the United Kingdom than the latter sends to the Spanish authorities.

Period covered: 2/10/2008 -

The preceding statement concerns Article(s) : 25

Declaration contained in a Note verbale from the Permanent Representation of Spain, dated 9 June 2011, registered at the Secretariat General on 10 June 2011 – Or. Fr.

Spain modifies its declaration to Article 24 of the Convention contained in the instrument of ratification. This modification applies also to the Additional Protocol to the Convention, and reads as follows:

"In accordance with Article 24 of the Convention, Spain declares that for the purposes of the Convention, the following shall be deemed judicial authorities:

- a) ordinary judges and courts;
- b) registrars;
- c) public prosecutors;
- d) military judges and courts;
- e) reporting registrars of the military courts.

This declaration applies also to the Additional Protocol to the Convention, done in Strasbourg on 17 March 1978."

Period covered: 10/6/2011 -

The preceding statement concerns Article(s) : 24



Sweden :

Declaration contained in the instrument of ratification deposited on 1 February 1968 - Or. Fr.

Service of a summons on a person who is in Sweden must be transmitted to the Swedish authorities at least 30 days before the date fixed for appearance.

Period covered: 1/5/1968 -

The preceding statement concerns Article(s) : 7

The reservation contained in the instrument of ratification deposited on 1 February 1968, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

A request for assistance may be refused if in Sweden a judgment or decision on waiver of prosecution has been issued concerning the same act.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 2

Reservation contained in a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000, registered at the Secretariat General on 24 November 2000 – Or. Engl.

The agreement of 26 April 1974 between Sweden, Denmark, Finland, Iceland and Norway on mutual assistance through service and collection of evidence shall apply.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 26

The reservation contained in the instrument of ratification deposited on 1 February 1968, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

Notifications concerning subsequent measures will be given to the extent that this is possible, according to Swedish regulations.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 22

The reservation contained in a letter from the Minister for Foreign Affairs of Sweden, dated 16 January 1976, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

Sweden will make the execution of letters rogatory for search and seizure subject to the conditions laid down in paragraph 1, subparagraph a) and c).

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 5

The declaration contained in a letter from the Ministry of Foreign Affairs, dated 28 April 1992, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

A person in Sweden who has been deprived of liberty may be transferred to another State if the questioning or confrontation concerns matters other than the investigation of the criminal liability of the person deprived of liberty.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 11

The declaration contained in the instrument of ratification deposited on 1 February 1968, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

The application together with the appendices shall be translated to Swedish, Danish or Norwegian, unless the authority dealing with the application otherwise allows in the individual case.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 16

The declaration contained in the instrument of ratification deposited on 1 February 1968, partially withdrawn by a letter from the Ministry for Foreign Affairs of Sweden, dated 6 November 2000 and registered at the Secretariat General on 24 November 2000, now read as follows :

For the purposes of the Convention Sweden deems courts and prosecutors to be judicial authorities.

Period covered: 24/11/2000 -

The preceding statement concerns Article(s) : 24



Switzerland :

Declaration as amended by letter from the Permanent Representative of Switzerland dated 11 December 1985, registered at the Secretariat General on 12 December 1985 - Or. fr. - and updated by a letter from the Permanent Representative of Switzerland, dated 23 January 2002, registered at the Secretariat General on 29 January 2002 - Or. Fr.

The Swiss Federal Council declares that the following authorities shall be regarded as Swiss judicial authorities for the purposes of the Convention:

- the Tribunals, their courts, chambers or sections;
- the Public Prosecutor (Ministère public) of the Confederation;
- the Federal Office of Justice;
- the authorities empowered by cantonal or federal law to hold an enquiry in criminal cases, to issue warrants or summonses (mandats de répressions) and to take decisions in a procedure connected with a criminal case. Since the denominations of the function of such authorities vary, the competent authority will, whenever necessary at the time of transmitting a request for assistance, expressly confirm that it is a judicial authority within the meaning of the Convention.

