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EUROPEAN COMMITTEE ON CRIME PROBLEMS

(CDPC)

COMMITTEE OF EXPERTS

ON THE OPERATION OF EUROPEAN CONVENTIONS

ON CO-OPERATION IN CRIMINAL MATTERS

(PC-OC)

Catalogue of reservations to Council of Europe treaties within the remit of the PC-OC and of relevance to the fight against transnational organised crime

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Introduction

During its 70th plenary meeting, the PC-OC discussed the Implementation of the Action Plan on Transnational Organised Crime on the basis of the draft work plan developed by the Co-ordinator of the Action Plan, Ms Fabienne Schaller (France), and the Chair of the PC-OC (Doc PC-OC(2016)02) and decided to ask the PC-OC Mod to:

- prepare an overview of existing reservations to Council of Europe treaties within the remit of the PC-OC and make a proposal to the plenary about possible follow up;

The proposal contained in the work plan reads as follows:

“B) IMPROVING LEGAL AND PRACTICAL STANDARDISATION

A4) Establish a mechanism to address judicial co-operation problems

B1) Review provisions on international co-operation in CoE conventions and relevant reservations/declarations to them/these conventions

The drafting of a document identifying all reservations/declarations to conventions in respect of international co-operation is a first priority (catalogue). Discussions with the Chairs of the PC-OC, the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Conference of the Parties of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No.198) should be foreseen in order to include this item among their committees' priorities.

PC-OC may begin in 2016 and finish in 2017

On the basis of the above exercise, make a proposal for follow-up to the CDPC “

The proposal in the work plan is based on the following extract from the Action Plan on Transnational Organised Crime adopted by the Committee of Ministers on 3 March 2016:

« b) **Improving legal and practical standardisation**

Action 1: Review provisions on international co-operation in Council of Europe conventions and relevant reservations/declarations to them/these conventions

This action shall be based upon the data collected by the PC-OC and other relevant committees such as GRETA and COP198, in its continuous assessment on the implementation of Conventions. The PC-OC has stated that the implementation and reasons for non-ratification by some member States of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182) may merit further assessment. Beyond the non-ratification of conventions, the reservations to conventions ratified, shall also be reviewed.

The political action towards underlining the importance of signing and ratifying the MLA instruments, as well as eliminating outdated reservations is to be taken by the Council of Europe, in particular by involving its Parliamentary Assembly with the national delegations promoting the support for the signature/ratification of the conventions and the deletion of reservations that hinder effective international co-operation in criminal matters.»

I: Extradition

1.1 European Convention on Extradition (ETS 024)

Article 1 – Obligation to extradite

The Contracting Parties undertake to surrender to each other, subject to the provisions and conditions laid down in this Convention, all persons against whom the competent authorities of the requesting Party are proceeding for an offence or who are wanted by the said authorities for the carrying out of a sentence or detention order.

Andorra	<p>The Constitution of the Principality of Andorra prohibits special courts in its Article 85, paragraph 2., Extradition shall therefore not be granted in cases if the person sought would be tried in the requesting State by a special court or if extradition is requested for the enforcement of a sentence or detention order imposed by such a court.</p> <p>In the same way, and pursuant to Article 14, paragraphs 12, 13, 14 and 15 of the Law "qualificada" of the Principality of Andorra [<i>Law which, to be passed, requires a higher majority than other laws</i>], extradition shall not be granted :</p> <ul style="list-style-type: none">a. when the sentence is based on a manifest error;b. when extradition is likely to have consequences of an exceptional gravity for the person sought, particularly by reason of his or her age or state of health;c. when the person sought would be tried in the requesting State by a tribunal which does not assure the fundamental procedural guarantees and the protection of the rights of the defence or by a tribunal created for that person's particular case, as the only person concerned or not.	<p>Dated from 13 October 2000, Period covered: 11/01/2001 -</p>
Armenia	<p>In respect of Article 1 of the Convention, the Republic of Armenia reserves the right to refuse to grant extradition:</p> <ul style="list-style-type: none">a. if the person to be extradited will be brought before an extraordinary court or in respect of the person who is to serve a sentence passed by such a court;b. if there are sufficient grounds to suppose that in result of the person's state of health and age her/his extradition will be injurious to her/his health or threaten her/his life;c. if political asylum is granted in the Republic of Armenia to the person, whose extradition is requested.	<p>Dated from 25 January 2002, Period covered: 25/04/2002 -</p>
Austria	<p>Austria will not grant extradition if the person claimed is to be brought before a special court or if the extradition should lead to the execution of a sentence or a detention order inflicted by such a court.</p>	<p>Dated from 21 May 1969, Period covered: 19/08/1969 -</p>

Azerbaijan	<p>The Republic of Azerbaijan reserves the right not to grant extradition on humanitarian grounds taking into consideration the age or state of health of the person sought.</p> <p>The Republic of Azerbaijan will refuse the extradition if there are sufficient grounds for supposing that the extradition would affect the sovereignty or national security of the Republic of Azerbaijan.</p> <p>The Republic of Azerbaijan will refuse to grant extradition if there are sufficient grounds for supposing that the person requested for extradition will be exposed to torture or other cruel, inhuman or degrading treatment or punishment in the requesting State.</p> <p>The Republic of Azerbaijan will not grant extradition if there are sufficient grounds for supposing that the person requested for the extradition will be persecuted for reasons of race, nationality, language, religion, citizenship or political opinion.</p>	<p>Dated from 28 June 2002, Period covered: 26/09/2002 -</p>
Belgium	<p>Extradition will not be granted when the surrender might have consequences of an exceptional gravity for the person claimed, in particular on account of his or her age or health. (Declaration)</p>	<p>Dated from 3 June 1997, Period covered: 27/11/1997 -</p>
Bulgaria	<p>Extradition may be refused if the person proceeded against is to be tried by a special court in the requesting state or if a sentence delivered by such a court will be executed against that person.</p>	<p>Dated from 30 September 1993, Period covered: 15/09/1994 -</p>
Denmark	<p>Extradition may be granted on condition that the person charged with an offence shall not be proceeded against before a special court. Extradition may be refused if its object is the execution of a sentence pronounced by such a court.</p> <p>Extradition may be refused if it is liable to have particularly serious consequences for the person claimed on account of his age, state of health or other personal reasons.</p>	<p>Dated from 13 September 1962, Period covered: 12/12/1962 -</p> <p>Dated from 13 September 1962, Period covered: 12/12/1962 -</p>
Finland	<p>Finland reserves the right, when granting extradition, to stipulate that the extradited person shall not be prosecuted for the offence in question in a court which is only provisionally, or under exceptional circumstances, empowered to deal with such offences. Extradition requested for the execution of a sentence rendered by such special court may be refused.</p>	<p>Dated from 12 May 1971, Period covered: 10/08/1971 -</p>

Finland reserves the right to refuse extradition, if extradition on account of the age, the state of health or any other condition affecting the individual in question or on account of special conditions would be unreasonable for human reasons.

France

Extradition shall not be granted if the person sought would be tried in the requesting State by a tribunal which does not assure the fundamental procedural guarantees and the protection of the rights of the defence or by a tribunal created for that person's particular case or if extradition is requested for the enforcement of a sentence or detention order imposed by such a tribunal.

Dated from 10 February 1986, Period covered: 11/05/1986 -

Extradition may be refused if surrender is likely to have consequences of an exceptional gravity for the person sought, particularly by reason of his age or state of health.

Georgia

Extradition shall be granted only under the condition that any person, national, stateless person or alien suspected of having committed a crime will not be tried in a special court of the requesting Party or that his or her extradition is not requested to carry out a sentence or detention order issued by such court. Georgia reserves the right to refuse the extradition of any person on humanitarian grounds, if the extradition would adversely affect the state of this person. Georgia declares that it will not grant the extradition of any person in respect of offences punishable by death under the law of the requesting Party.

Dated from 15 June 2001, Period covered: 13/09/2001 -

Hungary

Hungary will not grant extradition if the person sought is to be brought before a special court or if the extradition should lead to the enforcement of a sentence or detention order inflicted by such a court.

Dated from 13 July 1993, Period covered: 11/10/1993 -

Hungary reserves the right to refuse extradition on humanitarian grounds if it would cause particular hardship to the person claimed, for example, because of his youth, advanced age or state of health, or any other condition affecting the individual in question, having regard also to the nature of the offence and the interests of the requesting State.

Iceland

When granting extradition, Iceland reserves the right to stipulate that the extradited person may not be summoned to appear before a provisional court or a court empowered under exceptional circumstances to deal with such offences, as well as the right to refuse extradition for the execution of a sentence rendered by such special court.

Dated from 20 June 1984, Period covered: 18/09/1984 -

Extradition may be refused if it is liable to have particularly serious consequences for the person claimed on account of his age, state of health or other personal circumstances.

Liechtenstein

Extradition is on principle granted by the Principality of Liechtenstein only on the condition that the person against

Dated from 28 October 1969,

	whom proceedings are being taken for an offence be tried by the ordinary courts of the requesting State. It therefore reserves the right to grant extradition only on condition that the requesting State gives adequate assurances in that respect.	Period covered: 26/01/1970 –
Lithuania	Extradition shall be granted only under the condition that any person suspected of having committed a crime will be not tried in a special court of the requesting Party. The Republic of Lithuania reserves the right not to grant extradition if the said person, on the grounds of his/her health, age or personal motivation, would be adversely affected by this extradition	Dated from 20 June 1995, Period covered: 18/09/1995 –
Luxembourg	The Government of the Grand Duchy of Luxembourg reserves the right not to grant extradition requested for the purpose of executing a judgment pronounced by default against which no remedy remains open, if such extradition might have the effect of subjecting the person claimed to a penalty without his having been enabled to exercise the rights of defence prescribed in Article 6.3.c. of the Convention for the Protection of Human Rights and Fundamental Freedoms. The Government of the Grand Duchy of Luxembourg reserves the right to refuse extradition on humanitarian grounds if it would cause particular hardship to the person claimed, for example, because of his youth, advanced age or state of health.	Dated from 16 November 1976, Period covered: 16/02/1977 –
Malta	Malta reserves the right to grant a request for the extradition of a person accused of an offence only where the court of committal is satisfied, after hearing any evidence tendered in support of the request for the return of that person or on behalf of that person, that the evidence would be sufficient to warrant his trial for that offence if it had been committed within the jurisdiction of the Courts of Criminal Justice of Malta. A person convicted of an offence in his absence shall be treated as a person accused of that offence. Malta reserves the right, when granting extradition, to stipulate that the extradited person shall not be prosecuted for the offence in question in a court which is only provisionally, or under exceptional circumstances, empowered to deal with such offences. Extradition requested for the execution of a sentence rendered by such special court may be refused. Malta reserves the right to apply the Convention in accordance with Section 20 of Chapter 276 of the laws of Malta (The Extradition Act, 1978) which section reads as follows:	Dated from 19 March 1996, Period covered: 17/06/1996 –

"On an appeal made to the Court of Criminal Appeal or an application for redress to the Constitutional Court under Section 46 of the Constitution of Malta, either of the said Courts may, without prejudice to any other jurisdiction, order the person committed to be discharged from custody if it appears to such Court that,

a) by reason of the trivial nature of the offence of which he is accused or was convicted; or

b) by reason of the passage of time since he is alleged to have committed it or to have become unlawfully at large, as the case may be; or

c) because the accusation against him is not made in good faith in the interests of justice, it would, having regard to all circumstances, be unjust or oppressive to return him."

Moldova	The Republic of Moldova will refuse to grant extradition in cases where the person claimed is to be tried on the territory of the requesting Party by a special court (set up for a specific case) or where extradition is requested in order to carry out a sentence or detention order handed down by such a court.	Dated from 2 October 1997, Period covered: 31/12/1997 –
Netherlands	<p>The Netherlands Government reserves the right not to grant extradition requested for the purpose of executing a judgment pronounced by default against which no remedy remains open, if such extradition might have the effect of subjecting the person claimed to a penalty without his having been enabled to exercise the rights of defence prescribed in Article 6(3)c. of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950.</p> <p>The Netherlands Government reserves the right to refuse extradition on humanitarian grounds if it would cause particular hardship to the person claimed, for example, because of his youth, advanced age or state of health.</p>	Dated from 14 February 1969, Period covered: 15/05/1969 –
Norway	Extradition may be refused on humanitarian grounds if surrender is likely to have consequences of an exceptional gravity for the person claimed, particularly by reason of his age, state of health or other personal circumstances.	Dated from 13 December 1957, Period covered: 18/04/1960 –
Portugal	<p>Portugal shall not grant the extradition of persons who are to be tried by a special court or who are to serve a sentence passed by such a court.</p> <p>Portugal shall not grant the extradition of persons who it has been proved will be subjected to a trial which affords no legal guarantees of criminal proceedings complying with the conditions internationally recognised as essential to the protection of human rights, or will serve their sentences in inhuman conditions.</p>	Dated from 12 February 1990, Period covered: 25/04/1990 –

Portugal shall not grant the extradition of persons who are being demanded in connection with an offence punishable by a life-long sentence or detention order.

Russia	<p>In accordance with Article 1 of the Convention the Russian Federation shall reserve the right to refuse extradition:</p> <p>a. if extradition is requested for the purpose of bringing to responsibility before an <i>ad hoc</i> tribunal or by summary proceedings or for the purposes of carrying out a sentence rendered by an <i>ad hoc</i> tribunal or by summary proceedings when there are grounds for supposing that in the course of these proceedings the person will not be or was not provided with minimum guarantees set forth in Article 14 of the International Covenant on Civil and Political Rights and Articles 2, 3 and 4 of Protocol 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms. The terms «<i>ad hoc</i> tribunal» and « summary proceedings » do not include any international criminal court with authorities and jurisdiction recognised by the Russian Federation;</p> <p>b. if there are grounds for supposing that the person requested for extradition in the requesting State was or will be exposed to torture or other cruel, inhuman or degrading treatment or punishment in the course of the criminal proceedings, or the person was not or will not be provided with minimum guarantees set forth in Article 14 of the International Covenant on Civil and Political Rights and Articles 2, 3 and 4 of Protocol 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms;</p> <p>c. based on the considerations of humanity, when there are grounds for supposing that the extradition of the person can seriously affect him due to his old age or state of health.</p>	<p>Dated from 10 December 1999, Period covered: 09/03/2000 –</p>
San Marino	<p>Concerning Article 1 of the Convention, the Republic of San Marino shall not grant extradition of persons:</p> <p>a. who are tried by a special court or who are to serve a sentence passed by such court;</p> <p>b. who will be subjected to a trial which affords no legal guarantees of criminal proceedings complying with the conditions internationally recognized as essential for the protection of human rights, or will serve their sentences in inhuman conditions.</p>	<p>Dated from 18 March 2009, Period covered: 16/06/2009 –</p>
Spain	<p>The person claimed may not be brought to trial before a special court in the territory of the requesting State. Extradition shall not be granted for this purpose nor for the enforcement of a sentence or detention order imposed by courts of this nature.</p>	<p>Dated from 7 May 1982, Period covered: 05/08/1982 –</p>
Sweden	<p>Sweden reserves the right, when granting extradition, to</p>	<p>Dated from 22</p>

stipulate that the extradited person may not be summoned to appear before a court which is only provisionally, or under exceptional circumstances, empowered to deal with such offences, as well as the right to refuse extradition for the execution of a sentence rendered by such special court.

January 1959,
Period covered:
18/04/1960 –

Sweden reserves the right to refuse extradition in special cases, if that measure is manifestly incompatible with its humanitarian obligations, on account of the age, the state of health or any other condition affecting the individual in question, having regard also to the nature of the offence and the interests of the requesting State.

Switzerland

The Swiss Federal Council declares that extradition by Switzerland is in all cases subject to the condition that the person claimed is not brought before an extraordinary court (tribunal d'exception). It therefore reserves the right to refuse extradition:

Dated from 20
December 1966,
Period covered:
20/03/1967 –

a. if there is a possibility that the person claimed, if extradited, will be brought before an extraordinary court (tribunal d'exception) and if the requesting State does not give assurances deemed sufficient, that the judgment will be passed by a court which is generally empowered under the rules of judicial administration to pronounce on criminal matters;

b. if extradition is requested for the purpose of carrying out a sentence passed by an extraordinary court (tribunal d'exception).

The former Yugoslav Republic of Macedonia

The Republic of Macedonia shall not agree to surrender the person claimed, if this person is charged by an extraordinary court, or in cases where the surrender is requested for the purposes of executing a sentence, safety measure or correctional measure that was passed by such a court.

Dated from 28
July 1999, Period covered:
26/10/1999 –

Ukraine

Ukraine reserves the right to refuse extradition if the person whose extradition is requested cannot, on account of his/her state of health, be extradited without damage to his/her health.

Dated from
11 March 1998,
Period covered:
09/06/1998 –

United Kingdom

The United Kingdom reserves the right to refuse to grant extradition which is requested pursuant to or for the purpose of executing a conviction or sentence pronounced against the person concerned in his absence from proceedings in respect of which the conviction or sentence was pronounced.

Dated from 13
February 1991,
Period covered:
14/05/1991 –

Article 2 – Extraditable offences

1. Extradition shall be granted in respect of offences punishable under the laws of the requesting Party and of the requested Party by deprivation of liberty or under a detention order for a maximum period of at least one year or by a more severe penalty. Where a conviction and prison sentence have occurred or a

detention order has been made in the territory of the requesting Party, the punishment awarded must have been for a period of at least four months.

2. If the request for extradition includes several separate offences each of which is punishable under the laws of the requesting Party and the requested Party by deprivation of liberty or under a detention order, but of which some do not fulfil the condition with regard to the amount of punishment which may be awarded, the requested Party shall also have the right to grant extradition for the latter offences.

3. Any Contracting Party whose law does not allow extradition for certain of the offences referred to in paragraph 1 of this article may, in so far as it is concerned, exclude such offences from the application of this Convention.

4. Any Contracting Party which wishes to avail itself of the right provided for in paragraph 3 of this article shall, at the time of deposit of its instrument of ratification or accession, transmit to the Secretary General of the Council of Europe either a list of the offences for which extradition is allowed or a list of those for which it is excluded and shall at the same time indicate the legal provisions which allow or exclude extradition. The Secretary General of the Council shall forward these lists to the other signatories.

5. If extradition is subsequently excluded in respect of other offences by the law of a Contracting Party, that Party shall notify the Secretary General. The Secretary General shall inform the other signatories. Such notification shall not take effect until three months from the date of its receipt by the Secretary General.

6. Any Party which avails itself of the right provided for in paragraphs 4 or 5 of this article may at any time apply this Convention to offences which have been excluded from it. It shall inform the Secretary General of the Council of such changes, and the Secretary General shall inform the other signatories.

7. Any Party may apply reciprocity in respect of any offences excluded from the application of the Convention under this article.

