

Chile - Mutual Legal Assistance on Criminal Matters

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MLA ESTADISTICS

CHILE-EUROPEAN COUNTRIES

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Country	Drug Trafficking	Money/Asset Laundering	Human Trafficking	Illegal Trafficking of Migrants	Arm Trafficking
Germany	4	4	1	0	0
Belgium	5	0	0	0	0
Spain	23	3	3	0	0
France	4	3	0	0	0
Italy	4	0	0	0	0
Netherlands	10	2	0	0	0
Poland	1	0	0	0	0
Portugal	2	0	0	0	0
Rumania	3	0	0	0	0

* Information provided by the Public Prosecutor's Office (UCIEX).

LEGAL FRAMEWORK FOR MLA REQUESTS

- **MULTILATERAL CONVENTIONS**
 - EUROPEAN CONVENTION OF 1959 AND ADICIONAL PROTOCOLS
 - UNCAC
 - UNTOC
 - VIENA CONVENTION OF 1988

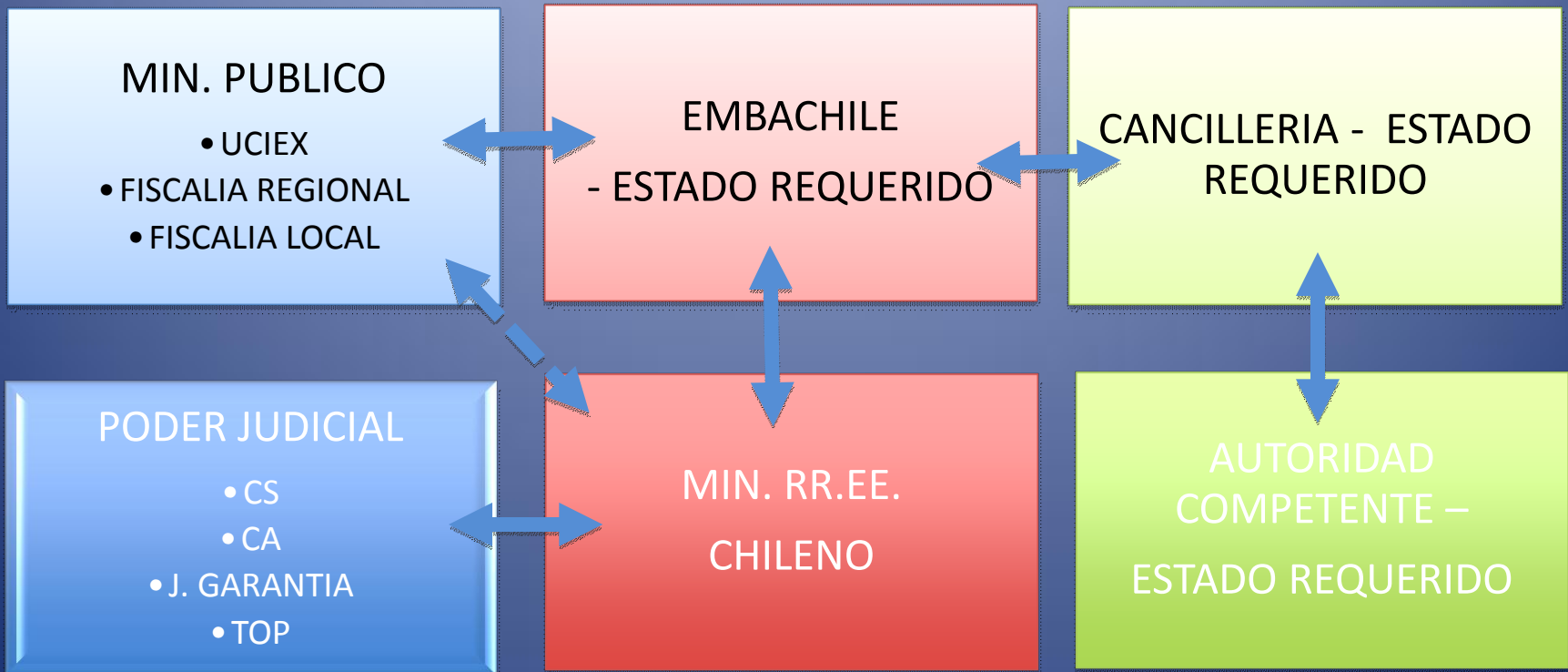
- **BILATERAL TREATIES:**
 - SPAIN - 14.04.1992
 - ITALIA - 27.02.2000