[Note by the Secretariat: See also the [declaration](#) made by Switzerland to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 4 octobre 2004.]

Period covered: 12/12/1985 -

The preceding statement concerns Article(s) : 24

Reservation amended by a letter from the Federal Councillor of Switzerland, dated 5 December 1996, registered at the Secretariat General on 13 December 1996 - Or. Fr.

The Swiss Federal Council has decided, in its meeting on 12 November 1996, to modify the reservation made by Switzerland with regard to Article 2, by deleting the words "in specific cases" in the sub-paragraph b and by adding a new sub-paragraph c. The reservation made by Switzerland will subsequently have the following new content:

"Article 2

- a. Switzerland also reserves the right to refuse assistance if the act motivating the request is the subject, in Switzerland, of criminal proceedings against the same person or if a criminal judgment on the merits has been delivered in Switzerland in respect of the act and of the guilt of the accused;
- b. Switzerland reserves the right to afford mutual assistance under the Convention only on the express condition that the results of investigations made in Switzerland and the information contained in

documents or files transmitted are used solely for the purpose of examining and trying the offences in respect of which mutual assistance is provided;

c. The requesting State may make use of the results of investigations made in Switzerland and the information contained in documents or files transmitted notwithstanding the condition mentioned under letter b, when the facts giving rise to the request constitute another offence for which mutual assistance may be granted by Switzerland or where the criminal proceedings in the requesting State are directed against other persons who have participated in the commission of the offence.

Period covered: 13/12/1996 -

The preceding statement concerns Article(s) : 2

Reservation contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr.

The Swiss Federal Council declares that Switzerland will make the execution of all letters rogatory requiring the application of any coercive measure dependent on the condition stated in Article 5, paragraph 1.a of the Convention.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 5

Declaration contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr.

Switzerland demands that all requests for the service of a summons on an accused person who is in Switzerland should reach the Swiss Authority which is competent under Article 15, paragraph 4, not later than 30 days before the date set for appearance.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 7

Declaration contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr. - and updated, regarding the denomination, by a letter from the Permanent Representative of Switzerland, dated 23 January 2002, registered at the Secretariat General on 29 January 2002 - Or. Fr.

The Swiss Federal Council declares that the competent authorities in Switzerland for the issue of warrants for the arrest of persons in custody who are transferred to the Swiss authorities under Article 11, paragraphs 1 and 2 of the Convention is the Federal Office of Justice of the Federal Department of Justice and Police in Berne.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 11

Declaration contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr. - and updated, regarding the denomination and the online access, by a letter from the Permanent Representative of Switzerland, dated 23 January 2002, registered at the Secretariat General on 29 January 2002 - Or. Fr.

The list of the Swiss central authorities territorially competent to which a request can be addressed can be consulted online at the following address : <http://www.elorge.admin.ch>

The Swiss Federal Council declares that the competent authorities in Switzerland are:

the Federal Office of Justice of the Federal Department of Justice and Police in Berne for the receipt or transmission of all requests for mutual assistance emanating from abroad or from Switzerland which Article 15 requires to be transmitted by the Ministry of Justice of the requesting Party to the Ministry of Justice of the requested Party; and

2. the Federal Office of Justice in Berne for the submission and receipt of requests for extracts from judicial records, in accordance with the first sentence of Article 15, paragraph 3.

[Note by the Secretariat: See also the [declaration](#) made by Switzerland to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 4 October 2004.]

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 15

Declaration contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr.

The Swiss Federal Council declares that, for the Swiss authorities, the condition contained in Article 12, paragraph 3, for the cessation of immunity is - unlike the condition laid down in Article 14 of the European Convention on Extradition - only fulfilled when the witness, expert or accused person at liberty is not prevented by any legal or practical obstacle from freely leaving the territory of the requesting State.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 12

Reservation contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr.