Armenia	The Republic of Armenia declares that the extradition for the serving of a sentence, provided in Article 2, paragraph 1 of the Convention, will be granted if the person, whose extradition is requested, has been convicted for a period of at least six months or a more severe penalty	Dated from 25 January 2002, Period covered: 25/04/2002 -
France	Concerning persons prosecuted, extradition shall only be granted in respect of offences which, under French law and under the law of the requesting State, are punishable by deprivation of liberty or by a detention order for a maximum period of at least two years. With regard to punishments which are more severe than deprivation of liberty or detention orders, extradition may be refused if these punishments or detention orders are not provided for in the scale of punishments applicable in France.	Dated from 10 February 1986, Period covered: 11/05/1986 –
Iceland	Iceland can grant extradition in respect of an offence, or corresponding offence, which under Icelandic law is punishable, or would have been punishable, with imprisonment for more than one year.	Dated from 20 June 1984, Period covered: 18/09/1984 –
Korea	In respect of Article 2 of the Convention, the Republic of Korea reserves the right to refuse the extradition of a	Dated from 29 September 2011,

	person sought for the enforcement of a detention order if the detention order system of the requesting Party is incompatible with the purpose, requirements, period, effect, etc. of the detention order stipulated in the law of the Republic of Korea.	Period covered: 29/12/2011 -
Norway	Under the terms of the Norwegian Act No. 39 of 13 June 1975, relating to the Extradition of Offenders etc., paragraph 3, Norway is in a position to grant extradition only in respect of an offence, or a corresponding offence, which under Norwegian law is punishable, or would have been punishable with imprisonment for more than one year.	Dated from 17 January 1977, Period covered: 18/04/1960 –
Portugal	Portugal shall grant extradition only for offences punishable by deprivation of liberty for more than one year.	Dated from 12 February 1990, Period covered: 25/04/1990 –
San Marino	Concerning Article 2 of the Convention, the Republic of San Marino shall authorize transit through its own territory only in respect of persons for whom extradition would be granted.	Dated from 18 March 2009, Period covered: 16/06/2009 –
South Africa	For the purposes of Article 2 of the Convention, the Republic of South Africa shall not extradite any person unless the punishment awarded for a conviction in respect of which he or she is being sought, is a sentence of imprisonment of at least six months.	Dated from 26 May 2003, Period covered: 13/05/2003 –
Ukraine	Ukraine shall grant extradition only for offences which are punishable by imprisonment for a maximum period of not less than one year or by a more severe penalty.	Dated from 11 March 1998, Period covered: 09/06/1998 –
United Kingdom	<p>The United Kingdom may decide to grant extradition in respect of any offences which under the law of the requesting State and the law of the United Kingdom are punishable by a sentence of imprisonment for a term of 12 months or any greater punishment, whether or not such a sentence has in fact been imposed.</p> <p>The United Kingdom reserves the right to refuse extradition if it appears, in relation to the offence or each of the offences in respect of which a person's return is sought that by reason of its trivial nature, or because the accusation is not made in good faith in the interests of justice, it would in all the circumstances be unjust or oppressive to return him.</p>	

Article 3 – Political Offences

1 Extradition shall not be granted if the offence in respect of which it is requested is regarded by the requested Party as a political offence or as an offence connected with a political offence.

2 The same rule shall apply if the requested Party has substantial grounds for believing that a request for extradition for an ordinary criminal offence has been made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality or political opinion, or that that person's position may

be prejudiced for any of these reasons.

3 The taking or attempted taking of the life of a Head of State or a member of his family shall not be deemed to be a political offence for the purposes of this Convention.

4 This article shall not affect any obligations which the Contracting Parties may have undertaken or may undertake under any other international convention of a multilateral character.

Armenia	As the legislation of the Republic of Armenia does not define the notion of "political offence" or that of "offence connected with a political offence", the Republic of Armenia, being requested for extradition on such grounds, will grant extradition if the offence mentioned in the request is considered as such under its ordinary criminal law or under the International Treaties in force in the Republic of Armenia. (Declaration)	Dated from 25 January 2002, Period covered: 25/04/2002 -
Denmark	A decision as to whether, in a given instance, the taking or attempted taking of the life of a Head of State or a member of his family is to be deemed a political offence shall be made after consideration of the facts of the case.	Dated from 13 September 1962, Period covered: 12/12/1962 -
Finland	Finland reserves the right to regard the offence mentioned in paragraph 3 of this Article 3 as a political offence, if such offence has been committed in open fight.	Dated from 12 May 1971, Period covered: 10/08/1971 -
France	France reserves the right, in the light of the individual circumstances of each case, to appreciate if the taking or attempted taking of the life of a Head of State or a member of his family is to be deemed or not a political offence.	Dated from 10 February 1986, Period covered: 11/05/1986 -
Iceland	Iceland reserves the right, in light of individual circumstances, to consider the offence described in paragraph 3 of Article 3 as a political offence.	Dated from 20 June 1984, Period covered: 18/09/1984 -
Israel	Israel will not grant extradition of a person charged with an offence unless it is proved in a court in Israel that there is evidence which would be sufficient for committing him to trial for such an offence in Israel.	Dated from 27 September 1967, Period covered: 26/12/1967 -
Lithuania	The Republic of Lithuania reserves its right referred to in Article 3 of the Convention to decide in each particular case whether acts referred to in Article 3, paragraph 3, of the Convention are regarded as being a political offence.	Dated from 20 June 1995, Period covered: 18/09/1995 -
Malta	Malta reserves the right to apply paragraph 3 of this Article in accordance with Section 10 (5) of the Extradition Act which reads as follows: "For the purposes of this section, an offence against the life or person of a Head of State, or any related offence described in subsection (3) of Section 5 of this Act, shall not necessarily be deemed to be an offence of a political character."	Dated from 19 March 1996, Period covered: 17/06/1996 -

Moldova	<p>The Republic of Moldova reserves the right, where circumstances so dictate, to determine whether the taking or attempted taking of the life of a Head of State or a member of his or her family shall or shall not constitute a political offence.</p>	<p>Dated from 2 October 1997, Period covered: 31/12/1997 –</p>
Norway	<p>Norway reserves the right, in the light of individual circumstances, to consider the offence described in paragraph 3 of Article 3 as a political offence.</p>	<p>Dated from 17 January 1977, Period covered: 18/04/1960 -</p>
Russia	<p>In accordance with paragraphs 3 and 4 of Article 2 of the Convention, the Russian Federation shall reserve the right not to extradite the persons whose extradition can affect its sovereignty, security, public order or other essential interests. Offences that may not lead to extradition shall be stated by the federal law.</p> <p>The Russian Federation proceeds from the understanding that the provisions of Article 3 of the Convention should be so applied as to ensure inevitable responsibility for offences under the provisions of the Convention. The Russian Federation proceeds from the understanding that legislation of the Russian Federation does not provide for the notion « political offences ». In all cases when deciding on extradition the Russian Federation will not consider as « political offences » or « offences connected with political offences » along with offences, specified in Article 1 of the 1975 Additional Protocol to the 1957 European Convention on Extradition, in particular, the following acts :</p> <ul style="list-style-type: none">a. the crimes against humanity specified in Articles II and III of the International Convention on the Suppression and Punishment of the Crime of Apartheid (1973) and in Articles 1 and 4 of Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) ;b. the crimes specified in Article 85 of Additional Protocol I to the Geneva Conventions of August 12, 1949 relating to the Protection of Victims of International Armed Conflicts (1977), and in Articles 1 and 4 of Additional Protocol II to the Geneva Conventions of August 12, 1949 relating to the Protection of Victims of Non-International Armed Conflicts (1977) ;c. the offences specified 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) and the Protocol for the Suppression of Unlawful Acts of Violence in Airports Serving International Civil Aviation (1988) supplementary to the above-mentioned 1971 Convention ;d. the crimes specified in the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973) ;e. the crimes specified in the International Convention Against the Taking of Hostages (1979) ;f. the offences specified in the Convention for Physical Protection of Nuclear Materials (1980) ;	<p>Dated from 10 December 1999, Period covered: 09/03/2000 -</p>

g. the offences specified in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) ;
 h. other comparable crimes specified in the multilateral international treaties which the Russian Federation is a party to.
 (Declaration)

Spain	For the purposes of extradition, apart from the offences mentioned in Article 3(3) of the Convention, acts of terrorism will not be deemed to be political offences. (Declaration)	Dated from 7 May 1982, Period covered: 05/08/1982 –
Sweden	Sweden reserves the right, in the light of individual circumstances, to regard the offence mentioned in paragraph 3 of this Article as a political offence.	Dated from 22 January 1959, Period covered: 18/04/1960 –
Switzerland	Notwithstanding Article 3, paragraph 3, of the Convention, Switzerland reserves the right to refuse extradition on the basis of Article 3, paragraph 1 when it is requested for the taking or attempted taking of the life of a Head of State or a member of his family.	Dated from 20 December 1966, Period covered: 20/03/1967 –
United Kingdom	The United Kingdom reserves the right to apply the provisions of Article 3 paragraph 3 only in respect of States parties to the European Convention on the Suppression of Terrorism.	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 4 – Military Offences

Extradition for offences under military law which are not offences under ordinary criminal law is excluded from the application of this Convention.

Armenia	As all military offences are under the ordinary criminal law of the Republic of Armenia, extradition requested by another Party will be granted if the offence, in respect of which the request for the extradition is made, is also under ordinary criminal law of the requesting Party. (Declaration)	Dated from 25 January 2002, Period covered: 25/04/2002 -
Bulgaria	Extradition for military offences which are also offences under ordinary law may be granted solely on condition that the person extradited will not be tried by a military court or accused of a military offence.	Dated from 30 September 1993, Period covered: 15/09/1994 -
Denmark	Extradition for a military offence which is also a civil offence may only be granted provided the extradited person is not convicted under military law.	Dated from 13 September 1962, Period covered: 12/12/1962 –
Finland	Where a military offence also comprises an offence in respect of which extradition otherwise is permissible, Finland reserves the right to stipulate that the extradited person shall not be punished under a provision pertaining to	Dated from 12 May 1971, Period covered: 10/08/1971 –

military offences.

Iceland	Extradition for a military offence which is also an offence under ordinary criminal law may only be granted provided the extradited person is not convicted under military law.	Dated from 20 June 1984, Period covered: 18/09/1984 –
Norway	When an offence under military law also comprises an offence in respect of which extradition otherwise is permissible, Norway reserves the right to stipulate that the extradited person shall not be punished under the military law of the requesting State.	Dated from 17 January 1977, Period covered: 18/04/1960 –
Sweden	Where an offence under military law also comprises an offence in respect of which extradition has been granted, Sweden reserves the right to stipulate that the extradited person may not be penalised in application of provisions relating to offences committed by members of the armed services.	Dated from 22 January 1959, Period covered: 18/04/1960 –
Ukraine	The extradition in respect of general criminal offences which are also military offences may only be granted provided that the person whose extradition is requested will not be subject to criminal prosecution in accordance with martial law. (Declaration)	Dated from 11 March 1998, Period covered: 09/06/1998 -

Article 5 – Fiscal Offences

Extradition shall be granted, in accordance with the provisions of this Convention, for offences in connection with taxes, duties, customs and exchange only if the Contracting Parties have so decided in respect of any such offence or category of offences.

Austria	Austria will further grant extradition for offences which are exclusively contraventions against regulations concerning monopolies or the export, import, transit and rationing of goods only under the conditions mentioned in Article 5.	Dated from 21 May 1969, Period covered: 19/08/1969 –
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Article 6 – Extradition of nationals

1 a A Contracting Party shall have the right to refuse extradition of its nationals.

b Each Contracting Party may, by a declaration made at the time of signature or of deposit of its instrument of ratification or accession, define as far as it is concerned the term "nationals" within the meaning of this Convention.

c Nationality shall be determined as at the time of the decision concerning extradition. If, however, the person claimed is first recognised as a national of the requested Party during the period between the time of the decision and the time contemplated for the surrender, the requested Party may avail itself of the provision contained in sub-paragraph a of this article.

2 If the requested Party does not extradite its national, it shall at the request of the requesting Party submit the case to its competent authorities in order that proceedings may be taken if they are considered appropriate. For this purpose, the files, information and exhibits relating to the offence shall be transmitted without charge by the means provided for in Article 12, paragraph 1. The requesting Party

shall be informed of the result of its request.		
Albania	Relating to paragraph 1, sub-paragraph a, of Article 6, the Albanian Party refuses the extradition of its nationals, unless otherwise provided in the international agreements to which Albania is a Contracting Party.	Dated from 19 May 1998, Period covered: 17/08/1998 –
Andorra	Article 14, paragraph 1, of the Law "qualificada" on Extradition prohibits the extradition of persons having the Andorran nationality. For the purposes of this Convention, the term "national" means any person having the Andorran nationality at the time of the commission of the facts in accordance with the provisions of the Law "qualificada" on Andorran nationality.	Dated from 13 October 2000, Period covered: 11/01/2001 –
Armenia	Pursuant to sub-paragraph a of paragraph 1 of Article 6, the Republic of Armenia declares that it will not extradite its nationals. Pursuant to sub-paragraph c of paragraph 1 of Article 6, nationality of the Republic of Armenia within the meaning of this Convention shall be determined at the time of the decision concerning extradition.	Dated from 25 January 2002, Period covered: 25/04/2002 -
Austria	Austria will regard the time of surrender of the person claimed as decisive for the determination of nationality.	Dated from 21 May 1969, Period covered: 19/08/1969 –
Azerbaijan	The Republic of Azerbaijan declares that according to Article 53 (II) of the Constitution of the Republic of Azerbaijan in no circumstances a citizen of the Republic of Azerbaijan shall be extradited to another State. In this respect the Republic of Azerbaijan in any case will refuse to extradite its citizens.	Dated from 28 June 2002, Period covered: 26/09/2002 –
Bulgaria	The Republic of Bulgaria declares that it will refuse extradition of its nationals. The Republic of Bulgaria declares that it will recognise as a national for the purposes of the convention any person having Bulgarian nationality at the time of receiving the request for extradition.	Dated from 30 September 1993, modified 5 January 2004 and 10 November 2006, Period covered: 15/09/1994 -
Croatia	Article 9 of the Constitution of the Republic of Croatia prohibits the extradition of Croatian citizens. Consequently, the Republic of Croatia will not allow any extradition of its own citizens. The "nationality" of a person being requested for extradition will be considered in terms of the time when the criminal act was committed and in compliance with the regulations of the Republic of Croatia regarding citizenship (Article 6, paragraph 1 (b), of the Convention). –	Dated from 25 January 1995, Period covered: 25/04/1995
Cyprus	The Government of the Republic of Cyprus declares that so long as under its Constitution no extradition of citizens of	

	<p>the Republic is allowed (cf. declaration in respect of Article 1) the term "nationals" within the meaning of the Convention, as far as the Republic of Cyprus is concerned, should mean "citizens of the Republic of Cyprus or persons who, under the provisions relating to citizenship of the Republic in force for the time being, would be entitled to become citizens of the Republic".</p> <p>Furthermore, under the provisions of the Criminal Code of Cyprus citizens of the Republic may be prosecuted in Cyprus, for offences committed in a foreign country punishable with imprisonment exceeding two years if the act or omission constituting the offence is also punishable by the law of the country where it was committed.</p>	<p>Dated from 18 September 1970 and amended 25 May 2001, Period covered: 22/04/1971 –</p>
Estonia	<p>Pursuant to Article 6, paragraph 1, sub-paragraph (a) of the Convention, the Republic of Estonia reserves the right to refuse extradition of one of her own nationals, if the national has not consented to it.</p>	
France	<p>Extradition shall be refused when the person sought had French nationality at the time of the alleged offence.</p>	<p>Dated from 28 April 1997, Period covered: 27/07/1997 -</p>
Georgia	<p>For the purposes of this Convention, the Government of Georgia reserves the right to decide on the extradition of its nationals on the basis of reciprocity and to refuse their extradition on the grounds of public morality, public policy and State security</p> <p>In respect of Article 6, paragraph 1 b, the term "national" within the meaning of the Convention will be applied as it is determined by the legislation of Georgia.</p>	<p>Dated from 10 February 1986, Period covered: 11/05/1986 –</p> <p>Dated from 15 June 2001, Period covered: 13/09/2001 –</p>
Germany	<p>Extradition of Germans from the Federal Republic of Germany to a foreign country is not permitted by virtue of Article 16, paragraph 2, first sentence, of the Basic Law for the Federal Republic of Germany and must, therefore, be refused in every case. The term "nationals" within the meaning of Article 6, paragraph 1 b., of the European Convention on Extradition covers all Germans within the meaning of Article 116, paragraph 1, of the Basic Law for the Federal Republic of Germany.</p>	<p>Dated from 2 October 1976, Period covered: 01/01/1977 –</p>
Greece	<p>The provisions of Article 6 will be applied subject to the application of Article 438 (a) of the Greek Code of Criminal Procedure, which prohibits extradition of nationals of the requested Party.</p> <p>Article 438 of the Greek Code of Criminal Procedure will also be applied in relation to paragraph 1 (c). Under that Article, the date of commission of the offence will on no account be taken into consideration in establishing the nationality of the wanted person.</p>	<p>Dated from 29 May 1961, Period covered: 27/08/1961 –</p>

Hungary	<p>Notwithstanding the provisions of Article 6, paragraph 1.a, of the Peace Treaty concluded in Paris on 10 February 1947, Hungary will not grant extradition of its own nationals, except in the case where the person sought for extradition is also a citizen of another State and has his permanent residence in a foreign State. Irrespective of his permanent residence and his incidental other citizenship, a Hungarian citizen may be transferred to another State, if the extradition of such a person to Hungary was granted under the condition that, following completion of the criminal proceedings or the execution of the sentence against him, he would be transferred back to that State for the purposes of fulfilling the request for extradition.</p> <p>Hungary reserves the right to refuse extradition of persons settled definitively in Hungary.</p>	<p>Dated from 25 February 1999, Period covered: 25/02/1999 –</p>
Liechtenstein	<p>The Government of the Principality of Liechtenstein declares that Liechtenstein law does not permit extradition of Liechtenstein nationals. Once they have entered the territory of the Principality, they will be tried by the Liechtenstein authorities under Liechtenstein criminal law (paragraph 36 of the Penal Code) for offences committed abroad, whatever the laws of the country where the offence was committed. 'Nationals' within the meaning of the Convention are persons possessing Liechtenstein nationality.</p>	<p>Dated from 13 July 1993, Period covered: 11/10/1993 –</p>
Lithuania	<p>The term "nationals" means persons having Lithuanian nationality under the Law of the Lithuanian nationality (Citizenship Law). According to Article 6 of the Law on Lithuanian nationality (Citizenship Law), the Republic of Lithuania does not extradite its nationals to foreign countries. All requests for extradition of Lithuanian nationals shall be refused.</p>	<p>Dated from 28 October 1969, Period covered: 26/01/1970 –</p>
Luxembourg	<p>The Government of the Grand Duchy of Luxembourg will not grant extradition of its own nationals.</p> <p>The Government of the Grand Duchy of Luxembourg declares that so far as the Grand Duchy of Luxembourg is concerned, "nationals" for the purposes of the Convention are to be understood as meaning persons of Luxembourg nationality as well as foreigners integrated into the Luxembourg community in so far as they can be prosecuted within Luxembourg for the act in respect of which extradition is requested.</p>	<p>Dated from 20 June 1995, Period covered: 18/09/1995 –</p>
Republic of Moldova	<p>By virtue of Article 17, paragraph 3 of the Constitution of the Republic of Moldova, the citizens of the Republic of Moldova may not be extradited or expelled from the country.</p> <p>The term "nationals" within the meaning of Article 6, paragraph 1 (b) covers all individuals having the nationality of the Republic of Moldova in conformity with its legislation.</p>	<p>Dated from 18 November 1976, Period covered: 16/02/1977 –</p>
Montenegro		

Netherlands	<p>The Federal Republic of Yugoslavia shall refuse extradition, in accordance with Article 6, paragraph 1(a), of the Convention, and transit of its nationals in accordance with Article 21, paragraph 2, of the Convention.</p>	<p>Dated from 2 October 1997, Period covered: 31/12/1997 –</p>
	<p>The Government of the Kingdom of the Netherlands will not permit the transit of Netherlands nationals nor their extradition for the purposes of the enforcement of penalties or other measures.</p>	
	<p>However, Netherlands nationals may be extradited for purposes of prosecution if the requesting State provides a guarantee that the person claimed may be returned to the Netherlands to serve his sentence there if, following his extradition, a custodial sentence other than a suspended sentence or a measure depriving him of his liberty is imposed upon him.</p>	<p>Dated from 30 September 2002, Period covered: 06/06/2006 –</p>
	<p>As regards the Kingdom of the Netherlands, "nationals" for the purpose of the Convention are to be understood as meaning persons of Netherlands nationality as well as foreigners integrated into the Netherlands community insofar as they can be prosecuted within the Kingdom of the Netherlands for the act in respect of which extradition is requested and insofar as such foreigners are not expected to lose their right of residence in the Kingdom as a result of the imposition of a penalty or measure subsequent to their extradition.</p>	<p>Dated from 14 October 1987, completed 12 December 1994, Period covered: 01/01/1988 –</p>
Poland	<p>The Republic of Poland declares, in accordance with paragraph 1 (a) of Article 6, that it will under no circumstances extradite its own nationals.</p>	
	<p>The Republic of Poland declares that, for the purposes of this Convention, in accordance with paragraph 1 (b) of Article 6, persons granted asylum in Poland will be treated as Polish nationals.</p>	
Reactions by Germany, Austria and Turkey:	<p><i>The Federal Republic of Germany considers the placing of persons granted asylum in Poland on an equal standing with Polish nationals in Poland's declaration with respect to Article 6, paragraph 1 (a) of the Convention to be compatible with the object and purpose of the Convention only with the provision that it does not exclude extradition of such persons to a state other than that in respect of which asylum has been granted.</i></p>	<p>Dated from 15 June 1993, Period covered: 13/09/1993 –</p>
	<p><i>The Government of Austria declares that Poland's declaration concerning Article 6, paragraph 1(b) of the European Convention on Extradition is interpreted by Austria in the same way, as meaning that persons who have been granted asylum in Poland will be placed on an equal footing with Polish nationals only in the event of a request for extradition by the persecuting State and that, in that case, such persons will not be extradited. The</i></p>	<p>Dated from 13 October 1993</p>

declaration by Poland concerning Article 6, paragraph 1(b) is compatible with the aim and purpose of the Convention only if the extradition to a third state of persons granted asylum in Poland is not refused solely on the grounds that those persons are treated as Polish nationals.