LEGAL FRAMEWORK FOR MLA REQUESTS

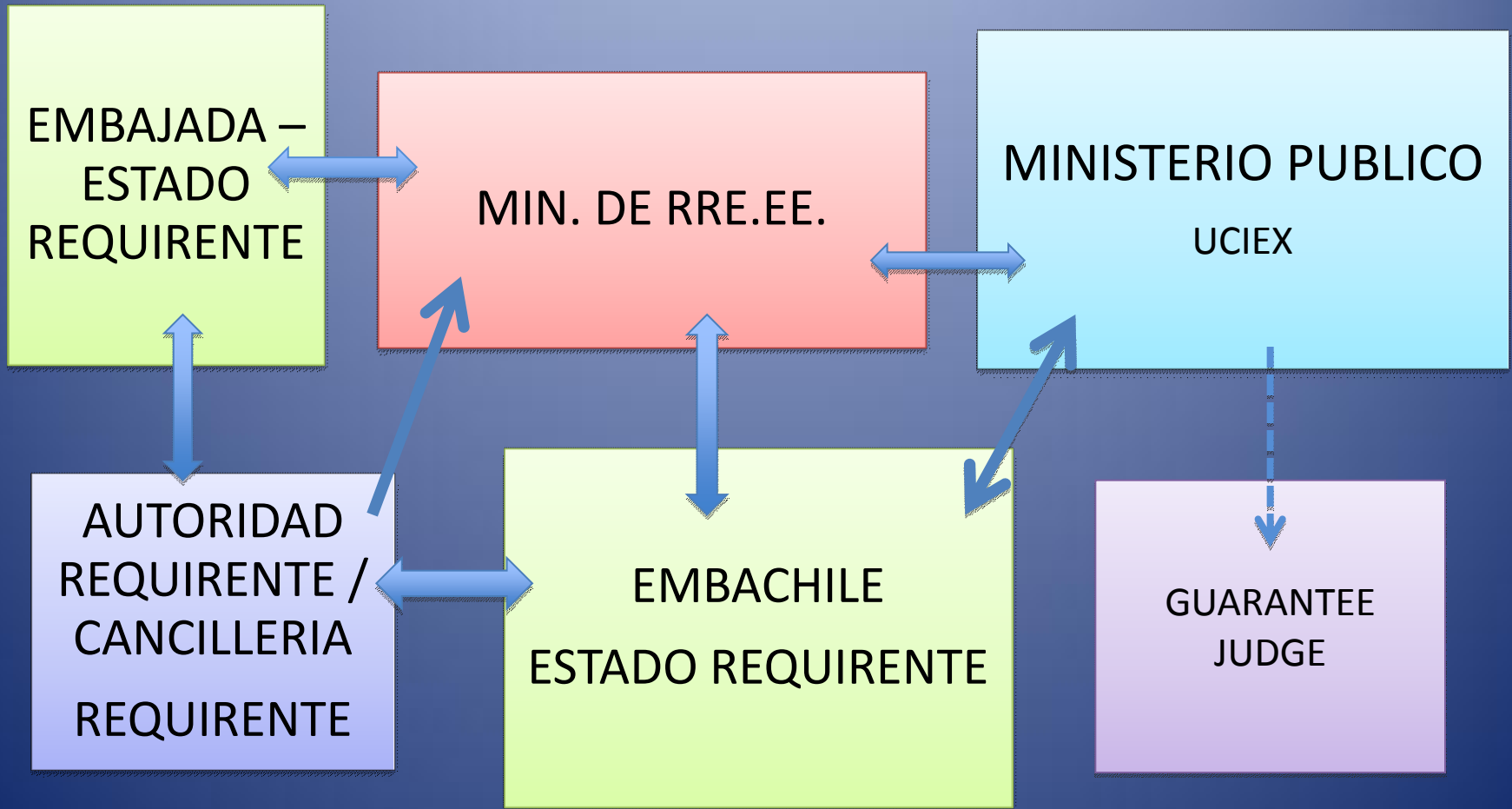
NATIONAL LAW:

- ART. 20 BIS - CRIMINAL PROCESS CODE (CRIMINAL PROCEDURE REFORM)
 - Requests for legal assistance from the relevant authorities of a foreign country will be carried out by the Public Prosecutor's Office, which will sought the Guarantee Judge authorisation when necessary according to Chilean law.
 - ART.9: Guarantee's Judge authorization is required always when inquiries may affect (deprive, restrict or disturb) the rights of the accused or of a third party.
- ART. 76 CIVIL PROCEDURE CODE

MLA FLOW CHART - REQUESTING STATE



MLA FLOW CHART - REQUESTED STATE



CHILE - DECLARATIONS

1959 STRASBOURG CONV. AND ADDITIONAL

PROTOCOLS

- **AUTHORITIES**

- MINISTRY OF FOREIGN AFFAIRS: TRANSMITTING AND RECEIVING REQUESTS (CENTRAL AUTHORITY)
- MINISTRY OF JUSTICE: TRANSMISSION OF EXTRACTS AND INFORMATION ON COURT FILES, REQUESTS FOR COPIES EN CONVICTIONS AND MEASURES
- PUBLIC PROSECUTOR'S OFFICE:
 - COORDINATION OF REQUESTS FOR CONTROLLED DELIVERIES AND COVERT INVESTIGATIONS
 - URGENT REQUESTS MAY BE TRANSMITTED TO THE INTERNATIONAL COOPERATION AND EXTRADITIONS UNIT - UCIEX
 - UCIEX@MINPUBLICO.CL
- JUDICIAL AUTHORITIES: COURTS OF THE CHILEAN JUDICIARY

CHILE - DECLARATIONS

SPECIFIC ASSISTANCE

- LANGUAGE/ TRANSLATIONS
 - TRANSLATION INTO SPANISH OF REQUESTS IS REQUIRED
 - TRANSLATION OF ANNEXES MAY BE REQUIRED
- VC:
 - DOESN'T APPLY FOR DEPOSITION OF ACCUSED OR SUSPECT
- REQUESTS FOR SEARCH AND SEIZURE:
 - ONLY IF CONSISTENT WITH CHILEAN LAW
- TEMPORARY TRANSFER OF DETAINED PERSONS:
 - ONLY WITH CONSENT OF THE CONCERNED PERSON

CHILE - DECLARATIONS SPECIFIC ASSISTANCE

- REQUESTS FOR SUMMONS:

- AT LEAST, 50 DAYS IN ADVANCE

- JOINT INVESTIGATION TEAMS:

- CHILE RESERVED THE RIGHT TO ACCEPT SUCH REQUESTS

- SERVICE BY POST / CROSS-BORDER OBSERVATIONS:

- NONE OF THEM ARE PERMITTED

- COVERT INVESTIGATIONS AND CONTROLLED DELIVERIES:

- ONLY IN CASES CHILEAN LAW ALLOWS THEM (Ex. Law Num. 20.000, on Illegal Drug Trafficking)

Thank you.