Since anybody may obtain extracts from his own judicial record, Switzerland reserves the right not to comply with requests made under Article 13, paragraph 2, unless it is established that it is necessary to obtain such extract through official channels.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 13

Declaration contained in the instrument of ratification deposited on 20 December 1966 - Or. Fr.

Switzerland demands that all requests for mutual assistance and annexes thereto addressed to its authorities, with the exception of requests for the service of summonses, be accompanied by a translation into French, German or Italian, if they are not drawn up in one of these languages.

Period covered: 20/3/1967 -

The preceding statement concerns Article(s) : 16

Declaration contained in a Note Verbale from the Permanent Representation of Switzerland, dated 26 March 1997, registered at the Secretariat General on 27 March 1997 - Or. Fr.

Referring to the reservation formulated by Switzerland with respect to Article 2 of the Convention, from which the new wording has been communicated on 5 December 1996, the Permanent Representation of Switzerland has the honour to precise the following.

The amendment (deletion of the phrase "in specific cases") made to paragraph b of the reservation formulated by Switzerland in 1966 is not to be interpreted as an extension of that reservation, rather the contrary.

In fact, on the one hand, since the entry into force of the Federal Law of 20 March 1981 on Mutual Assistance in Criminal Matters, the phrase mentioned above has become superfluous. On the other hand, the general principle of speciality, which paragraph b of the reservation merely re-states, will in future be applied less rigidly by Switzerland, as indeed further appears from the new paragraph c) added to the Swiss reservation.

Period covered: 27/3/1997 -

The preceding statement concerns Article(s) : 2



The former Yugoslav Republic of Macedonia :

Note by the Secretariat: See also the [declaration](#) made by "the former Yugoslav Republic of Macedonia" to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 16 December 2008.

Period covered: 1/4/2009 -

The preceding statement concerns Article(s) : 15

Note by the Secretariat: See also the [declaration](#) made by "the former Yugoslav Republic of Macedonia" to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 16 December 2008.

Period covered: 1/4/2009 -

The preceding statement concerns Article(s) : 24



Turkey :

Reservation made at the time of signature on 23 October 1959 and confirmed at the time of deposit of the instrument of ratification on 24 June 1969 - or. Fr.

The execution of letters rogatory for search or seizure of property shall be dependent on the conditions stipulated in paragraph 1.a, b. and c.

Period covered: 22/9/1959 -

The preceding statement concerns Article(s) : 5

Declaration made at the time of signature on 23 October 1959 and confirmed at the time of deposit of the instrument of ratification on 24 June 1969 - or. Fr.

Service of summons on an accused person who is in the territory of the Turkish Republic shall be effected by transmission to the proper Turkish authorities at least 40 days before the date set for appearance.

Period covered: 22/9/1969 -

The preceding statement concerns Article(s) : 7



Ukraine :

Reservation contained in the instrument of ratification deposited on 11 march 1998 - Or. Engl./Ukr.

Ukraine reserves the right not to comply with a request for assistance if

a. there are good grounds for believing that it is aimed at prosecuting, convicting or punishing a person because of his/her race, colour of skin, political, religious and other convictions, sex, ethnic and social origin, social status, place of residence, language and other indications;

b. compliance with the request is incompatible with the principle “non bis in idem” (“there shall not be two punishments for the same offence”);

c. the request concerns an offence that is the subject of investigation and judicial consideration in Ukraine.

Period covered: 9/6/1998 -

The preceding statement concerns Article(s) : 2

**Reservation contained in the instrument of ratification deposited on 11 march 1998 -
Or. Engl./Ukr.**

Ukraine will comply with judicial decisions concerning search and seizure of property on the condition foreseen by Article 5, paragraph 1, subparagraph c.

Period covered: 9/6/1998 -

The preceding statement concerns Article(s) : 5

**Declaration contained in the instrument of ratification deposited on 11 march 1998 -
Or. Engl./Ukr.**

Summons of the defendant who is on the territory of Ukraine shall be transmitted to the authorities concerned not later than 40 days before the date set for the appearance before the court.