*Dated from 11
January 1994*

Portugal

*The **Turkish Government** considers that Poland's declaration concerning Article 6, paragraph 1.b, which assimilates persons who have been granted asylum in Poland to Polish nationals, is compatible with the aim and purpose of the Convention only if it does not apply to cases of extradition of the said persons to a third State other than that in respect of which asylum has been granted.*

Portugal shall not grant extradition in respect of Portuguese nationals.

The term "nationals" within the meaning of the Convention shall apply to Portuguese citizens, regardless of how they acquired their nationality.

*Dated from 21 June
1994*

Romania

Romania declares that, in accordance with the paragraph 1 of the Act 74/2005, the declaration formulated by Romania on Article 6, paragraph 1, of the Convention is amended as follows :

"The Romanian citizens may not be extradited. By derogation of these provisions, the Romanian citizen may be extradited from Romania in accordance with the international conventions to which Romania is Contracting Party and on the basis of reciprocity, only if one of the following conditions is fulfilled :

a) the soliciting State, in order to carry on the criminal prosecution and the judgment, gives assurances estimated as satisfactory, that, if a conviction to a punishment depriving of liberty is pronounced by a final decision of justice, the Romanian citizen will be transferred to serve the punishment in Romania;

b) the Romanian citizen has his residence in the State that formulated the request at the date of the formulation of the request for extradition;

c) the Romanian citizen has also the citizenship of the soliciting State,

d) the Romanian citizen committed the fact on the territory or against a citizen of a member State of the European Union, if the soliciting State is member of the European Union.

*Dated from 12
February 1990,
Period covered:
25/04/1990 –*

*Dated from 7 July
2006, Period
covered:
17/07/2006 –*

Russia

The person for whom asylum was granted in Romania may not be extradited."

With respect to sub-paragraph "a" of paragraph 1 of Article 6 of the Convention the Russian Federation declares that in

San Marino

accordance with Article 61 (part I) of the Constitution of the Russian Federation a citizen of the Russian Federation may not be extradited to another State.

Switzerland

Concerning Article 6, paragraph 1.a of the Convention, the Republic of San Marino will not grant extradition of San Marino citizens.

Dated from 10
December 1999,
Period covered:
09/03/2000 –

The reservation on Article 6 read as follows:

The Federal Council declares that Swiss law allows Swiss nationals to be extradited only on the conditions specified in Article 7 of the Federal Act of 20 March 1981 on International Mutual Assistance in Criminal Matters. Provided that the statutory requirements are satisfied, offences committed outside Switzerland which are punishable under Swiss law as felonies ("crimes") or misdemeanours ("délits") may be prosecuted and tried by the Swiss authorities in the following cases: - where they were committed against Swiss nationals (Article 5 of the Swiss Criminal Code of 21 December 1937); - where they are extraditable under Swiss law and were committed by a Swiss national (Article 6 of the Swiss Criminal Code); - where they were committed on board a Swiss ship or Swiss aircraft (Article 4 of the Federal Act of 23 September 1953 on Shipping under the Swiss flag; Article 97 of the Federal Act of 21 December 1948 on Air Navigation); - where the special statutory provisions so stipulate in respect of certain offences (Articles 202 and 240 of the Swiss Criminal Code; Article 19 of the Federal Act of 3 October 1951 on Narcotics; Article 101 of the Federal Act of 19 December 1958 on Road Traffic; Article 16 of the Federal Act of 14 March 1958 on the Liability of the Confederation, Members of its Authorities and its Civil Servants; Article 12 of the Federal Act of 26 September 1958 on the Export Risk Guarantee).

Dated from 18
March 2009, Period
covered:
16/06/2009 –

Dated from 25
January 1983,
Period covered:
26/01/1983 –

**"The former
Yugoslav Republic
of Macedonia"**

In accordance with the Act of 20 March 1981 on International Mutual Assistance in Criminal Matters, other offences committed abroad by a Swiss national may be prosecuted in Switzerland at the request of the State in which they were committed in cases where the person concerned is in Switzerland and is answerable there for offences of a more serious kind and where, if he is acquitted or punished in Switzerland, he is not liable to be prosecuted again for the same act in the requesting State.

Ukraine

Taking into account Article 4 of the Constitution of the Republic of Macedonia, which does not allow the extradition of the citizens of the Republic of Macedonia, the provisions of this Convention shall only apply to the persons which are not citizens of the Republic of Macedonia.

Ukraine will not extradite citizens of Ukraine to another State. For the purposes of this Convention, any person is considered to be a citizen of Ukraine who, in accordance with the laws of Ukraine at the time when the decision to extradite is taken, is a citizen of Ukraine.

Dated from 28 July 1999, Period covered: 26/10/1999 –

Dated from 11 March 1998, Period covered: 09/06/1998 –

Article 7 – Place of commission

1 The requested Party may refuse to extradite a person claimed for an offence which is regarded by its law as having been committed in whole or in part in its territory or in a place treated as its territory.

2 When the offence for which extradition is requested has been committed outside the territory of the requesting Party, extradition may only be refused if the law of the requested Party does not allow prosecution for the same category of offence when committed outside the latter Party's territory or does not allow extradition for the offence concerned.

Albania	Relating to paragraph 1 of Article 7, the Albanian Party does not allow the extradition of the persons who have committed offences either in the Albanian territory or outside it, when the offence has injured the interests of the State or of the nationals, unless it is otherwise agreed with the interested Party.	Dated from 19 May 1998, Period covered: 17/08/1998 -
Austria	Austria will only grant extradition of a person for an offence which, according to Austrian law, is under Austrian jurisdiction, in so far as that person will be extradited for another offence and as the condemnation of that person by the judicial authorities of the requesting State for all offences is in the interest of ascertaining the truth or useful by reason of fixing of the penalty and execution of the sentence. (Declaration)	Dated from 21 May 1969, Period covered: 19/08/1969 -
Bulgaria	The Republic of Bulgaria declares its right to refuse extradition if the requesting party refuses extradition in similar cases, in accordance with Article 7, paragraph 2.	Deposited 30 September 1993, Period covered: 15/09/1994 –
Greece	Paragraph 1 of Article 7 will be applied subject to the provisions of Article 438 (b) of the Greek Code of Criminal Procedure.	Dated from 29 May 1961, Period covered: 27/08/1961 –
Moldova	The Republic of Moldova reserves the right not to grant extradition when, in accordance with Article 7, paragraph 2, the requesting Party would refuse extradition in similar cases.	Dated from 2 October 1997, Period covered: 31/12/1997 –
Netherlands	The Netherlands Government reserves the right not to grant	Dated from 14

extradition when, in accordance with Article 7(2), the requesting State would be authorised to refuse extradition in like cases.

February 1969,
Period covered:
15/05/1969 –

Article 8 – Pending proceedings for the same offences

The requested Party may refuse to extradite the person claimed if the competent authorities of such Party are proceeding against him in respect of the offence or offences for which extradition is requested.

United Kingdom

The United Kingdom may refuse to extradite a person if the authorities in any part of the United Kingdom, the Channel Islands or the Isle of Man have instituted or are about to institute criminal or other proceedings against that person, whether or not those proceedings are in respect of the offence or offences for which extradition is requested.

Dated from 13
February 1991,
Period covered:
14/05/1991 –

Article 9 – *Non bis in idem*

Extradition shall not be granted if final judgment has been passed by the competent authorities of the requested Party upon the person claimed in respect of the offence or offences for which extradition is requested. Extradition may be refused if the competent authorities of the requested Party have decided either not to institute or to terminate proceedings in respect of the same offence or offences.

Denmark

Extradition may be refused if the competent authorities of a third State have, by a final judgment, either acquitted or convicted the person concerned in respect of the offence giving rise to the request for extradition, or if the competent authorities of a third State have decided to waive or to discontinue proceedings in respect of the same offence.

Dated from 13
September 1962,
Period covered:
12/12/1962 –

Ireland

The Irish authorities will not grant extradition if final judgment in respect of the offence for which extradition is requested has been passed in a third State on the person claimed.

Dated from 2 May
1966, Period
covered:
31/07/1966 -

Israel

Israel will not accede to a request for extradition if the wanted person has been pardoned, or has had his punishment remitted, in the requesting State in respect of the criminal act in question.

Dated from 27
September 1967,
Period covered:
26/12/1967 –

Luxembourg

The Government of the Grand Duchy of Luxembourg will not grant extradition if it is satisfied that final judgment for the offence for which extradition is requested has been passed on the person claimed by the competent authorities of a third State and, in the event of conviction for that offence, the convicted person is serving his sentence, has already served it or has been dispensed from serving it.

Dated from 16
November 1976,
Period covered:
16/02/1977 –

Malta

Malta reserves the right to apply this Article in accordance with the rule of "*Non bis in idem*" as laid down in Section 527 of the Criminal Code (Chapter 9 of the Laws of Malta) which reads as follows: "Where in a trial, judgement is given acquitting the person charged or accused, it shall not be

Dated from
19 March 1996,
Period covered:
17/06/1996 –

lawful to subject such person to another trial for the same fact."

Moldova	The Republic of Moldova will not grant extradition if a final judgment has been passed by a third State upon the person claimed in respect of the offence or offences for which extradition is requested.	Dated from 2 October 1997, Period covered: 31/12/1997 -
	In derogation of Article 9 (first sentence), the Republic of Moldova may grant extradition if the requesting State can show that new facts or evidence justify a reopening of the case.	
Netherlands	The Netherlands Government will not grant extradition if it is satisfied that final judgment for the offence for which extradition is requested has been passed on the person claimed by the competent authorities of a third State and , in the event of conviction for that offence, the convicted person is serving his sentence, has already served it or has been dispensed from serving it.	Dated from 14 February 1969, Period covered: 15/05/1969 –
Switzerland	Switzerland reserves the right to refuse extradition, in derogation of Article 9, if the decisions motivating the refusal of extradition in accordance with that Article have been rendered in a third State in whose territory the offence was committed.	Dated from 20 December 1966, Period covered: 20/03/1967 –
United Kingdom	The United Kingdom reserves the right to refuse to grant extradition of a person accused of an offence, if it appears that that person would if charged with that offence in the United Kingdom be entitled to be discharged under any rule of law relating to previous acquittal or conviction.	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 10 – Lapse of time

Extradition shall not be granted when the person claimed has, according to the law of either the requesting or the requested Party, become immune by reason of lapse of time from prosecution or punishment.

Spain	Spain will not grant extradition if liability to criminal prosecution has lapsed for any cause for which provision is made in the legislation of the requesting Party or the requested Party.	Dated from 7 May 1982, Period covered: 05/08/1982 –
United Kingdom	The United Kingdom reserves the right to refuse extradition if it appears, in relation to the offence, or each of the offences, in respect of which the person's return is sought, that by reason of the passage of time since he is alleged to have committed it, or to have become unlawfully at large, as the case may be, it would, having regard to all the circumstances, be unjust or oppressive to return him.	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 11 – Capital Punishment

If the offence for which extradition is requested is punishable by death under the law of the requesting Party, 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, extradition may be refused unless the requesting Party gives such assurance as the requested Party considers sufficient that the death-penalty will not be carried out.

Austria	Austria will refuse extradition requested in order to carry out death-penalty. Extradition for an offence punishable by the death under the law of the requesting Party will only be granted if the requesting State accepts the condition that a death-penalty will not be pronounced. Austria will apply the same principles in the case of sentences which are incompatible with the requirements of humanity and human dignity.	Dated from 21 May 1969, Period covered: 19/08/1969 -
Greece	Article 437 (1) of the Greek Code of Criminal Procedure will continue to be applied in place of Article 11 of the Convention. Under that clause, extradition of a foreign national for an offence punishable by death under the law of the requesting Party is authorised only if Greek criminal law prescribes the same penalty for the offence in question.	Dated from 29 May 1961, Period covered: 27/08/1961 –
Hungary	Hungary will refuse extradition if it is requested to carry out death penalty or to prosecute a person charged with an offence punishable by death penalty. However, extradition may be granted in respect of an offence punishable by death penalty under the law of the requesting State, if that State accepts, that death penalty, if pronounced, will not be executed.	Dated from 13 July 1993, Period covered: 11/10/1993 –
Liechtenstein	The Principality of Liechtenstein reserves the right to apply Article 11 by analogy where the requesting State does not give the Liechtenstein authorities adequate assurances that it will not impose any penalty or measure contrary to Liechtenstein law or which offends against the principle of inviolability of the person in a way which is incompatible with Liechtenstein law.	Dated from 28 October 1969, Period covered: 26/01/1970 -
Portugal	Portugal shall not grant extradition for offences punishable by the death penalty under the law of the requesting state.	Dated from 12 February 1990, Period covered: 25/04/1990 –
Switzerland	Switzerland reserves the right to apply Article 11, <i>mutatis mutandis</i> , also in cases where the law of the requesting State provides that the person claimed may, in respect of the offence for which extradition is requested, be sentenced to corporal punishment or be subjected to such treatment against his will.	Dated from 20 December 1966, Period covered: 20/03/1967 –
Turkey	In the event of extradition to Turkey of an individual under sentence of death or accused of an offence punishable by death, any requested Party whose law does not provide for capital punishment shall be authorised to transmit a request for commutation of death sentence to life imprisonment. Such request shall be transmitted by the Turkish Government to the Grand National Assembly, which is the	Dated from 30 November 1957, Period covered: 18/04/1960 -

final instance for confirming a death sentence, insofar as the Assembly has not already pronounced on the matter.

Article 12 – The request and supporting documents

1 The request shall be in writing and shall be communicated through the diplomatic channel. Other means of communication may be arranged by direct agreement between two or more Parties.

2 The request shall be supported by:

- a the original or an authenticated copy of the conviction and sentence or detention order immediately enforceable or of the warrant of arrest or other order having the same effect and issued in accordance with the procedure laid down in the law of the requesting Party;
- b a statement of the offences for which extradition is requested. The time and place of their commission, their legal descriptions and a reference to the relevant legal provisions shall be set out as accurately as possible; and
- c a copy of the relevant enactments or, where this is not possible, a statement of the relevant law and as accurate a description as possible of the person claimed, together with any other information which will help to establish his identity and nationality.

Andorra	The Principality of Andorra reserves itself the right to require the requesting Party to produce evidence establishing a sufficient presumption that the offence was committed by the person whose extradition is requested. Should such evidence be deemed insufficient, extradition may be refused.	Dated on 13 October 2000, Period covered: 11/01/2001 -
Albania	Relating to paragraph 2 of Article 12, the Albanian Party presents the reservation that the request for extradition must be accompanied always by the original text, or authenticated copy of the applied law.	Dated on 19 May 1998, Period covered: 17/08/1998 -
Denmark	Where seemingly indicated by special circumstances, the Danish authorities may require the requesting country to produce evidence establishing a sufficient presumption of guilt on the part of the person concerned. Should such evidence be deemed insufficient, extradition may be refused.	Dated from 13 September 1962, Period covered: 12/12/1962 –
Iceland	Iceland reserves the right to require the requesting Party to produce evidence establishing that the person claimed has committed the offence for which extradition is requested. Extradition may be refused if the evidence is found to be insufficient.	Dated from 20 June 1984, Period covered: 18/09/1984 –
Korea	In respect of Article 12 of the Convention, if the request for extradition relates to a person who has not yet been found guilty, the Republic of Korea reserves the right to request material that may provide reasonable grounds to suspect that the person sought has committed the offence for which extradition is requested. Extradition may be refused if there are no substantial grounds to suspect that the person has committed the extraditable offence.	Dated from 29 September 2011, Period covered: 29/12/2011 –

Norway	The Norwegian authorities reserve the right to require the requesting Party to produce prima facie evidence to the effect that the person claimed has committed the offence for which extradition is requested. The request may be refused if the evidence is found to be insufficient.	Dated from 17 January 1977, Period covered: 18/04/1960 –
Sweden	Even though the sentence rendered or the warrant of arrest issued by a court or a judge in a State which is a Party to the Convention are generally accepted, Sweden reserves the right to refuse the extradition requested if an examination of the case in question shows that the said sentence or warrant is manifestly ill-founded.	Dated from 22 January 1959, Period covered: 18/04/1960 –
The former Yugoslav Republic of Macedonia	Even in the cases where the final sentence or the arrest warrant are passed by the competent authorities in a country which is Party to this Convention, the Republic of Macedonia reserves the right to refuse the requested surrender, if an examination of the case in question shows that the said sentence or arrest warrant are manifestly ill-founded.	Dated from 28 July 1999, Period covered: 26/10/1999 –
United Kingdom	<p>Reservation relating to Article 12 reads as follows:</p> <p>1. In addition to the request and any supporting documents, the United Kingdom will require a statement indicating whether or not a conviction in respect of which extradition is requested was obtained in the presence of the person whose return is sought.</p> <p>[2. The request must be supported by the original of the conviction and sentence or detention order, or of the warrant of arrest or other order having the same effect. (*)]</p> <p>3. The statement of the offences for which extradition is requested must contain a description of the conduct which it is alleged constitutes the offence or offences for which extradition is requested.</p> <p>4. For the purposes of proceedings in the United Kingdom, foreign documents shall be deemed duly authenticated</p> <p>a. if they purport to be signed by a judge, magistrate or officer of the State where they were issued; and</p> <p>b. if they purport to be certified by being sealed with the official seal of the Minister of Justice, or some other Minister of State, of that State.</p>	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 14 – Rule of speciality

1 A person who has been extradited shall not be proceeded against, sentenced or detained with a view to the carrying out of a sentence or detention order for any offence committed prior to his surrender other than that for which he was extradited, nor shall he be for any other reason restricted in his personal freedom, except in the following cases: a when the Party which surrendered him consents. A request for consent shall be submitted, accompanied by the documents mentioned in Article 12 and a. legal record of

any statement made by the extradited person in respect of the offence concerned. Consent shall be given when the offence for which it is requested is itself subject to extradition in accordance with the provisions of this Convention;

b. when that person, having had an opportunity to leave the territory of the Party to which he has been surrendered, has not done so within 45 days of his final discharge, or has returned to that territory after leaving it.

2 The requesting Party may, however, take any measures necessary to remove the person from its territory, or any measures necessary under its law, including proceedings by default, to prevent any legal effects of lapse of time.

3 When the description of the offence charged is altered in the course of proceedings, the extradited person shall only be proceeded against or sentenced in so far as the offence under its new description is shown by its constituent elements to be an offence which would allow extradition.

France	France will require that any new description of an offence relates to the same facts as those for which extradition was granted and that this new description does not imply the application of a penalty for which extradition could be refused.	Dated from 10 February 1986, Period covered: 11/05/1986 –
Israel	<p>Israel will not grant extradition in departure from the rule of speciality except:</p> <p>a. if the wanted person has in his absence been declared subject to extradition also in respect of the other offence after he was given an opportunity to be represented in the proceedings aimed at such declaration;</p> <p>b. upon condition that the wanted person will not be proceeded against, sentenced or detained with a view to carrying out sentence unless, having left the requesting State after his extradition, he voluntarily returned to it, or unless he failed to leave the requesting State within 60 days after being given an opportunity to do so.</p>	Dated from 27 September 1967, Period covered: 26/12/1967 –
United Kingdom	The United Kingdom reserves the right in any case to refuse to consent to a person who has been extradited being proceeded against, sentenced or detained with a view to carrying out the sentence or detention order for any offence committed prior to his surrender other than that for which he was extradited or to his being for any other reason restricted in his personal freedom.	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 15 – Re-extradition to a third state

Except as provided for in Article 14, paragraph 1.b, the requesting Party shall not, without the consent of the requested Party, surrender to another Party or to a third State a person surrendered to the requesting Party and sought by the said other Party or third State in respect of offences committed before his surrender. The requested Party may request the production of the documents mentioned in Article 12, paragraph 2.

Israel	Article 15 shall be read as if the words "60 days" replaced the words "45 days" in Article 14, paragraph 1 b.	Dated from 27 September 1967, Period covered:
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Article 16 – Provisional arrest

1 In case of urgency the competent authorities of the requesting Party may request the provisional arrest of the person sought. The competent authorities of the requested Party shall decide the matter in accordance with its law.

2 The request for provisional arrest shall state that one of the documents mentioned in Article 12, paragraph 2.a, exists and that it is intended to send a request for extradition. It shall also state for what offence extradition will be requested and when and where such offence was committed and shall so far as possible give a description of the person sought.

3 A request for provisional arrest shall be sent to the competent authorities of the requested Party either through the diplomatic channel or direct by post or telegraph or through the International Criminal Police Organisation (Interpol) or by any other means affording evidence in writing or accepted by the requested Party. The requesting authority shall be informed without delay of the result of its request.

4 Provisional arrest may be terminated if, within a period of 18 days after arrest, the requested Party has not received the request for extradition and the documents mentioned in Article 12. It shall not, in any event, exceed 40 days from the date of such arrest. The possibility of provisional release at any time is not excluded, but the requested Party shall take any measures which it considers necessary to prevent the escape of the person sought.

5 Release shall not prejudice re-arrest and extradition if a request for extradition is received subsequently.

Armenia	Provisional arrest, provided in paragraph 4 of Article 16, will be terminated in any case, if, within a period of one month after arrest, the requested Party has not received the request for extradition and the documents mentioned in Article 12. (Declaration)	Dated from 25 January 2002, Period covered: 25/04/2002 -
France	In the case of a request for provisional arrest, France shall require a short memorandum of the facts alleged against the person sought.	Dated from 10 February 1986, Period covered: 11/05/1986 –
Hungary	In case of request for provisional arrest Hungary also requires a short statement of the facts the person claimed is charged with. (Declaration)	Dated from 13 July 1993, Period covered: 11/10/1993 –
Moldova	The Republic of Moldova asks that any request addressed to it in pursuance of Article 16, paragraph 2, contain a brief description of the offence alleged against the person claimed, including the essential particulars by which the nature of the offence can be appraised in accordance with the present Convention.	Dated from 2 October 1997, Period covered: 31/12/1997 -
Russia	The Russian Federation shall not be liable for claims for property and/or moral damage caused by the temporary arrest of the person in the Russian Federation in accordance with Article 16 of the Convention.	Dated from 10 December 1999, Period covered: 09/03/2000 -

Switzerland	Switzerland asks that any request addressed to it in accordance with Article 16, paragraph 2, contain a brief description of the offence alleged against the person claimed, including the essential particulars by which the nature of the offence can be appraised with reference to the law of extradition.	Dated from 20 December 1966, Period covered: 20/03/1967 -
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Article 18 – Surrender of the person to be extradited

- 1 The requested Party shall inform the requesting Party by the means mentioned in Article 12, paragraph 1, of its decision with regard to the extradition.
- 2 Reasons shall be given for any complete or partial rejection.
- 3 If the request is agreed to, the requesting Party shall be informed of the place and date of surrender and of the length of time for which the person claimed was detained with a view to surrender.
- 4 Subject to the provisions of paragraph 5 of this article, if the person claimed has not been taken over on the appointed date, he may be released after the expiry of 15 days and shall in any case be released after
- 5 If circumstances beyond its control prevent a Party from surrendering or taking over the person to be extradited, it shall notify the other Party. The two Parties shall agree a new date for surrender and the provisions of paragraph 4 of this article shall apply.

Belgium	The obligation to release after the expiry of 30 days provided for by Article 18, paragraph 4, will not be applicable in the event that the person claimed has introduced an appeal against the decision to extradite or concerning the legality of the detention.	Dated from 3 June 1997, Period covered: 27/11/1997 -
Finland	If the person taken into custody, whose extradition has been granted, has not been taken over by the requesting State on the date appointed, Finland reserves the right to release him immediately.	Dated from 12 May 1971, Period covered: 10/08/1971 -
Greece	The last sentence of Article 18 (4) of the Convention is accepted, with the addition of the following clause from Article 454 of the Greek Code of Criminal Procedure: "provided that the new request is based on the same facts".	Dated from 29 May 1961, Period covered: 27/08/1961 –
Malta	Malta reserves the right to apply the provisions set out in paragraphs 4 and 5 of this Article in accordance with Section 24 of the Extradition Act (Chapter 276 of the Laws of Malta) which reads as follows: "(1) If any person committed to await his return is in custody in Malta under this Act after the expiration of the following period that is to say - (a) in any case, the period of two months beginning with the first day on which, having regard to subsection (2) of Section 21 of this Act, he could have been returned; (b) where a warrant for his return has been issued under Section 21 of this Act, the period of one month beginning with the day on which that warrant was issued - he may	Dated from 19 March 1996, Period covered: 17/06/1996 –

apply to the Court of Criminal appeal, sitting as a court of appeal from judgements of the Court of Judicial Police, for his discharge.

(2) If upon any such application the court is satisfied that reasonable notice of the proposed application has been given to the Minister, the court may, unless sufficient cause is shown to the contrary, by order direct the applicant to be discharged from custody, and if a warrant for his return has been issued under the said section squash that warrant."

Sweden	If the individual whose extradition has been granted has not been taken over on the date appointed by the representing State, Sweden reserves the right immediately to annul the measure of restraint imposed upon him.	Dated from 22 January 1959, Period covered: 18/04/1960 –
The former Yugoslav Republic of Macedonia	In the event that the person claimed has not been taken over by the requesting Party, on the appointed date, the Republic of Macedonia reserves the right to annul the measure of restraint imposed on that person.	Dated from 28 July 1999, Period covered: 26/10/1999 –

Article 21 – Transit

1 Transit through the territory of one of the Contracting Parties shall be granted on submission of a request by the means mentioned in Article 12, paragraph 1, provided that the offence concerned is not considered by the Party requested to grant transit as an offence of a political or purely military character having regard to Articles 3 and 4 of this Convention.

2 Transit of a national, within the meaning of Article 6, of a country requested to grant transit may be refused.

3 Subject to the provisions of paragraph 4 of this article, it shall be necessary to produce the documents mentioned in Article 12, paragraph 2.

4 If air transport is used, the following provisions shall apply: a when it is not intended to land, the requesting Party shall notify the Party over whose territory the flight is to be made and shall certify that one of the documents mentioned in Article 12, paragraph 2.a exists. In the case of an unscheduled landing, such notification shall have the effect of a request for provisional arrest as provided for in Article 16, and the requesting Party shall submit a formal request for transit;
b when it is intended to land, the requesting Party shall submit a formal request for transit.

5 A Party may, however, at the time of signature or of the deposit of its instrument of ratification of, or accession to, this Convention, declare that it will only grant transit of a person on some or all of the conditions on which it grants extradition. In that event, reciprocity may be applied.

6 The transit of the extradited person shall not be carried out through any territory where there is reason to believe that his life or his freedom may be threatened by reason of his race, religion, nationality or political opinion.

Croatia	Article 9 of the Constitution of the Republic of Croatia prohibits the extradition of Croatian citizens. Consequently, the Republic of Croatia will not allow any transit (Article 21, paragraph 2, of the Convention) of its own citizens. [Declaration]	Dated from 25 January 1995 Period covered 25/04/1995 –
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	The Republic of Croatia will approve the transit of a person only under the conditions applying to extradition (Article 21, paragraph 5, of the Convention). [Declaration]	Dated from 25 January 1995 Period covered: 25/04/1995
Switzerland	Switzerland reserves the right not to authorise transit in cases where the offence alleged against the person claimed comes within the provisions of Article 5 of the Convention or constitutes an infringement of commodity trade, restrictions of market regulations.	Dated from 20 December 1966, Period covered: 20/03/1967 –
Ukraine	Ukraine shall allow transit through its territory of persons who are extradited on the same conditions as those on which extradition is granted.	Dated from 11 March 1998, Period covered: 09/06/1998 –
United Kingdom	The United Kingdom cannot accept the application of Article 21.	Dated from 13 February 1991, Period covered: 14/05/1991 –

Article 25 – Definition of ‘detention order’

For the purposes of this Convention, the expression "detention order" means any order involving deprivation of liberty which has been made by a criminal court in addition to or instead of a prison sentence.

Italy	Italy makes the express reservation that it will not grant the extradition of persons wanted for the carrying out of a detention order unless: <ul style="list-style-type: none"> a. all the criteria laid down in Article 25 are fulfilled in each case; b. the said detention order is expressly provided for under the criminal law of the requesting Party as being a necessary consequence of an offence. 	Dated from 13 December 1957, Period covered: 04/11/1963 –
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Article 27 – Territorial application

- 1 This Convention shall apply to the metropolitan territories of the Contracting Parties.
- 2 In respect of France, it shall also apply to Algeria and to the overseas Departments and, in respect of the United Kingdom of Great Britain and Northern Ireland, to the Channel Islands and to the Isle of Man.
- 3 The Federal Republic of Germany may extend the application of this Convention to the Land of Berlin by notice addressed to the Secretary General of the Council of Europe, who shall notify the other Parties of such declaration.
- 4 By direct arrangement between two or more Contracting Parties, the application of this Convention may be extended, subject to the conditions laid down in the arrangement, to any territory of such Parties, other than the territories mentioned in paragraphs

United Kingdom	This Convention shall apply to the United Kingdom of Great	Dated from 13
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Britain and Northern Ireland, to the Channel Islands and to the Isle of Man. The United Kingdom reserves the right to notify the Secretary General of the application of the Convention to any territory for the international relations of which the United Kingdom is responsible. (Declaration)

February 1991,
Period covered:
14/05/1991 –

Article 28 – Relations between this Convention and bilateral Agreements

1 This Convention shall, in respect of those countries to which it applies, supersede the provisions of any bilateral treaties, conventions or agreements governing extradition between any two Contracting Parties.

2 The Contracting Parties may conclude between themselves bilateral or multilateral agreements only in order to supplement the provisions of this Convention or to facilitate the application of the principles contained therein.

3 Where, as between two or more Contracting Parties, extradition takes place on the basis of a uniform law, the Parties shall be free to regulate their mutual relations in respect of extradition exclusively in accordance with such a system notwithstanding the provisions of this Convention. The same principle shall apply as between two or more Contracting Parties each of which has in force a law providing for the execution in its territory of warrants of arrest issued in the territory of the other Party or Parties. Contracting Parties which exclude or may in the future exclude the application of this Convention as between themselves in accordance with this paragraph shall notify the Secretary General of the Council of Europe accordingly. The Secretary General shall inform the other Contracting Parties of any notification received in accordance with this paragraph.

Belgium	By reason of the special arrangements between the Benelux countries, the Belgian Government does not accept Article 28, paragraphs 1 and 2, in respect of its relations with the Kingdom of the Netherlands and the Grand Duchy of Luxembourg. The Belgian Government reserves the right to derogate from these provisions in respect of its relations with the other member States of the European Community.	Dated from 3 June 1997, Period covered: 27/11/1997 -
Denmark	The Convention will not apply to Denmark's relations with Norway and Sweden, extradition between the Scandinavian countries being governed by uniform legislation.	Dated from 13 September 1962, Period covered: 12/12/1962 –
Finland	The Convention shall not apply to extradition for offences between Finland, Denmark, Iceland, Norway and Sweden because extradition between these States is governed by uniform legislation. (Declaration)	Dated from 12 May 1971, Period covered: 10/08/1971 –
Iceland	The Convention shall not apply to extradition to Denmark, Finland, Norway or Sweden as extradition between the Nordic countries is governed by a uniform law.	Dated from 20 June 1984, Period covered: 18/09/1984 –
Luxembourg	By reason of the special arrangements between the Benelux countries, the Government of the Grand Duchy of Luxembourg does not accept Article 28.1 and 2 in respect of its relations with the Netherlands and Belgium.	Dated from 16 November 1976, Period covered: 16/02/1977 –

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

Netherlands

By reason of the special arrangements between the Benelux countries, the Netherlands Government does not accept Article 28(1) and (2) in respect of its relations with the Kingdom of Belgium and the Grand Duchy of Luxembourg.

Dated from 14 February 1969,
Period covered:
15/05/1969 –

Norway

This Convention shall not apply to extradition to Denmark, Finland or Sweden, as extradition between the said States is governed by a uniform legislation.

Dated from 17 January 1977,
Period covered:
19/01/1977 –

1.2 Additional Protocol to the European Convention on Extradition (ETS 086)

Chapter I, Article 1

For the application of Article 3 of the Convention, political offences shall not be considered to include the following:

a the crimes against humanity specified in the Convention on the Prevention and Punishment of the Crime of Genocide adopted on 9 December 1948 by the General Assembly of the United Nations;

b the violations specified in Article 50 of the 1949 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Article 51 of the 1949 Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked members of Armed Forces at Sea, Article 130 of the 1949 Geneva Convention relative to the Treatment of Prisoners of War and Article 147 of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War;

c any comparable violations of the laws of war having effect at the time when this Protocol enters into force and of customs of war existing at that time, which are not already provided for in the above mentioned provisions of the Geneva Conventions.

Denmark	In accordance with Article 6.1 of the Additional Protocol, we declare not to accept Chapter I. (Declaration)	Dated from 13 September 1978, Period covered: 20/08/1979 -
Georgia	Georgia declares that it does not accept Chapter I of the Protocol and reserves the right to decide, in accordance with the Chapter, on a case-by-case basis whether or not to satisfy an extradition request. (Declaration)	Dated from 15 June 2001, Period covered: 13/09/2001 -
Hungary	Since Article 6 of the Additional Protocol to the European Convention on Extradition makes possible the exclusion of the totality of Chapter I or II only, Hungary declares, that it does not accept Chapter I of the said Protocol. (Declaration) Although Hungarian law is in accordance with Article 1.a and b, and does not contain any provision contrary to subparagraph c, Hungary reserves the right to consider on a case-by-case basis whether or not to satisfy extradition requests based on subparagraph c.	Dated from 13 July 1993, Period covered: 11/10/1993 -
Iceland	Iceland does not accept Chapter I of the Protocol. (Declaration)	Dated from 20 June 1984, Period covered: 18/09/1984 -
Luxembourg	Pursuant to Article 6, paragraph 1, the Government of the Grand Duchy of Luxembourg declares that it does not accept Chapter II of the Additional Protocol. (Declaration)	Dated from 12 September 2001, Period covered: 11/12/2001 -
Malta	In accordance with Article 6 of the Protocol, Malta declares that	Dated from 20

	it does not accept Chapter I of the Protocol. (Declaration)	November 2000, Period covered: 18/02/2001 -
Netherlands	<p>The Government of the Kingdom of the Netherlands declares, in accordance with Article 6 of the aforementioned Protocol, that it does not accept Chapter I of the Protocol.</p> <p>Although Dutch legislation is fully in accordance with Article 1 (opening words and a. and b.) and does not contain any provisions, contrary to Article 1 (opening words and c.) in the case of acts committed during an international armed conflict, the Government of the Kingdom of the Netherlands wishes to reserve for itself the right to refuse extradition in cases of violations of laws and customs of war which have been committed during a non-international armed conflict.</p>	<p>Dated from 12 January 1982, Period covered: 12/04/1982 -</p>
Norway	<p>Pursuant to Article 6, Norway declares that it does not accept Chapter I of the Protocol.</p> <p>Given its statement concerning Article 3 of the European Convention on Extradition of December 13, 1957 the Russian Federation does not consider the list of offences that are not "Political offences" set forth in Article 1 of the Additional Protocol of October 15, 1975 to the European Convention on Extradition of December 13, 1957, as exhaustive". (Declaration)</p> <p>Sweden does not accept Chapter I of the said Protocol</p>	<p>Dated from 11 December 1986 Period covered: 11/03/1987 -</p> <p>Dated from 10 December 1999 Period covered: 09/03/2000 -</p> <p>Dated from 2 February 1976, Period covered: 20/08/1979 - February 1976 -</p>
	<p>Pursuant to Article 6, paragraph 1, the Republic of Turkey declares that it does not accept Chapter I of the Additional Protocol.</p> <p>Although Ukrainian legislation is in accordance with Article 1, paragraphs a and b, and does not contain any provision contrary to the paragraph c, Ukraine declares that it does not accept Chapter I and reserves the right to decide, in accordance with the Chapter, on a case-by-case basis whether or not to satisfy extradition requests. (Declaration)</p>	<p>Dated from 11 July 2016, Period covered: 09/10/2016 -</p> <p>Dated from 11 March 1998, Period covered: 09/06/1998 -</p>

Chapter II, Article 2

Article 9 of the Convention shall be supplemented by the following text, the original Article 9 of the Convention becoming paragraph 1 and the under-mentioned provisions becoming paragraphs 2, 3 and 4:

"2 The extradition of a person against whom a final judgment has been rendered in a third State, Contracting Party to the Convention, for the offence or offences in respect of which the claim was made, shall not be granted:

a if the afore-mentioned judgment resulted in his acquittal;

b if the term of imprisonment or other measure to which he was sentenced:

i has been completely enforced;

ii has been wholly, or with respect to the part not enforced, the subject of a pardon or an amnesty;

c if the court convicted the offender without imposing a sanction.

3 However, in the cases referred to in paragraph 2, extradition may be granted:

a if the offence in respect of which judgment has been rendered was committed against a person, an institution or any thing having public status in the requesting State;

b if the person on whom judgment was passed had himself a public status in the requesting State;

c if the offence in respect of which judgment was passed was committed completely or partly in the territory of the requesting State or in a place treated as its territory.

4 The provisions of paragraphs 2 and 3 shall not prevent the application of wider domestic provisions relating to the effect of ne bis in idem attached to foreign criminal judgments."

Luxembourg

Pursuant to Article 6, paragraph 1, the Government of the Grand Duchy of Luxembourg declares that it does not accept Chapter II of the Additional Protocol. (Declaration)

Dated from 12
September 2001,
Period covered:
11/12/2001 -

1.3 Second Additional Protocol to the European Convention on Extradition (ETS 098)

Chapter I, Article 1

Paragraph 2 of Article 2 of the Convention shall be supplemented by the following provision: "This right shall also apply to offences which are subject only to pecuniary sanctions."