Period covered: 9/6/1998 -

The preceding statement concerns Article(s) : 7

**Declaration contained in the instrument of ratification deposited on 11 march 1998 -
Or. Engl./Ukr.**

Requests and annexed documents shall be sent to Ukraine together with a translation into Ukrainian or into one of the official languages of the Council of Europe unless they are drawn up in those languages.

Period covered: 9/6/1998 -

The preceding statement concerns Article(s) : 16

**Declaration contained in the instrument of ratification deposited on 11 march 1998 -
Or. Engl./Ukr.**

For the purposes of the Convention, “judicial bodies” of Ukraine are courts of general, public prosecutors of all levels and bodies of pre-trial investigation.

[Note by the Secretariat: See also the [declaration](#) made by Ukraine to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 14 September 2011.]

Period covered: 9/6/1998 -

The preceding statement concerns Article(s) : 24

**Declaration contained in a letter from the Permanent Representative, dated 31 January 2000,
registered at the Secretariat General on 1 February 2000 - Or.Fr.**

The Ministry of Justice of Ukraine (in case of requests by courts) and the Prosecutor-General's Office of Ukraine (in case of letters rogatory by bodies of pre-trial investigation) shall be the authorities to

which reference is made in article 15, paragraph 1 of the Convention.

[Note by the Secretariat: See also the [declaration](#) made by Ukraine to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 14 September 2011.]

Period covered: 1/2/2000 -

The preceding statement concerns Article(s) : 15



United Kingdom :

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

In respect of Article 2, the Government of the United Kingdom of Great Britain and Northern Ireland reserves the right to refuse assistance if the person who is the subject of a request for assistance has been convicted or acquitted in the United Kingdom or in the third State of an offence which arises from the same conduct as that giving rise to proceedings in the requesting State in respect of that Person.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 2

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

In respect of Article 3, the Government of the United Kingdom of Great Britain and Northern Ireland reserves the right not to take the evidence of witnesses or require the production of records or other documents where its law recognises in relation thereto privilege, non-compellability or other exemption from giving evidence.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 3

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

In accordance with Article 5, paragraph 1, the Government of the United Kingdom of Great Britain and Northern Ireland reserves the right to make the execution of letters rogatory for search and seizure of property dependent on the following conditions:

- a. that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and the law of the United Kingdom; and
- b. that execution of the letters rogatory is consistent with the law of the United Kingdom.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 5

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

The Government of the United Kingdom of Great Britain and Northern Ireland is unable to grant requests made under Article 11, paragraph 2 for a person in custody to transit through its territory.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 11

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

The Government of the United Kingdom of Great Britain and Northern Ireland will only consider the granting of immunity under Article 12 where this is specifically requested by the person to whom the immunity would apply or by the appropriate authorities of the party from whom assistance is requested. A request for immunity will not be granted where the judicial authorities of the United Kingdom consider that granting it would not be in the public interest.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 12

Declaration handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl., and amended by a letter from the Permanent Representative of the United Kingdom, dated 24 May 2004, registered at the Secretariat General on 25 May 2004 - Or. Engl.

In respect of the Government of the United Kingdom of Great Britain and Northern Ireland, references to the "Ministry of Justice" for the purposes of Article 11, paragraph 2, Article 15, paragraphs 1, 3 and 6 and Article 21, paragraph 1 and Article 22 are to the Home Office (for England and Wales), the Crown Office (for Scotland) and the Northern Ireland Office (for Northern Ireland).

[Note by the Secretariat : See also the [declarations](#) made by the United Kingdom to Article 4 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 June 2010.]

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 15

Declaration handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

In accordance with Article 16, paragraph 2, the Government of the United Kingdom reserves the right to stipulate that requests and annexed documents shall be addressed to it accompanied by translations into English.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 16

Reservation handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl.

The Government of the United Kingdom reserves the right not to apply Article 21.