Bulgaria	In accordance with Article 9 paragraph 2, the Republic of Bulgaria declares that it reserves the right not to accept Chapter I and the right to accept Chapter II in respect of offences concerning taxes, customs charges and currency exchange charges which are punishable under the Bulgarian Criminal Code.	Dated from 30 September 1993, Period covered: 15/09/1994 -
Malta	In accordance with Article 9 of the Protocol, Malta reserves the right not to apply Chapter I and Chapter III of the Protocol.	Dated from 20 November 2000, Period covered: 18/02/2001 -
Monaco	The Principality of Monaco declares, in accordance with Article 9, paragraph 1, of the Second Additional Protocol, that it reserves the right not to accept Chapter I of the Protocol.	Dated from 30 January 2009, Period covered: 01/05/2009 -
Norway	Pursuant to Article 9, Norway declares that it does not accept Chapters I and V of the Protocol.	Dated from 11 December 1986, Period covered: 11/03/1987 -
United Kingdom	In accordance with paragraph 2 of Article 9, the United Kingdom declares that it does not accept Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.	Dated from 8 March 1994, Period covered: 06/06/1994 -

Chapter II, Article 2

Article 5 of the Convention shall be replaced by the following provisions: "**Fiscal offences**

1 For offences in connection with taxes, duties, customs and exchange extradition shall take place between the Contracting Parties in accordance with the provisions of the Convention if the offence, under the law of the requested Party, corresponds to an offence of the same nature.

2 Extradition may not be refused on the ground that the law of the requested Party does not impose the same kind of tax or duty or does not contain a tax, duty, custom or exchange regulation of the same kind as the law of the requesting Party."

Switzerland	Switzerland declares not to accept Chapter II of the Second Additional Protocol to the European Convention on Extradition.	Dated from 17 November 1981, Period covered: 09/06/1985 -
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Chapter III, Article 3

The Convention shall be supplemented by the following provisions:

“1 When a Contracting Party requests from another Contracting Party the extradition of a person for the purpose of carrying out a sentence or detention order imposed by a decision rendered against him *in absentia*, the requested Party may refuse to extradite for this purpose if, in its opinion, the proceedings leading to the judgment did not satisfy the minimum rights of defence recognized as due to everyone charged with criminal offence. However, extradition shall be granted if the requesting Party gives an assurance considered sufficient to guarantee to the person claimed the right to a retrial which safeguards the rights of defence. This decision will authorise the requesting Party either to enforce the judgment in question if the convicted person does not make an opposition or, if he does, to take proceedings against the person extradited.

2 When the requested Party informs the person whose extradition has been requested of the judgment rendered against him *in absentia*, the requesting Party shall not regard this communication as a formal notification for the purposes of the criminal procedure in that State”.

Malta	In accordance with Article 9 of the Protocol, Malta reserves the right not to apply Chapter I and Chapter III of the Protocol.	Dated from 20 November 2000, Period covered: 18/02/2001 -
United Kingdom	In accordance with paragraph 2 of Article 9, the United Kingdom declares that it does not accept Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.	Dated from 8 March 1994, Period covered: 06/06/1994 -

Chapter IV, Article 4

The Convention shall be supplemented by the following provisions: “**Amnesty**

Extradition shall not be granted for an offence in respect of which an amnesty has been declared in the requested State and which that State had competence to prosecute under its own criminal law.”

United Kingdom	In accordance with paragraph 2 of Article 9, the United Kingdom declares that it does not accept Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.	Dated from 8 March 1994, Period covered: 06/06/1994 -
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Chapter V, Article 5

Paragraph 1 of Article 12 of the Convention shall be replaced by the following provisions: "The request shall be in writing and shall be addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the requested Party; however, use of the diplomatic channel is not excluded. Other means of communication may be arranged by direct agreement between two or more Parties."

Belgium	Belgium declares that it does not accept Chapter V of the Second Additional Protocol to the European Convention on Extradition.	Dated from 18 November 1997, Period covered: 16/02/1998 -
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Latvia	In pursuance of paragraph 2 of Article 9 of the Second Additional Protocol to the Convention on Extradition of 1978, the Republic of Latvia reserves the right not to accept Chapter V of the Protocol.	Dated from 17 April 1997, Period covered: 31/07/1997 -
Norway	Pursuant to Article 9, Norway declares that it does not accept Chapters I and V of the Protocol.	Dated from 11 December 1986, Period covered: 11/03/1987 -
Turkey	The Government of the Republic of Turkey reserves the right to use diplomatic channels in transmitting extradition requests in order to follow-up and carry out the necessary proceedings by diplomatic missions in the requested State, taking into consideration the type of request.	Dated from 10 July 1992, Period covered: 08/10/1992 -
Russia	The Russian Federation reserves the right not to apply Chapter V.	Dated from 7 November 1996
	The Russian Federation shall reserve the right not to apply Chapter V of the Second Additional Protocol of March 17, 1978 to the European Convention on Extradition of December 13, 1957.	Dated from 10 December 1999, Period covered: 09/03/2000 -
United Kingdom	In accordance with paragraph 2 of Article 9, the United Kingdom declares that it does not accept Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.	Dated from 8 March 1994, Period covered: 06/06/1994 -

1.4 Third Additional Protocol to the European Convention on Extradition (ETS 209)

Article 2 – Initiation of the procedure

1 When the person sought is the subject of a request for provisional arrest in accordance with Article 16 of the Convention, the extradition referred to in Article 1 of this Protocol shall not be subject to the submission of a request for extradition and supporting documents in accordance with Article 12 of the Convention. The following information provided by the requesting Party shall be regarded as adequate by the requested Party for the purpose of applying Articles 3 to 5 of this Protocol and for taking its final decision on extradition under the simplified procedure:

a the identity of the person sought, including his or her nationality or nationalities when available;

b the authority requesting the arrest;

c the existence of an arrest warrant or other document having the same legal effect or of an enforceable judgment, as well as a confirmation that the person is sought in accordance with Article 1 of the Convention;

d the nature and legal description of the offence, including the maximum penalty or the penalty imposed in the final judgment, including whether any part of the judgment has already been enforced;

e information concerning lapse of time and its interruption;

f a description of the circumstances in which the offence was committed, including the time, place and degree of involvement of the person sought;

g in so far as possible, the consequences of the offence;

h in cases where extradition is requested for the enforcement of a final judgment, whether the judgment was rendered in absentia.

2 Notwithstanding paragraph 1, supplementary information may be requested if the information provided for in the said paragraph is insufficient to allow the requested Party to decide on extradition.

3 In cases where the requested Party has received a request for extradition in accordance with Article 12 of the Convention, this Protocol shall apply *mutatis mutandis*.

Turkey

The Republic of Turkey declares that all the documents defined in Article 12 of the Convention need to be submitted, in cases where the simplified extradition procedure is applied, in accordance with paragraph 1, Article 2 of the Third Additional Protocol.

Dated from 11 July 2016, Period covered: 01/11/2016 -

1.5 Fourth Additional Protocol to the European Convention on Extradition (ETS 212)

Article 1

Article 10 of the Convention shall be replaced by the following provisions: “**Lapse of time**

1 Extradition shall not be granted when the prosecution or punishment of the person claimed has become statute-barred according to the law of the requesting Party.

2 Extradition shall not be refused on the ground that the prosecution or punishment of the person claimed would be statute-barred according to the law of the requested Party.

3 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it reserves the right not to apply paragraph 2:

a when the request for extradition is based on offences for which that State has jurisdiction under its own criminal law; and/or

b if its domestic legislation explicitly prohibits extradition when the prosecution or punishment of the person claimed would be statute-barred according to its law.

4 When determining whether prosecution or punishment of the person sought would be statute-barred according to its law, any Party having made a reservation pursuant to paragraph 3 of this article shall take into consideration, in accordance with its law, any acts or events that have occurred in the requesting Party, in so far as acts or events of the same nature have the effect of interrupting or suspending time-limitation in the requested Party.”

Latvia	In accordance with Article 1 of the Fourth Additional Protocol, and Article 10, paragraph 3, of the Convention as amended by the Fourth Additional Protocol, the Republic of Latvia reserves the right not to apply Article 10, paragraph 2, of the Convention in the case foreseen in subparagraph b, paragraph 3 of Article 10 of the Convention as amended by Article 1 of the Fourth Additional Protocol.	Dated from 24 February 2014, Period covered: 01/06/2014 –
Turkey	With regard to Article 1 of the Fourth Additional Protocol, when Turkey is the requested Party for extradition, it shall not accept the requests barred by the statute of limitation in accordance with Turkish law.	Dated from 11 July 2016, Period covered: 01/11/2016 -

Article 6

The Convention shall be supplemented by the following provisions: “**Channels and means of communication**

1 For the purpose of the Convention, communications may be forwarded by using electronic or any other means affording evidence in writing, under conditions which allow the Parties to ascertain their authenticity. In any case, the Party concerned shall, upon request and at any time, submit the originals or authenticated copies of documents.

2 The use of the International Criminal Police Organization (Interpol) or of diplomatic channels is not

excluded.

3 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that, for the purpose of Article 12 and Article 14, paragraph 1.a, of the Convention, it reserves the right to require the original or authenticated copy of the request and supporting documents.”

Switzerland	In accordance with Article 6, paragraph 3, of the Fourth Additional Protocol to the Convention on Extradition, Switzerland reserves the right to require the original or authenticated copy of the request and supporting documents referred to in Article 12 and Article 14, paragraph 1.a, of the Convention.	Dated from 15 July 2016, Period covered: 01/11/2016 -
United Kingdom	In accordance with Article 6, paragraph 3, of the Fourth Additional Protocol, the Government of the United Kingdom of Great Britain and Northern Ireland declares that, for the purpose of Article 12 and Article 14, paragraph 1.a, of the Convention, it reserves the right to require the original or authenticated copy of a request and supporting documents.	Dated from 23 September 2014, Period covered: 01/01/2015 -

II: Mutual Legal Assistance

2.1 European Convention on Mutual Assistance in Criminal Matters (ETS 030)

Article 1 (General provisions)

1 The Contracting Parties undertake to afford each other, in accordance with the provisions of this Convention, the widest measure of mutual assistance in proceedings in respect of offences the punishment of which, at the time of the request for assistance, falls within the jurisdiction of the judicial authorities of the requesting Party.

2 This Convention does not apply to arrests, the enforcement of verdicts or offences under military law which are not offences under ordinary criminal law.

Austria	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.	Dated from 2 October 1968, Period covered: 31/12/1968 -
Iceland	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.	Dated from 20 June 1984, Period covered: 18/09/1984 -
Serbia	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. (Declaration)	Dated from 30 September 2002, Period covered: 29/12/2002 -

Article 2 (General provisions)

Assistance may be refused:

a if the request concerns an offence which the requested Party considers a political offence, an offence connected with a political offence, or a fiscal offence;

b if the requested Party considers that execution of the request is likely to prejudice the sovereignty, security, *ordre public* or other essential interests of its country.

<p>Andorra</p>	<p>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.</p> <p>Regarding Article 2 of the Convention, the Principality of Andorra reserves the right to refuse a request for mutual assistance:</p> <p>a) if the criminal offences upon which a letter rogatory is based are not punished by the Andorran Law as criminal offences;</p> <p>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.</p>	<p>Dated from 26 April 2005, Period covered: 25/07/2005 -</p>
<p>Armenia</p>	<p>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:</p> <p>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,</p> <p>b) if, in respect of the criminal offence for which legal assistance is requested, an action is brought in the Republic of Armenia,</p> <p>c) if there is a judgement in force or another final decision regarding the criminal offence, in respect of which legal assistance is requested.</p>	<p>Dated from 25 January 2002, Period covered: 25/04/2002 -</p>
<p>Azerbaijan</p>	<p>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 :</p> <p>– if the request for assistance concerns acts which are not qualified as an offence under the legislation of the Republic of Azerbaijan;</p> <p>– 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;</p> <p>– 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.</p>	<p>Dated from 4 July 2003, Period covered: 02/10/2003 -</p>

Belgium	<p>The Government of the Kingdom of Belgium reserves the right not to comply with a request for assistance</p> <p>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;</p> <p>b. is so far as it concerns a prosecution or proceedings incompatible with the principle non bis in idem;</p> <p>c. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in Belgium.</p>	<p>Dated from 13 August 1975, Period covered: 11/11/1975 -</p>
Bulgaria	<p>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.</p> <p>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 :</p> <p>"The Republic of Bulgaria declares that it will refuse legal aid in cases where :</p> <ul style="list-style-type: none"> - 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. 	<p>Dated from 5 January 2004, Period covered: 15/09/1994 -</p>
Cyprus	<p>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.</p>	<p>Dated from 24 February 2000, Period covered: 24/05/2000 -</p>
Denmark	<p>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</p>	<p>Dated from 30 August 1962, Period covered: 12/12/1962 -</p>

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.

Estonia

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.

Dated from
28 April 1997,
Period covered:
27/07/1997 -

Finland

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.

Dated from 9 March
1994,
Period covered:
10/03/1994 -

Georgia

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.

Dated from 13
October 1999,
Period covered:
11/01/2000 -

Hungary

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

Dated from 13 July
1993,
Period covered:
11/10/1993 -

Ireland

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.

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.

Dated from
28 November 1996,
Period covered:
26/02/1997 -

Lithuania 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:

Dated from 17 April 1997,
Period covered:
16/07/1997 -

- 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.

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

Dated from 16 November 1976,
Period covered:
16/02/1977 -

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.

Malta The Government of Malta reserves the right to refuse assistance if the person who is the subject of a request for

Dated from 3 March 1994,

	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: 01/06/1994 -
Moldova	<p>Under Article 2 of the Convention, the Republic of Moldova declares that it will refuse assistance where:</p> <ul style="list-style-type: none">- 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.	Dated from 4 February 1998, Period covered: 05/05/1998 -
Monaco	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.	Dated from 19 March 2007, Period covered: 17/06/2007 -
Netherlands	<p>The Netherlands Government reserves the right not to comply with a request for assistance:</p> <ul style="list-style-type: none">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.	Dated from 14 February 1969, Period covered: 15/05/1969 -
Norway	<p>Assistance can be refused:</p> <ul style="list-style-type: none">a. if the accused person is being prosecuted by the public prosecutor of Norway or by the judicial authorities of a third	Dated from 21 April 1961, Period covered: 12/06/1962 -

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.

Russia	<p>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:</p> <p>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;</p> <p>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.</p>	<p>Dated from 10 December 1999, Period covered: 09/03/2000 -</p>
San Marino	<p>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. 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.</p>	<p>Dated from 18 March 2009, Period covered: 16/06/2009 -</p>
Sweden	<p>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.</p>	<p>Dated from 6 November 2000, Period covered: 24/11/2000 -</p>
Switzerland	<p>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:</p>	<p>Dated from 5 December 1996, Period covered: 13/12/1996 -</p>

"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.

Ukraine

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.

Dated from
11 march 1998,
Period covered:
09/06/1998 -

United Kingdom

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

Dated from
29 August 1991,
Period covered:
27/11/1991 -

Article 3 (Letters Rogatory)

1 The requested Party shall execute in the manner provided for by its law any letters rogatory relating to a criminal matter and addressed to it by the judicial authorities of the requesting Party for the purpose of procuring evidence or transmitting articles to be produced in evidence, records or documents.

2 If the requesting Party desires witnesses or experts to give evidence on oath, it shall expressly so request, and the requested Party shall comply with the request if the law of its country does not prohibit it.

3 The requested Party may transmit certified copies or certified photostat copies of records or documents requested, unless the requesting Party expressly requests the transmission of originals, in which case the requested Party shall make every effort to comply with the request.

Armenia	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.	Dated from 25 January 2002, Period covered: 25/04/2002 -
Denmark	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.	Dated from 30 August 1962, Period covered: 12/12/1962 -
Ireland	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.	Dated from 28 November 1996, Period covered: 26/02/1997 -
Malta	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.	Dated from 3 March 1994, Period covered: 01/06/1994 -
Russia	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.	Dated from 10 December 1999, Period covered: 09/03/2000 -
United Kingdom	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.	Dated from 29 August 1991, Period covered: 27/11/1991 -

Article 4 (Letters Rogatory)

On the express request of the requesting Party the requested Party shall state the date and place of execution of the letters rogatory. Officials and interested persons may be present if the requested Party consents.

Greece	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.	Dated from 20 April 1959, Period covered:
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12/06/1962 -

Article 5 (Letters Rogatory)

1 Any Contracting Party may, by a declaration addressed to the Secretary General of the Council of Europe, when signing this Convention or depositing its instrument of ratification or accession, reserve the right to make the execution of letters rogatory for search or seizure of property dependent on one or more of 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 requested Party;

b that the offence motivating the letters rogatory is an extraditable offence in the requested country;

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

2 Where a Contracting Party makes a declaration in accordance with paragraph 1 of this article, any other Party may apply reciprocity.

Albania	The execution of letters rogatory for search or seizure of property shall be dependent on the conditions stipulated in Article 5, paragraph 1, letters "a" and "c".	Dated from 4 April 2000, Period covered: 03/07/2000 -
Andorra	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.	Dated from 26 April 2005, Period covered: 25/07/2005 -
Armenia	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.	Dated from 25 January 2002, Period covered: 25/04/2002 -
Austria	Austria will make the execution of letters rogatory for search or seizure of property subject to the condition laid down in sub-paragraph c.	Dated from 2 October 1968, Period covered: 31/12/1968 -
Azerbaijan	The Republic of Azerbaijan declares that letters rogatory for search or seizure of property shall be executed on conditions provided for in sub-paragraphs and c of Article 5, paragraph 1, of the Convention.	Dated from 4 July 2003, Period covered: 02/10/2003 -
Belgium	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.	Dated from 13 August 1975, Period covered: 11/11/1975 -
Bulgaria	The Republic of Bulgaria declares that it reserves the right to execute letters rogatory for search or seizure of property	Dated from 5 January 2004,

	only on the conditions set out in Article 5 paragraph 1 (a) and (c).	Period covered: 15/09/1994 -
Chile	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.	Dated from 30 May 2011, Period covered: 28/08/2011 -
Croatia	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.	Dated from 7 May 1999, Period covered: 05/08/1999 -
Cyprus	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).	Dated from 24 February 2000, Period covered: 24/05/2000 -
Czech Republic	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.	Dated from 15 April 1992, Period covered: 01/01/1993 -
Denmark	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.	Dated from 30 August 1962, Period covered: 12/12/1962 -
Estonia	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).	Dated from 28 April 1997, Period covered: 27/07/1997 -
Finland	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.	Dated from 9 March 1994, Period covered: 10/03/1994 -
Georgia	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.	Dated from 13 October 1999, Period covered: 11/01/2000 -
Germany	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.	Dated from 2 October 1976, Period covered: 01/01/1977 -
Hungary	Search and seizure will be executed in Hungary on condition provided for in subparagraph c.	Dated from 13 July 1993, Period covered: 11/10/1993 -

Hungary	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.	Dated from 20 June 1984, Period covered: 18/09/1984 -
Ireland	<p>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:</p> <p>a. that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and Irish law, and</p> <p>b. that execution of the letters rogatory is consistent with Irish law.</p>	Dated from 28 November 1996, Period covered: 26/02/1997 -
Korea	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.	Dated from 29 September 2011, Period covered: 29/12/2011 -
Liechtenstein	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.	Dated from 28 October 1969, Period covered: 26/01/1970 -
Lithuania	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 subparagraphs a), b) and c) of the said provision.	Dated from 17 April 1997, Period covered: 16/07/1997 -
Malta	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.	Dated from 3 March 1994, Period covered: 01/06/1994 -
Moldova	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.	Dated from 4 February 1998, Period covered: 05/05/1998 -
Monaco	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.	Dated from 19 March 2007 Period covered: 17/06/2007 -
Netherlands	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	Dated from 21 April 1961, Period covered: 12/06/1962 -

that the Netherlands court has authorised execution in accordance with its municipal law.