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 21

Declaration handed over at the time of the deposit of the instrument of ratification on 29 August 1991 - Or. Engl., amended last by a letter from the Permanent Representative of the United Kingdom, dated 22 March 2005, registered at the Secretariat General on 23 March 2005 - Or. Engl.- with an entry into force on 1 May 2005.

[Note by the Secretariat : See also the [declaration](#) made by the United Kingdom to Article 6 of the Second Additional Protocol to the Convention (ETS No. 182), on 30 June 2010.]

Period covered: 27/11/1991 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 15 March 2000, registered at the Secretariat General on 16 March 2000 - Or. Eng.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of this Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Italian Government has been secured by exchange of letters. Accordingly as concerns the Government of the United Kingdom and Italy, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 31 January 2000.

The consent of the Danish Government has been secured by exchange of letters. Accordingly as concerns the Government of the United Kingdom and Denmark, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 25 February 2000.

Period covered: 16/3/2000 -

The preceding statement concerns Article(s) : 25

Declarations contained in two letters from the Permanent Representative, dated 9 February 2001, registered at the Secretariat General on 13 February 2001 – Or. Engl.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of this Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Greek Government has been secured by exchange of letters. Accordingly as concerns the Government of the United Kingdom and Greece, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 22 January 2001.

The consent of the Luxembourg Government has been secured by exchange of letters. Accordingly as concerns the Government of the United Kingdom and Luxembourg, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 3 July 2000.

Period covered: 13/2/2001 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 10 May 2001, registered at the Secretariat General on 10 May 2001 - Or. Engl.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of this Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Spanish Government has been secured by exchange of letters. Accordingly as concerns the Government of the United Kingdom and Spain, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 5 February 2001.

Period covered: 10/5/2001 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 9 October 2001, registered at the Secretariat General on 10 October 2001 - Or. Engl.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of this Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Government of the Netherlands has been secured by exchange of letters. Accordingly as concerns the Governments of the United Kingdom and the Netherlands, the Convention now applies to the Isle of Man, Aruba and Netherlands Antilles. This extension of the

Convention came into force on 14 September 2001.

Period covered: 14/9/2001 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 26 September 2002, registered at the Secretariat General on 27 September 2002 – Or. Engl

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of the Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Portuguese Government has been secured by exchange of Letters. Accordingly, as concerns the Governments of the United Kingdom and Portugal, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 25th July 2002.

Period covered: 25/7/2002 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 26 September 2002, registered at the Secretariat General on 27 September 2002 - Or. Engl.

The Government of the United Kingdom proposes that, in accordance with Article 25, paragraph 5, of the Convention, the United Kingdom's ratification of the Convention be extended to the Bailiwick of Guernsey, being a territory for whose international relations the United Kingdom is responsible. (This extension would not apply to the Additional Protocol of 1978).

In order that the provisions of Article 25, paragraph 5, be fulfilled, the Government of the United Kingdom requests that the Secretariat General of the Council of Europe circulate this Note to all other Contracting Parties on the basis that in the absence of receipt of a Note of objection within 90 days of the date of such circulation, an arrangement to this effect for the purposes of Article 25, paragraph 5, will be deemed to have been made between the United Kingdom and each of the Contracting Parties.

[Notes by the Secretariat : This arrangement on territorial extension entered into force:

- between the United Kingdom and the Contracting Parties which have not notified objections (*Albania, Armenia, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, Israel*) : on 20 January 2003;

See the Communication made by the United Kingdom in this respect.

- between the United Kingdom and Austria : on 1 February 2004, following the withdrawal by Austria of its objection.

- between the United Kingdom and Ireland : on 11 February 2010, following the withdrawal by Ireland of its objection.]

Period covered: 20/1/2003 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 26 September 2002, registered at the Secretariat General on 27 September 2002 - Or. Engl.