Norway	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.	Dated from 21 April 1961, Period covered: 12/06/1962 -
Poland	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.	Dated from 19 March 1996, Period covered: 17/06/1996 -
Portugal	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.	Dated from 3 April 1997, Period covered: 04/04/1997 -
Romania	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.	Dated from 17 March 1999, Period covered: 15/06/1999 -
Russia	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.	Dated from 10 December 1999, Period covered: 09/03/2000 -
San Marino	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). (Declaration)	Dated from 18 March 2009, Period covered: 16/06/2009 -
Slovakia	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.	Dated from 15 April 1992, Period covered: 01/01/1993 -
Slovenia	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.	Dated from 17 July 2001, Period covered: 17/10/2001 -
Spain	Spain reserves the right to make the execution of letters	Dated from 18

	<p>rogatory for search or seizure of property dependent on the following conditions:</p> <p>a. that the offence motivating the letters rogatory is punishable under Spanish law;</p> <p>b. that the offence motivating the letters rogatory is an extraditable offence under Spanish law;</p> <p>c. that execution of the letters rogatory is consistent with Spanish law.</p>	<p>August 1982, Period covered: 16/11/1982 -</p>
Sweden	<p>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).</p>	<p>Dated from 6 November 2000, Period covered: 24/11/2000 -</p>
Switzerland	<p>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.</p>	<p>Dated from 5 December 1996, Period covered: 13/12/1996 -</p>
Turkey	<p>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.</p>	<p>Dated from 23 October 1959, Period covered: 22/09/1959 -</p>
Ukraine	<p>Ukraine will comply with judicial decisions concerning search and seizure of property on the condition foreseen by Article 5, paragraph 1, subparagraph c.</p>	<p>Dated from 11 march 1998, Period covered: 09/06/1998 -</p>
United Kingdom	<p>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:</p> <p>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</p> <p>b. that execution of the letters rogatory is consistent with the law of the United Kingdom.</p>	<p>Dated from 29 August 1991, Period covered: 27/11/1991 -</p>

Article 7 (Service of writs and records of judicial verdicts – Appearance of witnesses, experts and prosecuted persons)

1 The requested Party shall effect service of writs and records of judicial verdicts which are transmitted to it for this purpose by the requesting Party. Service may be effected by simple transmission of the writ or record to the person to be served. If the requesting Party expressly so requests, service shall be effected by the requested Party in the manner provided for the service of analogous documents under its own law or in a special manner consistent with such law.

2 Proof of service shall be given by means of a receipt dated and signed by the person served or by means of a declaration made by the requested Party that service has been effected and stating the form and date of such service. One or other of these documents shall be sent immediately to the requesting Party. The requested Party shall, if the requesting Party so requests, state whether service has been effected in accordance with the law of the requested Party. If service cannot be effected, the reasons shall be communicated immediately by the requested Party to the requesting Party.

3 Any Contracting Party may, by a declaration addressed to the Secretary General of the Council of Europe, when signing this Convention or depositing its instrument of ratification or accession, request that service of a summons on an accused person who is in its territory be transmitted to its authorities by a certain time before the date set for appearance. This time shall be specified in the aforesaid declaration and shall not exceed 50 days. This time shall be taken into account when the date of appearance is being fixed and when the summons is being transmitted.

Croatia	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. [Declaration]	Dated from 7 May 1999, Period covered: 05/08/1999 -
Norway	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.	Dated from 21 April 1961, Period covered: 12/06/1962 –

Article 11 (Service of writs and records of judicial verdicts – Appearance of witnesses, experts and prosecuted persons)

1 A person in custody whose personal appearance as a witness or for purposes of confrontation is applied for by the requesting Party shall be temporarily transferred to the territory where the hearing is intended to take place, provided that he shall be sent back within the period stipulated by the requested Party and subject to the provisions of Article 12 in so far as these are applicable.

Transfer may be refused:

- a if the person in custody does not consent;
- b if his presence is necessary at criminal proceedings pending in the territory of the requested Party;
- c if transfer is liable to prolong his detention, or
- d if there are other overriding grounds for not transferring him to the territory of the requesting Party.

2 Subject to the provisions of Article 2, in a case coming within the immediately preceding paragraph, transit of the person in custody through the territory of a third State, Party to this Convention, shall be granted on application, accompanied by all necessary documents, addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the Party through whose territory transit is requested.

A Contracting Party may refuse to grant transit to its own nationals.

3 The transferred person shall remain in custody in the territory of the requesting Party and, where applicable, in the territory of the Party through which transit is requested, unless the Party from whom transfer is requested applies for his release.

Austria	In the cases mentioned in Article 11, paragraph 1. a, b and	Dated from 2
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	c, the transfer of a person in custody as a witness or for purposes of confrontation will not be authorised.	October 1968, Period covered: 31/12/1968 -
Belgium	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.	Dated from 13 August 1975, Period covered: 11/11/1975 -
Cyprus	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.	Dated from 24 February 2000, Period covered: 24/05/2000 -
Denmark	The Danish Government reserves its position on the whole of this clause.	Dated from 30 August 1962, Period covered: 12/12/1962 -
Greece	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.	Dated from 20 April 1959, Period covered: 12/06/1962 -
Ireland	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.	Dated from 28 November 1996, Period covered: 26/02/1997 -
Luxembourg	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.	Dated from 16 November 1976, Period covered: 16/02/1977 -
Malta	The Government of Malta is unable to grant requests made under Article 11.	Dated from 3 March 1994, Period covered: 01/06/1994 -
Netherlands	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.	Dated from 14 February 1969, Period covered: 15/05/1969 -
Russia	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:	Dated from 10 December 1999, Period covered: 09/03/2000 -

- 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.

United Kingdom	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.	Dated from 29 August 1991, Period covered: 27/11/1991 -
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Article 12 (Service of writs and records of judicial verdicts – Appearance of witnesses, experts and prosecuted persons)

1 A witness or expert, whatever his nationality, appearing on a summons before the judicial authorities of the requesting Party shall not be prosecuted or detained or subjected to any other restriction of his personal liberty in the territory of that Party in respect of acts or convictions anterior to his departure from the territory of the requested Party.

2 A person, whatever his nationality, summoned before the judicial authorities of the requesting Party to answer for acts forming the subject of proceedings against him, shall not be prosecuted or detained or subjected to any other restriction of his personal liberty for acts or convictions anterior to his departure from the territory of the requested Party and not specified in the summons.

3 The immunity provided for in this article shall cease when the witness or expert or prosecuted person, having had for a period of fifteen consecutive days from the date when his presence is no longer required by the judicial authorities an opportunity of leaving, has nevertheless remained in the territory, or having left it, has returned.

Malta	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.	Dated from 3 March 1994, Period covered: 01/06/1994 -
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United Kingdom	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.	Dated from 29 August 1991, Period covered: 27/11/1991 -
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Article 13 (Judicial records)

1 A requested Party shall communicate extracts from and information relating to judicial records, requested from it by the judicial authorities of a Contracting Party and needed in a criminal matter, to the same extent that these may be made available to its own judicial authorities in like case.

2 In any case other than that provided for in paragraph 1 of this article the request shall be complied with in accordance with the conditions provided for by the law, regulations or practice of the requested Party.

Andorra	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.	Dated from 26 April 2005, Period covered: 25/07/2005 -
Bulgaria	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.	Dated from 5 January 2004, Period covered: 15/09/1994 -
Denmark	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. The Danish Government reserves its position on the whole of this clause.	Dated from 30 August 1962, Period covered: 12/12/1962 -
Hungary	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. The assistance referred to in Article 13, paragraph 2 cannot be given by Hungary.	Dated from 13 July 1993, Period covered: 11/10/1993 -
Iceland	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.	Dated from 20 June 1984, Period covered: 18/09/1984 -
Lithuania	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.	Dated from 17 April 1997, Period covered: 16/07/1997 -
Moldova	The Republic of Moldova reserves the right not to execute requests for assistance provided for under Article 13, paragraph 2, of the Convention.	Dated from 4 February 1998, Period covered: 05/05/1998 -
Switzerland	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	Dated from 5 December 1996, Period covered: 13/12/1996 -

through official channels.

Article 15 (Procedure)

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 Justice of the requesting Party to the Ministry of Justice of the requested Party and shall be returned through the same channels.

2 In case of urgency, letters rogatory may be addressed directly by the judicial authorities of the requesting Party to the judicial authorities of the requested Party. They shall be returned together with the relevant documents through the channels stipulated in paragraph 1 of this article.

3 Requests provided for in paragraph 1 of Article 13 may be addressed directly by the judicial authorities concerned to the appropriate authorities of the requested Party, and the replies may be returned directly by those authorities. Requests provided for in paragraph 2 of Article 13 shall be addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the requested Party.

4 Requests for mutual assistance, other than those provided for in paragraphs 1 and 3 of this article and, in particular, requests for investigation preliminary to prosecution, may be communicated directly between the judicial authorities.

5 In cases where direct transmission is permitted under this Convention, it may take place through the International Criminal Police Organisation (Interpol).

6 A Contracting Party may, when signing this Convention or depositing its instrument of ratification or accession, by a declaration addressed to the Secretary General of the Council of Europe, give notice that some or all requests for assistance shall be sent to it through channels other than those provided for in this article, or require that, in a case provided for in paragraph 2 of this article, a copy of the letters rogatory shall be transmitted at the same time to its Ministry of Justice.

7 The provisions of this article are without prejudice to those of bilateral agreements or arrangements in force between Contracting Parties which provide for the direct transmission of requests for assistance between their respective authorities.

Russia

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

Dated from 10
December 1999,
Period covered:
09/03/2000 -

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.

Article 21 (Laying of information in connection with proceedings)

1 Information laid by one Contracting Party with a view to proceedings in the courts of another Party shall be transmitted between the Ministries of Justice concerned unless a Contracting Party avails itself of the option provided for in paragraph 6 of Article 15.

2 The requested Party shall notify the requesting Party of any action taken on such information and shall forward a copy of the record of any verdict pronounced.

3 The provisions of Article 16 shall apply to information laid under paragraph 1 of this article.

Ireland	The Government of Ireland reserves the right not to apply Article 21.	Dated from 28 November 1996, Period covered: 26/02/1997 -
Malta	The Government of Malta reserves the right not to apply Article 21.	Dated from 3 March 1994, Period covered: 01/06/1994 -
United Kingdom	The Government of the United Kingdom reserves the right	Dated from

not to apply Article 21.

29 August 1991,
Period covered:
27/11/1991 –

Article 22 (Exchange of information from judicial records)

Each Contracting Party shall inform any other Party of all criminal convictions and subsequent measures in respect of nationals of the latter Party, entered in the judicial records. Ministries of Justice shall communicate such information to one another at least once a year. Where the person concerned is considered a national of two or more other Contracting Parties, the information shall be given to each of these Parties, unless the person is a national of the Party in the territory of which he was convicted.

Andorra	<p>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.</p> <p>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.</p>	<p>Dated from 26 April 2005, Period covered: 25/07/2005 -</p>
Belgium	<p>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.</p>	<p>Dated from 13 August 1975, Period covered: 11/11/1975 -</p>
France	<p>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.</p> <p>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.</p>	<p>Dated from 28 April 1961, Period covered: 21/08/1967 -</p>
Ireland	<p>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.</p>	<p>Dated from 28 November 1996, Period covered: 26/02/1997 -</p>
Israel	<p>Israel will not undertake to notify automatically the "subsequent measures" referred to in Article 22, but will use its best efforts to do so.</p>	<p>Dated from 27 September 1967, Period covered:</p>

		26/12/1967 -
Luxembourg	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.	Dated from 16 November 1976, Period covered: 16/02/1977 -
Netherlands	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.	Dated from 14 February 1969, Period covered: 15/05/1969 -
Russia	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.	Dated from 10 December 1999, Period covered: 09/03/2000 -
San Marino	The reservation made by the Republic of San Marino to Article 22 of the Convention at the time of the deposit of the instrument of ratification, on 18 March 2009, is amended as follows: “Concerning Article 22 of the Convention, the Republic of San Marino declares that it will provide the information referred to in Article 22 in so far as the organisation of its judicial records allows to do so.” According to San Marino authorities, the amendment to the reservation concerning Article 22 of the European Convention on Mutual Assistance in Criminal Matters is aimed at ensuring that the Republic of San Marino will grant any request from another Contracting Party, with the only limit established by the organisation of the judicial records. Indeed, on the basis of the reservation made at the time of ratification, only the requests submitted by foreign judicial authorities shall be accepted. Under the revised text, the Republic of San Marino undertakes to accept also requests from other authorities and, in particular, from Ministries of Justice of other countries, as expressly provided for in Article 22 of the Convention.	Dated from 27 March 2013, Period covered: 30/04/2013 -
Spain	Spain reserves the right not to inform other Parties of deleted entries in the criminal records of Spanish nationals.	Dated from 18 August 1982, Period covered: 16/11/1982 -
Sweden	Notifications concerning subsequent measures will be given to the extent that this is possible, according to Swedish regulations.	Dated from 6 November 2000, Period covered: 24/11/2000 -

Article 26 (Final Provisions)

1 Subject to the provisions of Article 15, paragraph 7, and Article 16, paragraph 3, this Convention shall, in respect of those countries to which it applies, supersede the provisions of any treaties, conventions or

bilateral agreements governing mutual assistance in criminal matters between any two Contracting Parties.

2 This Convention shall not affect obligations incurred under the terms of any other bilateral or multilateral international convention which contains or may contain clauses governing specific aspects of mutual assistance in a given field.

3 The Contracting Parties may conclude between themselves bilateral or multilateral agreements on mutual assistance in criminal matters only in order to supplement the provisions of this Convention or to facilitate the application of the principles contained therein.

4 Where, as between two or more Contracting Parties, mutual assistance in criminal matters is practised on the basis of uniform legislation or of a special system providing for the reciprocal application in their respective territories of measures of mutual assistance, these Parties shall, notwithstanding the provisions of this Convention, be free to regulate their mutual relations in this field exclusively in accordance with such legislation or system. Contracting Parties which, in accordance with this paragraph, exclude as between themselves the application of this Convention shall notify the Secretary General of the Council of Europe accordingly.

Belgium	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.	Dated from 13 August 1975, Period covered: 11/11/1975 -
Luxembourg	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. 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.	Dated from 16 November 1976, Period covered: 16/02/1977 -
Netherlands	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. 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.	Dated from 14 February 1969, Period covered: 15/05/1969 -
San Marino	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. (Declaration)	Dated from 18 March 2009, Period covered: 16/06/2009 -
Sweden	The agreement of 26 April 1974 between Sweden, Denmark, Finland, Iceland and Norway on mutual assistance through service and collection of evidence shall apply.	Dated from 6 November 2000, Period covered: 24/11/2000 -

2.2 Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS 099)

Article 8

1 Reservations made by a Contracting Party to a provision of the Convention shall be applicable also to this Protocol, unless that Party otherwise declares at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession. The same shall apply to the declarations made by virtue of Article 24 of the Convention.

2 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it reserves the right:

a not to accept Chapter I, or to accept it only in respect of certain offences or certain categories of the offences referred to in Article I, or not to comply with letters rogatory for search or seizure of property in respect of fiscal offences;

b not to accept Chapter II;

c not to accept Chapter III.

3 Any Contracting Party may withdraw a declaration it has made in accordance with the foregoing paragraph by means of a declaration addressed to the Secretary General of the Council of Europe which shall become effective as from the date of its receipt.

4 A Contracting Party which has applied to this Protocol a reservation made in respect of a provision of the Convention or which has made a reservation in respect of a provision of this Protocol may not claim the application of that provision by another Contracting Party; it may, however, if its reservation is partial or conditional claim the application of that provision in so far as it has itself accepted it.

5 No other reservation may be made to the provisions of this Protocol.

Chapter I

Article 1

The Contracting Parties shall not exercise the right provided for in Article 2.a of the Convention to refuse assistance solely on the ground that the request concerns an offence which the requested Party considers a fiscal offence.

Article 2

1 In the case where a Contracting Party has made the execution of letters rogatory for search or seizure of property dependent on the condition that the offence motivating the letters rogatory is punishable under both the law of the requesting Party and the law of the requested Party, this condition shall be fulfilled, as regards fiscal offences, if the offence is punishable under the law of the requesting Party and corresponds to an offence of the same nature under the law of the requested Party.

2 The request may not be refused on the ground that the law of the requested Party does not impose the same kind of tax or duty or does not contain a tax, duty, customs and exchange regulation of the same

kind as the law of the requesting Party.		
Armenia	<p>According to Article 8, paragraph 2, of the Protocol, the Republic of Armenia declares that:</p> <p>a) accepting the Chapter I, Armenia will not make the execution of letters rogatory for search or seizure of property;</p> <p>b) Armenia does not accept Chapter II.</p>	<p>Dated from 23 March 2004, Period covered: 21/06/2004 -</p>
Austria	<p>On the grounds of the Austrian reservation to Article 2, paragraph b. of the Convention and with a view to Article 8, paragraph 1, of the Protocol, the Republic of Austria declares that mutual assistance according to Chapter I of the Protocol will be granted only under the condition that - in conformity with Austrian legislation on secrecy - information and evidence received by way of mutual assistance will only be used in the criminal proceedings for which mutual assistance was requested and in directly related proceedings in respect of offences in connection with taxes, duties and customs.</p>	<p>Dated from 2 May 1983, Period covered: 31/07/1983 -</p>
Azerbaijan	<p>In accordance with Article 8, paragraph 2, of the Protocol, the Republic of Azerbaijan reserves the right to accept Chapter I only in respect of acts which are offences under the criminal legislation of the Republic of Azerbaijan, and not to accept Chapters II and III.</p>	<p>Dated from 4 July 2003, Period covered: 02/10/2003 -</p>
Bulgaria	<p>The Republic of Bulgaria declares that it accepts Chapter I only in respect of acts which are offences under Bulgarian criminal law.</p>	<p>Dated from 30 September 1993, Period covered: 15/09/1994 -</p>
Georgia	<p>In accordance with Article 8, paragraph 2. a of the Protocol, Georgia declares that it will execute the requests in respect of fiscal offences only dependant on the condition that the offence or its punishment is known to the Georgian legislation; herewith, Georgia reserves the right not to execute letters rogatory for search and seizure of property in respect of fiscal offences.</p>	<p>Dated from 8 March 1991, Period covered: 06/06/1991 -</p>
Germany	<p>Regarding Article 2 of the Additional Protocol, the Federal Republic of Germany, in accordance with Article 8(2)(a), reserves the right to make the execution of letters rogatory of any kind in proceedings concerning contraventions of regulations governing international transfer of capital and payments, dependant on the condition that the offence motivating the letters rogatory is punishable under German law as well, or would be so punishable after analogous conversion of the facts.</p>	<p>Dated from 22 May 2003, Period covered: 20/08/2003 -</p>
Luxembourg	<p>In accordance with the provisions of Article 8, paragraph 2, sub-paragraph a, the Government of the Grand Duchy of Luxembourg reserves itself the right to accept Chapter I of this Protocol only if the criminal fiscal offence constitutes a tax fraud within the meaning of paragraph 396, sub-paragraph 5, of the General Law on Taxes, or of paragraph 29, sub-paragraph 1, of the Law of 28 January 1948 aiming</p>	<p>Dated from 9 December 1994, Period covered: 31/12/2000 -</p>

to ensure the correct and fair collection of registration and succession rights.

The Government of the Grand Duchy of Luxembourg reserves itself the right to accept Chapter I only under the express condition that results of investigations made in Luxembourg and information contained in transmitted documents or files will exclusively be used to instruct and judge the criminal offences for which the assistance is provided.

The Government of the Grand Duchy of Luxembourg declares that rogatory letters for search or seizure received in pursuance of this Protocol and in conformity with the above-mentioned reservation are not subject to the condition provided by Article 5 of the European Convention on Extradition of 13 December 1957.

[Note by the Secretariat: The reservation referred to reads as follows:

In accordance with the provisions of Article 8, paragraph 2, sub-paragraph a, the Government of the Grand Duchy of Luxembourg reserves itself the right to accept Chapter I of this Protocol only if the criminal fiscal offence constitutes a tax fraud within the meaning of paragraph 396, sub-paragraph 5, of the General Law on Taxes, or of paragraph 29, sub-paragraph 1, of the Law of 28 January 1948 aiming to ensure the correct and fair collection of registration and succession rights. (Declaration)

Spain	The Spanish Government declares in accordance with Article 8, paragraph 2 that it reserves the right not to comply with letters rogatory for search or seizure of property in respect of fiscal offences.	Dated from 13 June 1991, Period covered: 11/09/1991 -
Switzerland	In accordance with the provisions of Article 8.2a, Switzerland reserves the right to accept Chapter I of the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters only to the extent that the fiscal offence constitutes a fraud with regard to taxes.	Dated from 17 November 1981, /

Chapter II

Article 3

The Convention shall also apply to:

a the service of documents concerning the enforcement of a sentence, the recovery of a fine or the payment of costs of proceedings;

b measures relating to the suspension of pronouncement of a sentence or of its enforcement, to conditional release, to deferment of the commencement of the enforcement of a sentence or to the interruption of such enforcement.

Armenia	According to Article 8, paragraph 2, of the Protocol, the Republic of Armenia declares that: a) accepting the Chapter I, Armenia will not make the execution of letters rogatory for search or seizure of property; b) Armenia does not accept Chapter II.	Dated from 23 March 2004, Period covered: 21/06/2004 -
Georgia	In respect with Article 8, paragraph 2. b of the Protocol, Georgia reserves itself the right not to accept the binding force of the provisions of Chapter II.	Dated from 22 May 2003, Period covered: 20/08/2003 -
Ireland	In accordance with Article 8, paragraph 2, the Government of Ireland reserves the right not to accept Chapters II and III. (Declaration)	Dated from 28 November 1996, Period covered: 26/02/1997 -
United Kingdom	In accordance with Article 8, paragraph 2, the United Kingdom of Great Britain and Northern Ireland reserves the right not to accept Chapters II and III.	Dated from 29 August 1991, Period covered: 27/11/1991 -

Chapter III

Article 4

Article 22 of the Convention shall be supplemented by the following text, the original Article 22 of the Convention becoming paragraph 1 and the below-mentioned provisions becoming paragraph 2:

"2 Furthermore, any Contracting Party which has supplied the above-mentioned information shall communicate to the Party concerned, on the latter's request in individual cases, a copy of the convictions and measures in question as well as any other information relevant thereto in order to enable it to consider whether they necessitate any measures at national level. This communication shall take place between the Ministries of Justice concerned."

Ireland	In accordance with Article 8, paragraph 2, the Government of Ireland reserves the right not to accept Chapters II and III. (Declaration)	Dated from 28 November 1996, Period covered: 26/02/1997 -
United Kingdom	In accordance with Article 8, paragraph 2, the United Kingdom of Great Britain and Northern Ireland reserves the right not to accept Chapters II and III.	Dated from 29 August 1991, Period covered: 27/11/1991 -

2.3 Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS 182)

Article 3 – Temporary transfer of detained persons to the territory of the requesting Party

Article 11 of the Convention shall be replaced by the following provisions:

"1 A person in custody whose personal appearance for evidentiary purposes other than for standing trial is applied for by the requesting Party shall be temporarily transferred to its territory, provided that he or she shall be sent back within the period stipulated by the requested Party and subject to the provisions of Article 12 of this Convention, in so far as these are applicable.

Transfer may be refused if:

- a the person in custody does not consent;
- b his or her presence is necessary at criminal proceedings pending in the territory of the requested Party;
- c transfer is liable to prolong his or her detention, or
- d there are other overriding grounds for not transferring him or her to the territory of the requesting Party.

2 Subject to the provisions of Article 2 of this Convention, in a case coming within paragraph 1, transit of the person in custody through the territory of a third Party, shall be granted on application, accompanied by all necessary documents, addressed by the Ministry of Justice of the requesting Party to the Ministry of Justice of the Party through whose territory transit is requested. A Party may refuse to grant transit to its own nationals.

3 The transferred person shall remain in custody in the territory of the requesting Party and, where applicable, in the territory of the Party through which transit is requested, unless the Party from whom transfer is requested applies for his or her release."

Belgium

Concerning Article 3 of the Protocol, the Government of the Kingdom of Belgium will grant the temporary transfer provided by this article only if the person concerned is serving a definitive sentence on its territory, excluding anybody in pre-trial detention.

Dated from
9 March
2009,
Period
covered:
01/07/2009
-

Article 9 – Hearing by video conference

9 Any Contracting State may, at any time, by means of a declaration addressed to the Secretary General of the Council of Europe, declare that it will not avail itself of the possibility provided in paragraph 8 above of also applying the provisions of this article to hearings by video conference involving the accused person or the suspect.

Chile	In accordance with the provisions in Article 9, paragraph 9, of the Second Additional Protocol, the Republic of Chile declares that it shall not apply the rules in this Article to hearings by video conference involving the accused person or the suspect.	Dated from 30 May 2011 Period covered: 01/09/2011 –
Croatia	Concerning Article 9, paragraph 9, of the Second Additional Protocol, the Republic of Croatia declares that it will not apply the provisions of this article to hearings by video conference involving the accused person or the suspect.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Denmark	In accordance with Article 9, paragraph 9 (in the Second Additional Protocol), Denmark declares that it does not meet requests for hearing by videoconference involving the accused person or the suspect.	Dated from 15 January 2003, Period covered: 01/02/2004 –
France	In accordance with Article 9, paragraph 9, of the Second Additional Protocol, France declares that it will not apply the provisions of this article to hearings of prosecuted persons during appearances before the trial court.	Dated from 6 February 2012, Period covered: 01/06/2012 –
Germany	In accordance with Article 9 (2) of the Second Additional Protocol, the Federal Republic of Germany declares that pursuant to the fundamental principles of its law, a hearing of witnesses and experts by video conference may take place only on a voluntary basis. No costs may be imposed or administrative fines charged to witnesses or experts who do not comply with a request from a foreign judicial authority to be heard by means of a video conference. In accordance with Article 9 (9) of the Second Additional Protocol, the Federal Republic of Germany declares that a hearing of accused persons or suspects by video conference is not excluded in principle, but that such a hearing may take place only on a voluntary basis pursuant to Article 9 (8) third sentence.	Dated from 6 February 2015, Period covered: 01/06/2015 –
Malta	In accordance with Article 9, paragraph 9, of the Second Additional Protocol, Malta declares that it does not meet requests for hearing by videoconference involving the accused person or the suspect.	Dated from 12 April 2012, Period covered: 01/08/2012 –
Netherlands	Pursuant to Article 9, paragraph 9, of the Protocol, the Government of the Netherlands declares, for the European part of the Netherlands, that it wishes to avail itself of the possibility of excluding the use of hearings by video conference involving suspects.	Dated from 20 December 2010, Period covered: 01/04/2011 -

Norway	In accordance with Article 9, paragraph 9, of the Protocol, Norway declares that it will not apply the provisions of this article to hearings by video conference involving the accused person or the suspect.	Dated from 8 November 2001, Period covered: 01/03/2013 -
Poland	In accordance with Article 9, paragraph 9, the Republic of Poland declares that it will not avail itself of the possibility of hearing by video conference the accused person or the suspect (Article 9, paragraph 8).	Dated from 9 October 2003, Period covered: 01/02/2004 -
United Kingdom	In accordance with Article 9, paragraph 9, of the Second Additional Protocol, the Government of the United Kingdom declares that it will not allow video conferencing to be used where the witness in question is the accused person or the suspect.	Dated from 30 June 2010, Period covered: 01/10/2010 -

Article 11 – Spontaneous information

1 Without prejudice to their own investigations or proceedings, the competent authorities of a Party may, without prior request, forward to the competent authorities of another Party information obtained within the framework of their own investigations, when they consider that the disclosure of such information might assist the receiving Party in initiating or carrying out investigations or proceedings, or might lead to a request by that Party under the Convention or its Protocols.

2 The providing Party may, pursuant to its national law, impose conditions on the use of such information by the receiving Party.

3 The receiving Party shall be bound by those conditions.

4 However, any Contracting State may, at any time, by means of a declaration addressed to the Secretary General of the Council of Europe, declare that it reserves the right not to be bound by the conditions imposed by the providing Party under paragraph 2 above, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission.

Belgium	Pursuant to paragraph 4 of Article 11 of the Protocol, the Government of the Kingdom of Belgium declares that it reserves the right not to be bound by the conditions imposed by the providing Party under paragraph 2 of the said article, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 9 March 2009, Period covered: 01/07/2009 -
Bulgaria	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Republic of Bulgaria declares that conditions, imposed by the Party which provides spontaneous information, shall be observed only if that Party has previously notified of the nature of the	Dated from 11 May 2004, Period covered: 01/09/2004 -

information to be provided and Bulgaria has agreed to its transmission.

Cyprus	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Government of the Republic of Cyprus reserves the right not to be bound by any conditions imposed by the providing Party under paragraph 2 of the aforesaid Article, unless it receives prior notice of the nature of the information to be provided and agrees to the transmission.	Dated from 28 January 2015, Period covered: 01/06/2015 -
Georgia	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, Georgia declares that it reserves the right not to be bound by the conditions imposed by the providing Party under paragraph 2 of Article 11, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission.	Dated from 10 January 2014, Period covered: 01/05/2014 -
Germany	In accordance with Article 11 (4) of the Second Additional Protocol, the Federal Republic of Germany declares that it reserves the right not to be bound by the conditions imposed by the providing Party under Article 11 (2) unless the Federal Republic of Germany receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 6 February 2015, Period covered: 01/06/2015 -
Israel	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Government of the State of Israel reserves the right not to be bound by the conditions imposed by the providing Party under paragraph 2 of Article 11, unless it receives prior notice of the nature of the information to be provided and agrees to the transmission. (Declaration)	Dated from 20 March 2006, Period covered: 01/07/2006 -
Latvia	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Republic of Latvia declares that it reserves the right not to be bound by the conditions imposed by the providing Party under paragraph 2 of said Article 11. (Declaration)	Dated from 30 March 2004, Period covered: 01/07/2004 -
Moldova	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Republic of Moldova declares that it will not be bound by the conditions imposed by the providing Party under Article 11, paragraph 2, of the Second Additional Protocol, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 8 August 2013, Period covered: 01/12/2013 -

Slovakia	The Slovak Republic avails itself of the opportunity provided by Article 11, paragraph 4, of the Second Additional Protocol and declares that it reserves its right not to be bound by the conditions imposed by the providing Party unless it receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 11 January 2005, Period covered: 01/05/2005 -
Ukraine	Ukraine reserves the right not to be bound by the conditions imposed by the providing Party, which provides information pursuant to paragraph 2 of Article 11 of the Second Additional Protocol, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 14 September 2011, Period covered: 01/01/2012 –
United Kingdom	In accordance with Article 11, paragraph 4, of the Second Additional Protocol, the Government of the United Kingdom declares that it will not be bound by the conditions imposed by the providing Party under Article 11, paragraph 2, of the Second Additional Protocol, unless it receives prior notice of the nature of the information to be provided and agrees to its transmission. (Declaration)	Dated from 30 June 2010, Period covered: 01/10/2010

Article 13 – Temporary transfer of detained persons to the requested Party

7 Any Contracting State may at any time, by means of a declaration addressed to the Secretary General of the Council of Europe, declare that before an agreement is reached under paragraph 1 of this article, the consent referred to in paragraph 3 of this article will be required, or will be required under certain conditions indicated in the declaration.

Belgium	Pursuant to paragraph 7 of Article 13 of the Protocol, the Government of the Kingdom of Belgium declares that it will grant the temporary transfer provided by this article only with the consent of the persons detained and to the extent that he/she is serving a definitive sentence on its territory, excluding anybody in pretrial detention.	Dated from 9 March 2009, Period covered: 01/07/2009 –
Bosnia and Herzegovina	In line with Article 13, paragraph 7, of the Second Additional Protocol, Bosnia and Herzegovina declares that it shall request the approval referred to under Article 13, paragraph 3, of this Protocol, before reaching an agreement under paragraph 1 of this article.	Dated from 7 November 2007, Period covered: 01/03/2008 –
Bulgaria	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Republic of Bulgaria declares that consent of the person concerned in Article 13, paragraph 3, will be required before an agreement is reached	Dated from 11 May 2004, Period covered: 01/09/2004 –

between the competent authorities under paragraph 1 of the same article.

Chile	In accordance with the provisions in Article 13, paragraph 7, of the Second Additional Protocol, the Republic of Chile declares that before an agreement is reached under Article 13, paragraph 1, it shall grant the temporary transfer only with the consent of the detained person.	Dated from 30 May 2011, Period covered: 01/09/2011 –
Croatia	Concerning Article 13, paragraph 7, of the Second Additional Protocol, the Republic of Croatia declares that the consent referred to in Article 13, paragraph 3, will be required before an agreement on a temporary transfer of a person held in custody is reached under Article 13, paragraph 1.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Czech Republic	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Czech Republic declares that the consent referred to in Article 13, paragraph 3, of the Second Additional Protocol will be required before an agreement on the temporary transfer of a person under Article 13, paragraph 1, of the Second Additional Protocol is reached.	Dated from 1 March 2006, Period covered: 01/07/2006 –
Denmark	In accordance with Article 13, paragraph 7 (in the Second Additional Protocol), Denmark declares that consent as mentioned in Article 13, paragraph 3, will be required prior to an agreement on temporary transfer of a person held in custody according to Article 13, paragraph 1.	Dated from 15 January 2003, Period covered: 01/02/2004 –
Finland	Pursuant to Article 13, paragraph 7, of the Protocol, the Republic of Finland declares that before an agreement is reached under paragraph 1 of Article 13, the consent referred to in paragraph 3 will be required if the person to be transferred is a national of Finland or resides permanently in Finland, or if a person who is not a national of Finland or does not reside permanently in Finland is to be transferred from Finland to a State other than a Member State of the European Union, Iceland or Norway.	Dated from 16 April 2004, Period covered: 01/08/2014 –
Georgia	In accordance with Article 13, paragraph 7 of the Second Additional Protocol, Georgia declares that the consent as mentioned in Article 13, paragraph 3, will be required prior to the agreement on temporary transfer of a person held in custody pursuant to Article 13, paragraph 1.	Dated from 10 January 2014, Period covered: 01/05/2014 -
Germany	In accordance with Article 13 (7) of the Second	

Ireland	Additional Protocol, the Federal Republic of Germany declares that before an agreement is reached under Article 13 (1), consent from the person concerned referred to in Article 13 (3) will be required.	Dated from 6 February 2015, Period covered: 01/06/2015 -
Israel	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Government of Ireland declares that it will always require the consent of the detained person before any transfer may take place.	Dated from 26 July 2011, Period covered: 01/11/2011 -
Latvia	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Government of the State of Israel declares that the consent as mentioned in Article 13, paragraph 3, will be required prior to an agreement on temporary transfer of a person held in custody according to Article 13, paragraph 1.	Dated from 20 March 2006, Period covered: 01/07/2006 -
Malta	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Republic of Latvia declares that before an agreement is reached under paragraph 1 of said Article 13, the consent referred to in paragraph 3 of said Article 13 will be required.	Dated from 30 March 2004, Period covered: 01/07/2004 -
Republic of Moldova	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, Malta declares that consent as mentioned in Article 13, paragraph 3, will be required prior to an agreement on temporary transfer of person held in custody according to Article 13, paragraph 1.	Dated from 12 April 2012, Period covered: 01/08/2012 -
Netherlands	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Republic of Moldova declares that it will grant the temporary transfer of the detained persons only with the consent of those persons.	Dated from 8 August 2013, Period covered: 01/12/2013 -
Norway	Pursuant to Article 13, paragraph 7, of the Protocol, the Government of the Netherlands declares, for the European part of the Netherlands, that a detained person may be temporarily transferred, in compliance with a request for legal assistance, to the requested Party only with the consent of the person concerned.	Dated from 20 December 2010, Period covered: 01/04/2011 -
	In accordance with Article 13, paragraph 7, of the Protocol, the Kingdom of Norway declares that the consent from the person concerned is required if he or she is sought temporarily transferred for other purposes than being heard as a witness or for purposes of confrontation. The same applies for temporary transfer in	Dated from 6 November 2012,

Poland	accordance with the European Convention on Mutual Assistance in Criminal Matter (Article 11) as amended by the Second Additional Protocol (Article 3).	Period covered: 01/03/2013 –
Romania	In accordance with Article 13, paragraph 7, the Republic of Poland declares that it avails itself of the possibility not to proceed to the enforcement of a request of a temporary transfer of a person detained on the territory of the requesting Party, when this person does not consent to the transfer.	Dated from 9 October 2003, Period covered: 01/02/2004 -
Slovak Republic	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, to achieve the agreement stipulated by paragraph 1 of Article 13, the consent as provided for in paragraph 3 of Article 13 will be required.	
“The former Yugoslav Republic of Macedonia”	The Slovak Republic avails itself of the opportunity provided by Article 13, paragraph 7 of the Second Additional Protocol and declares that it shall always require the consent of the person according to paragraph 3 of this article.	Dated from 29 November 2004, Period covered: 01/03/2005 –
Ukraine	In accordance with Article 13 of the Second Additional Protocol, the Republic of Macedonia declares that, in case of temporary transfer, the consent of the person contained, in a procès-verbal, is required before an agreement on a temporary transfer of the person held in custody is reached between the competent authorities under paragraph 1 of the same article.	Dated from 11 January 2005, Period covered: 01/05/2005 –
United Kingdom	Ukraine declares that the consent of a person referred to in Article 13, paragraph 3, of the Second Additional Protocol, shall be obtained before an agreement between the competent authorities in accordance with paragraph 1.	Dated from 16 December 2008, Period covered: 01/04/2009 –
	In accordance with Article 13, paragraph 7, of the Second Additional Protocol, the Government of the United Kingdom declares that it will always require the consent of the detained person before any transfer may take place.	Dated from 14 September 2011, Period covered: 01/01/2012 –
		Dated from 30 June 2010, Period covered: 01/10/2010 -