For the purposes of Chapter V of the Convention, the judicial authority for the Bailiwick of Guernsey should be:

Address: HM Attorney General, St James' Chambers, St Peter Port, Guernsey GY1 2PA ;
Tel.: 44 (0) 1481.723355; Fax: 44 (0) 1481.725439 ;

Email: law@gov.gg ; Website: www.gov/gg/law

Period covered: 20/1/2003 -

The preceding statement concerns Article(s) : 24

Communication transmitted by the Permanent Representation of the United Kingdom, dated 29 January 2003, registered at the Secretariat General on 29 January 2003 – Or. Engl.

The United Kingdom has taken note of the objections of Austria and Ireland, which are based on grounds related to internal constitutional procedures. The United Kingdom hopes that the objections will be removed once these procedures have been completed.

Period covered: 29/1/2003 -

The preceding statement concerns Article(s) : 25

Declaration contained in a in a letter from the Permanent Representative of the United Kingdom, dated 22 April 2002, registered at the Secretariat General on 23 April 2002 – Or. Engl.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of the Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Swedish Government has been secured by exchange of letters. Accordingly, as concerns the Governments of the United Kingdom and Sweden, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 28 February 2002.

Period covered: 28/2/2002 -

The preceding statement concerns Article(s) : 25

Declaration contained in a in a letter from the Permanent Representative of the United Kingdom, dated 22 April 2002, registered at the Secretariat General on 23 April 2002 – Or. Engl.

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of the Convention to the Isle of Man, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of other States is required.

The consent of the Austrian Government has been secured by exchange of letters. Accordingly, as concerns the Governments of the United Kingdom and Austria, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 1 February 2002.

Period covered: 1/2/2002 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 6 March 2003, registered at the Secretariat General on 7 March 2003 - Or. Engl.

With reference to the declaration to Article 24 of the Convention made by the United Kingdom on 29 August 1991, the Government of the United Kingdom declares that, as the post of Assistant Secretary (Legal) no longer exists within Her Majesty's Customs and Excise, it wishes to substitute, for the reference in the said declaration to that post, a reference to "*The Solicitor of Her Majesty's Customs and Excise and any person within the Solicitor's Office authorised by him*".

Period covered: 7/3/2003 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 26 June 2003 registered at the Secretariat General on 27 June 2003 - Or. Engl.

The Government of the United Kingdom proposes that, in accordance with Article 25, paragraph 5, of the Convention, the United Kingdom's ratification of the Convention be extended to the Isle of Man,

being a territory for whose international relations the United Kingdom is responsible. (This extension would not apply to the Additional Protocol of 1978).

This extension has already been effected in respect of certain Contracting Parties by bilateral arrangement between those Contracting Parties and the United Kingdom. Those Contracting Parties are Austria, Portugal, Spain, Greece, Sweden, Italy, Luxembourg, The Netherlands and Denmark. This Note does not affect those extensions.

In order that the provisions of Article 25, paragraph 5, be fulfilled in respect of the remaining Contracting Parties, I request that you circulate this Note to them on the basis that in the absence of receipt of a Note of objection within 90 days of the date of such circulation, an arrangement to this effect for the purposes of Article 25, paragraph 5, will be deemed to have been made between the United Kingdom and each of the Contracting Parties.

[Notes by the Secretariat : This arrangement on territorial extension entered into force:

- between the United Kingdom and the Contracting Parties as of 27 June 2003 which have not notified objections (*Albania, Armenia, Azerbaijan, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Moldova, Norway, Poland, Romania, Russia, Serbia and Montenegro, Slovakia, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, Israel.*): **on 8 October 2003;**

- between the United Kingdom and Ireland, following the withdrawal by Ireland of its objection: **on 11 February 2010;**

- between the United Kingdom and the States which became Contracting Parties between 28 June 2003 and 31 December 2009 (*Andorra, Bosnia and Herzegovina, Monaco, San Marino*): **on 6 April 2010.]**

Period covered: 8/10/2003 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 26 June 2003 registered at the Secretariat General on 27 June 2003 - Or. Engl.

For the purposes of Chapter V of the Convention, the judicial authority for the Ile of Man should be:

Address: Office of the Attorney General, Victory House, Prospect Hill, Douglas, Isle of Man ;
Tel.: 44 (0) 1624.685.452;
Fax: 44 (0) 1624.629.162.

Period covered: 8/10/2003 -

The preceding statement concerns Article(s) : 24

Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 16 December 2003, registered at the Secretariat General on 19 December 2003 - Or. Engl.

The United Kingdom accepts the objection of Ireland, which it notes is based on grounds related to internal constitutional procedures. The United Kingdom hopes that the objection will be removed once these procedures have been completed.

Period covered: 19/12/2003 -

The preceding statement concerns Article(s) : 25

Declaration contained in a letter from the Permanent Representative of the United Kingdom, date 27 June 2008, registered at the Secretariat General on 27 June 2008 – Or. Engl.

The Government of the United Kingdom proposes that, in accordance with Article 25, paragraph 5, of the Convention and Article 7, paragraph 2, of the Protocol thereto, the United Kingdom's ratification of

the Convention and Additional Protocol be extended to the Bailiwick of Jersey, being a territory for whose international relations the United Kingdom is responsible.

The reservations made by the Government of the United Kingdom of Great Britain and Northern Ireland upon ratification with respect to Articles 2, 3, 5(1), 11(2), 12 and 21 of the Convention and Article 8(2) (with respect to Chapters II and III) of the Additional Protocol, will apply in respect to the Island of Jersey. I further have the honour to make the additional declarations on behalf of the Bailiwick of Jersey :

In respect of the Island of Jersey, the Government of the United Kingdom of Great Britain and Northern Ireland requests that references to the "Ministry of Justice" for the purposes of Article 11, paragraph 2, Article 15, paragraphs 1, 3 and 6, Article 21, paragraph 1, and Article 22 are to Her Majesty's Attorney General for Jersey.

In accordance with Article 16, paragraph 2, the Government of the United Kingdom of Great Britain and Northern Ireland reserves on behalf of the Island of Jersey the right to stipulate that requests and annexed documents shall be addressed to it accompanied by translations into English.

On behalf of the Island of Jersey, the Government of the United Kingdom of Great Britain and Northern Ireland notes that the small jurisdiction of Jersey receives a disproportionately higher number of requests for mutual assistance than it makes. In the circumstances, on behalf of the Island of Jersey, the Government of the United Kingdom of Great Britain and Northern Ireland expresses the wish that requesting parties be prepared to consider a refund of reasonable expenses outside the scope of what is set out in Article 20. On behalf of the Island of Jersey, the Government of the United Kingdom of Great Britain and Northern Ireland stipulates that a lack of agreement on the refunding of expenses will not affect the commitment of the Island of Jersey to the obligations contained in the Convention.

In accordance with Article 24 for the purposes of the Convention, the Government of the United Kingdom of Great Britain and Northern Ireland deems the following to be judicial authorities in the Island of Jersey :

the Magistrate's Court and the Royal Court
Her Majesty's Attorney General for Jersey

In order that the provisions of Article 25, paragraph 5, of the Convention be fulfilled, I request that you circulate this Note to all other Contracting Parties on the basis that in the absence of receipt of a Note of objection within 90 days of the date of such circulation, an arrangement to this effect for the purposes of Article 25, paragraph 5, will be deemed to have been made between the United Kingdom and each of the Contracting Parties.

[Note by the Secretariat: An [Objection has been formulated by Spain](#), and a [declaration by Italy](#). This Arrangement on territorial extension entered into force between the United Kingdom and the Contracting Parties which have not notified objections (*Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, Serbia, Slovakia, Slovenia, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, Israel*) on 2 October 2008.]

Period covered: 2/10/2008 -

The preceding statement concerns Article(s) : 11, 12, 15, 16, 2, 20, 21, 24, 25, 3, 5

Source : Treaty Office on <http://conventions.coe.int>