Article 26 – Data protection

5 Any Party may, by a declaration addressed to the Secretary General of the Council of Europe, require that, within the framework of procedures for which it could have refused or limited the transmission or the use of personal data in accordance with the provisions of the Convention or one of its Protocols, personal data transmitted to another Party not be used by the latter for the purposes of paragraph 1 unless with its

previous consent.		
Armenia	In accordance with Article 26, paragraph 5, of the Protocol, the Republic of Armenia declares that without the prior consent of the Republic of Armenia, the personal data – the transmission or the use of which could have been refused or limited within the framework of corresponding procedures – may not be used, for the purposes of paragraph 1 of the mentioned article.	Dated from 8 December 2010, Period covered: 01/04/2011 –
Belgium	Pursuant to paragraph 5 of Article 26 of the Protocol, the Government of the Kingdom of Belgium declares that, in proceedings for which Belgium could have refused or limited the transfer or use of personal data in accordance with the provisions of the Convention or its Protocols, the personal data which it transfers to another Party will not be used by the latter for the purposes referred to in paragraph 1 of Article 26 of the Protocol without its prior consent.	Dated from 9 March 2009, Period covered: 01/07/2009 –
Bulgaria	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Bulgaria declares that within the framework of the procedures for which the Republic of Bulgaria could have refused or limited the transmission or the use of personal data in accordance with the provisions of the Convention or one of its Protocols, personal data transmitted to another Contracting Party will be used by the latter for the purposes of Article 26, paragraph 1, only with the previous consent of the Republic of Bulgaria.	Dated from 11 May 2004, Period covered: 01/09/2004 –
Chile	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Chile declares that it submits the handling and lapse of the requesting party's information to domestic laws.	Dated from 30 May 2011, Period covered: 01/09/2011 –
Croatia	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Croatia declares that it requires that personal data transmitted to another Party not be used by that Party for the purposes referred to in paragraph 1 of Article 26, without its previous consent.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Cyprus	In accordance with Article 26 of the Second Additional Protocol, the Government of the Republic of Cyprus declares that the personal data transmitted to another Party for the purpose of paragraph 1 of the aforesaid Article shall not be used by that Party without the previous	Dated from 28 January 2015, Period covered: 01/06/2015 –

	consent of the person concerned or of the competent Authority in Cyprus.	
Georgia	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, Georgia declares that the personal data transmitted to another Party for the purposes of paragraph 1 of Article 26 of the Second Additional Protocol, shall not be used by it without the previous consent of Georgia.	Dated from 10 January 2014, Period covered: 01/05/2014 –
Germany	In accordance with Article 26 (5) of the Second Additional Protocol, the Federal Republic of Germany declares that, within the framework of procedures for which it could have refused or limited the transmission or the use of personal data in accordance with the provisions of the Convention or one of its Protocols, personal data transmitted to another Party may not be used by the other Party for the purposes of Article 26 (1) unless with the previous consent of the Federal Republic of Germany.	Dated from 6 February 2015, Period covered: 01/06/2015 –
Israel	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Government of the State of Israel declares that it requires that personal data transmitted to another Party will not be used by that Party for the purposes of paragraph 1 of Article 26 unless with its previous consent.	Dated from 20 March 2006, Period covered: 01/07/2006 -
Latvia	In accordance with paragraph 5 of Article 26 of the Second Additional Protocol, the Republic of Latvia requires that personal data transmitted to another Party is not used by the receiving Party for the purposes of paragraph 1 of Article 26 unless with its previous consent.	Dated from 30 March 2004, Period covered: 01/07/2004 -
Lithuania	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Lithuania declares that the personal data transmitted to another Party for the purposes of Article 26, paragraph 1, of the Protocol, may not be used without the previous consent of the Republic of Lithuania.	Dated from 6 April 2004, Period covered: 01/08/2004 –
Republic of Moldova	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Moldova declares that, in proceedings for which the Republic of Moldova could have refused or limited the transfer or use of personal data in accordance with the provisions of the Convention or its Protocols, the personal data which it transfers to another Party can not be used by the latter for the purposes referred to Article 26, paragraph 1, of the Protocol without	Dated from 8 August 2013, Period covered: 01/12/2013 –

	its prior consent.	
Norway	In accordance with Article 26, paragraph 5, of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, the Kingdom of Norway declares that personal data transmitted to another Party may not be used by the latter for the purposes of paragraph 1 unless with previous consent from Norwegian authorities.	Dated from 20 August 2013, Period covered: 29/08/2013 –
Switzerland	Switzerland requires that the personal data transferred by it to another Party for the purposes indicated in Article 26, paragraph 1, letters a and b, cannot be used without the consent of the person concerned except with the agreement of the Federal Office of Justice for the purposes of procedures for which Switzerland could have, according to the terms of the Convention or the Protocol, refused or limited the transmission or the use of personal data.	Dated from 4 October 2004, Period covered: 01/02/2005 –
“The former Yugoslav Republic of Macedonia”	In accordance with Article 26, paragraph 5, of the Second Additional Protocol, the Republic of Macedonia declares that it requires that the personal data transmitted to another Party not be used by that Party for the purposes of Article 26, paragraph 1, of this Protocol without the previous consent of the competent authorities of the Republic of Macedonia.	Dated from 16 December 2008, Period covered: 01/04/2009 –
Ukraine	Ukraine declares that personal data transferred to another Party can not be used without previous consent of Ukraine for the purposes specified in Article 26, paragraph 1, of the Second Additional Protocol, within the framework of proceeding for which Ukraine may refuse or limit the transmission or use of personal data under the Convention or Protocols to it.	Dated from 14 September 2011, Period covered: 01/01/2012 –

Article 33 - Reservations

1 Reservations made by a Party to any provision of the Convention or its Protocol shall be applicable also to this Protocol, unless that Party otherwise declares at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession. The same shall apply to any declaration made in respect or by virtue of any provision of the Convention or its Protocol.

2 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it avails itself of the right not to accept wholly or in part any one or more of Articles 16, 17, 18, 19 and 20. No other reservation may be made.

3 Any State may wholly or partially withdraw a reservation it has made in accordance with the foregoing paragraphs, by means of a declaration addressed to the Secretary General of the Council of Europe, which shall become effective as from the date of its receipt.

4 Any Party which has made a reservation in respect of any of the articles of this Protocol mentioned in paragraph 2 above, may not claim the application of that article by another Party. It may, however, if its reservation is partial or conditional, claim the application of that provision in so far as it has itself accepted it.

Bulgaria	In accordance with Article 33, paragraph 1, of the Second Additional Protocol, the Republic of Bulgaria declares that it shall not apply its declaration on Article 15, paragraph 6, of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 to the provisions of this Protocol. (Declaration)	Dated from 11 May 2004, Period covered: 01/09/2004 –
Germany	Notwithstanding the above reservations and declarations, the Federal Republic of Germany declares in accordance with Article 33 (1) first and second sentences that it upholds all the reservations and declarations made in respect of the Convention and the Protocol. This applies in particular to the declaration in respect of Article 11 (1) sub-paragraph 2 of the Convention to the effect that the Federal Republic of Germany will refuse transfer in all the cases enumerated. (Declaration)	Dated from 6 February 2015, Period covered: 01/06/2015 -

Article 16 – Service by post

1 The competent judicial authorities of any Party may directly address, by post, procedural documents and judicial decisions, to persons who are in the territory of any other Party.

2 Procedural documents and judicial decisions shall be accompanied by a report stating that the addressee may obtain information from the authority identified in the report, regarding his or her rights and obligations concerning the service of the papers. The provisions of paragraph 3 of Article 15 above shall apply to that report.

3 The provisions of Articles 8, 9 and 12 of the Convention shall apply mutatis mutandis to service by post.

4 The provisions of paragraphs 1, 2 and 3 of Article 15 above shall also apply to service by post.

Bulgaria	In accordance with Article 33, paragraph 2 and in connection with Article 16, of the Second Additional Protocol, the Republic of Bulgaria declares that it does not accept the service of procedural documents and judicial decisions on defendants and accused persons directly by post.	Dated from 11 May 2004, Period covered: 01/09/2004 -
Chile	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Chile states that it will not apply the provisions in Article 16 thereof.	Dated from 30 May 2011, Period covered: 01/09/2011 -

Finland	Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares in respect of Article 16 that any summons documents concerning a person accused of a crime and staying in the territory of Finland must be sent to the person at least 60 days before the date when the accused must appear before the court.	Dated from 16 April 2014, Period covered: 01/08/2014 -
Germany	In accordance with Article 33 (2) of the Second Additional Protocol, the Federal Republic of Germany excludes the application of Article 16 in its entirety.	Dated from 6 February 2015, Period covered: 01/06/2015 -
Ireland	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of Ireland declares that documents to be served by post on behalf of another State Party must be sent via the Central Authority.	Dated from 26 July 2011, Period covered: 01/11/2011 -
Israel	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of the State of Israel declares that any document and judicial decision which is of criminal law nature should be forwarded to any person only through the Ministry of Justice of the State of Israel, as set forth in Israel's declaration to Article 4 of the Second Additional Protocol.	Dated from 20 March 2006, Period covered: 01/07/2006 -
Lithuania	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Lithuania declares that it avails itself of the right not to accept Articles 16 and 17 of the Protocol.	Dated from 6 April 2004, Period covered: 01/08/2004 -
Montenegro	In accordance with Article 33 of the Second Additional Protocol, Montenegro declares that it will not apply the provisions of Article 16 of the Protocol.	Dated from 20 October 2008, Period covered: 01/02/2009 -
Norway	In accordance with Article 33, paragraph 2, of the Protocol, the Kingdom of Norway declares that it avails itself of the right not to accept Article 16.	Dated from 6 November 2012, Period covered: 01/03/2013 -
Serbia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Serbia declares that it does not accept the implementation of the provisions of Article 16 of the Protocol.	Dated from 26 April 2007, Period covered: 01/08/2007 -
Slovakia	The Slovak Republic avails itself of the opportunity provided by Article 33, paragraph 2, of the Second Additional Protocol and does not accept wholly the Articles 16, 17, 19 and 20 of the Second Additional Protocol.	Dated from 11 January 2005, Period covered: 01/05/2005 -

The former Yugoslav Republic of Macedonia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Macedonia declares that it will not apply the provisions of Article 16 which refers to the acceptance of the delivery by post of procedural documents or judicial decisions by the competent authority of any Party to persons who are in the territory of the Republic of Macedonia	Dated from 16 December 2008, Period covered: 01/04/2009 -
Turkey	In connection with Article 16, the Republic of Turkey does not accept directly address by post of judicial decisions and other documents by foreign authorities to the persons who are in the territory of Turkey via mail.	Dated from 11 July 2016, Period covered: 01/11/2016 -
Ukraine	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, Ukraine declares that it shall enjoy the right not to accept Article 16.	Dated from 14 September 2011, Period covered: 01/01/2012 -

Article 17 – Cross-border observations

1 Police officers of one of the Parties who, within the framework of a criminal investigation, are keeping under observation in their country a person who is presumed to have taken part in a criminal offence to which extradition may apply, or a person who it is strongly believed will lead to the identification or location of the above-mentioned person, shall be authorised to continue their observation in the territory of another Party where the latter has authorised cross-border observation in response to a request for assistance which has previously been submitted. Conditions may be attached to the authorisation.

On request, the observation will be entrusted to officers of the Party in whose territory it is carried out.

The request for assistance referred to in the first sub-paragraph must be sent to an authority designated by each Party and having jurisdiction to grant or to forward the requested authorisation.

2 Where, for particularly urgent reasons, prior authorisation of the other Party cannot be requested, the officers conducting the observation within the framework of a criminal investigation shall be authorised to continue beyond the border the observation of a person presumed to have committed offences listed in paragraph 6, provided that the following conditions are met:

a the authorities of the Party designated under paragraph 4, in whose territory the observation is to be continued, must be notified immediately, during the observation, that the border has been crossed;

a a request for assistance submitted in accordance with paragraph 1 and outlining the grounds for crossing the border without prior authorisation shall be submitted without delay.

Observation shall cease as soon as the Party in whose territory it is taking place so requests, following the notification referred to in a. or the request referred to in b. or where authorisation has not been obtained within five hours of the border being crossed.

3 The observation referred to in paragraphs 1 and 2 shall be carried out only under the following general conditions:

a The officers conducting the observation must comply with the provisions of this article and with the law of the Party in whose territory they are operating; they must obey the instructions of the local responsible

authorities.

b Except in the situations provided for in paragraph 2, the officers shall, during the observation, carry a document certifying that authorisation has been granted.

c The officers conducting the observation must be able at all times to provide proof that they are acting in an official capacity.

d The officers conducting the observation may carry their service weapons during the observation, save where specifically otherwise decided by the requested Party; their use shall be prohibited save in cases of legitimate self-defence.

e Entry into private homes and places not accessible to the public shall be prohibited.

f The officers conducting the observation may neither stop and question, nor arrest, the person under observation.

g All operations shall be the subject of a report to the authorities of the Party in whose territory they took place; the officers conducting the observation may be required to appear in person.

h The authorities of the Party from which the observing officers have come shall, when requested by the authorities of the Party in whose territory the observation took place, assist the enquiry subsequent to the operation in which they took part, including legal proceedings.

4 Parties shall at the time of signature or when depositing their instrument of ratification, acceptance, approval or accession, by means of a declaration addressed to the Secretary General of the Council of Europe, indicate both the officers and authorities that they designate for the purposes of paragraphs 1 and 2 of this article. They subsequently may, at any time and in the same manner, change the terms of their declaration.

5 The Parties may, at bilateral level, extend the scope of this article and adopt additional measures in implementation thereof.

6 The observation referred to in paragraph 2 may take place only for one of the following criminal offences:

–assassination;

–murder;

–rape;

–arson;

–counterfeiting;

–armed robbery and receiving of stolen goods;

–extortion;

–kidnapping and hostage taking;

–traffic in human beings;

–illicit traffic in narcotic drugs and psychotropic substances;

- breach of the laws on arms and explosives;
- use of explosives;
- illicit carriage of toxic and dangerous waste;
- smuggling of aliens;
- sexual abuse of children.

Croatia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Croatia declares that it does not accept Articles 17, 18 and 19.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Denmark	In accordance with Article 33, paragraph 2, cf. Article 17 (in the Second Additional Protocol), Denmark declares that it does not accept Article 17 (cross-border observations).	Dated from 15 January 2003, Period covered: 01/02/2004 –
Estonia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Estonia declares that it wholly avails itself of the right not to accept Articles 17 and 19.	Dated from 9 September 2004, Period covered: 01/01/2005 –
Finland	Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares that it will not accept Article 17 of the Protocol.	Dated from 16 April 2014, Period covered: 01/08/2014 –
France	In accordance with Article 33, paragraph 2, of the Second Additional Protocol France declares that it will not apply paragraph 2 of Article 17 of the said Protocol.	Dated from 6 February 2012, Period covered: 01/06/2012 –
Georgia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, Georgia declares that it avails itself of the right not to accept paragraph 2 of Article 17 of the Second Additional Protocol.	Dated from 10 January 2014, Period covered: 01/05/2014 –
Germany	In accordance with Article 33 (2) of the Second Additional Protocol, the Federal Republic of Germany reserves the right to make cross-border observations in its territory pursuant to Article 17 (1) third sentence always dependent on the observation being entrusted to the competent German authorities. Application of the urgent case provision laid down in Article 17 (2) is excluded in its entirety.	Dated from 6 February 2015, Period covered: 01/06/2015 –
Ireland	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of Ireland declares that it does not accept Article 17 (cross-border observations).	Dated from 26 July 2011, Period covered: 01/11/2011 -
Israel		Dated from 20 March 2006,

Latvia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of the State of Israel declares that it does not accept Article 17.	Period covered: 01/07/2006 –
		Dated from 30 March 2004,
Lithuania	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Latvia declares that it does not accept Article 17 of the said Protocol.	Period covered: 01/07/2004 –
		Dated from 6 April 2004, Period covered: 01/08/2004 –
Malta	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Lithuania declares that it avails itself of the right not to accept Articles 16 and 17 of the Protocol.	Dated from 12 April 2012, Period covered:
		01/08/2012 –
Poland	Pursuant to Article 17 of the Second Additional Protocol, Malta avails itself of the opportunity afforded by Article 33, paragraph 2, to accept the use of cross-border observations provided this measure is executed under supervision of the Maltese competent authorities.	Dated from 9 October 2003,
		Period covered: 01/02/2004 –
Slovakia	In accordance with Article 33, paragraph 2, the Republic of Poland declares that it will not execute the requests concerning the cross-border observations (Article 17).	Dated from 11 January 2005,
		Period covered: 01/05/2005 –
Sweden	The Slovak Republic avails itself of the opportunity provided by Article 33, paragraph 2, of the Second Additional Protocol and does not accept wholly the Articles 16, 17, 19 and 20 of the Second Additional Protocol.	Dated from 20 January 2014,
		Period covered: 01/05/2014 –
Turkey	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, Sweden does not accept Article 17 (cross-border observations).	Dated from 11 July 2016, Period covered:
		01/11/2016 -
Ukraine	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Turkey declares that it does not accept Article 17 of the Second Additional Protocol.	Dated from 14 September 2011,
		Period covered: 01/01/2012 -
	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, Ukraine declares that it shall enjoy the right not to accept Article 17.	
United Kingdom	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of the United Kingdom declares that it does not accept Article 17 of the Second Additional Protocol (Cross-border observations).	Dated from 30 June 2010, Period covered:
		01/10/2010

Article 18 – Controlled delivery

1 Each Party undertakes to ensure that, at the request of another Party, controlled deliveries may be permitted on its territory in the framework of criminal investigations into extraditable offences.

2 The decision to carry out controlled deliveries shall be taken in each individual case by the competent authorities of the requested Party, with due regard to the national law of that Party.

3 Controlled deliveries shall take place in accordance with the procedures of the requested Party. Competence to act, direct and control operations shall lie with the competent authorities of that Party.

4 Parties shall at the time of signature or when depositing their instrument of ratification, acceptance, approval or accession, by means of a declaration addressed to the Secretary General of the Council of Europe, indicate the authorities that are competent for the purposes of this article. They subsequently may, at any time and in the same manner, change the terms of their declaration.

Chile	In relation to Articles 18 and 19 of the Second Additional Protocol, the Republic of Chile reserves the right under Article 33, paragraph 2, to accept controlled deliveries and covert investigations only where the Chilean laws expressly authorises such proceedings.	Dated from 30 May 2011, Period covered: 01/09/2011 –
Croatia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Croatia declares that it does not accept Articles 17, 18 and 19.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Finland	Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares that it will not accept Article 18 of the Protocol.	Dated from 16 April 2014, Period covered: 01/08/2014
Slovakia	The Slovak Republic will execute requests under Article 18 of the Second Additional Protocol only if they relate to the controlled import, export and transit of a delivery provided the circumstances of the case justify the assumption that the delivery without proper permit contains narcotics, psychotropic substances, precursors, poisons, nuclear and other similar radioactive materials, counterfeit money or securities, firearms or weapons of mass destruction, ammunition or explosives and the requesting party undertakes to provide adequate protection to the information obtained as a result of the assistance.	Dated from 11 January 2005, Period covered: 01/05/2005 -

Article 19 – Covert investigations

1 The requesting and the requested Parties may agree to assist one another in the conduct of investigations into crime by officers acting under covert or false identity (covert investigations).

2 The decision on the request is taken in each individual case by the competent authorities of the

requested Party with due regard to its national law and procedures. The duration of the covert investigation, the detailed conditions, and the legal status of the officers concerned during covert investigations shall be agreed between the Parties with due regard to their national law and procedures.

3 Covert investigations shall take place in accordance with the national law and procedures of the Party on the territory of which the covert investigation takes place. The Parties involved shall co-operate to ensure that the covert investigation is prepared and supervised and to make arrangements for the security of the officers acting under covert or false identity.

4 Parties shall at the time of signature or when depositing their instrument of ratification, acceptance, approval or accession, by means of a declaration addressed to the Secretary General of the Council of Europe, indicate the authorities that are competent for the purposes of paragraph 2 of this article. They subsequently may, at any time and in the same manner, change the terms of their declaration.

Chile	In relation to Articles 18 and 19 of the Second Additional Protocol, the Republic of Chile reserves the right under Article 33, paragraph 2, to accept controlled deliveries and covert investigations only where the Chilean laws expressly authorises such proceedings.	Dated from 30 May 2011, Period covered: 01/09/2011 –
Croatia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Croatia declares that it does not accept Articles 17, 18 and 19.	Dated from 28 March 2007, Period covered: 01/07/2007 –
Denmark	In accordance with Article 33, paragraph 2, cf. Article 19 (in the Second Additional Protocol), Denmark declares that it does not accept Article 19 (covert investigations).	Dated from 15 January 2003, Period covered: 01/02/2004 –
Estonia	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Estonia declares that it wholly avails itself of the right not to accept Articles 17 and 19.	Dated from 9 September 2004, Period covered: 01/01/2005 –
Finland	Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares in respect of Article 19 that Finland can permit an officer of a foreign State to act in the Finnish territory only if the competent Finnish authority has requested assistance from the foreign State in question.	Dated from 16 April 2014, Period covered: 01/08/2014
Ireland	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Government of Ireland declares that it does not accept Article 19 (covert investigations).	Dated from 26 July 2011, Period covered: 01/11/2011 –
Slovakia	The Slovak Republic avails itself of the opportunity provided by Article 33, paragraph 2, of the Second Additional Protocol and does not accept wholly the Articles 16, 17, 19 and 20 of the Second Additional Protocol.	Dated from 11 January 2005, Period covered: 01/05/2005 –
Ukraine	In accordance with Article 33, paragraph 2, of	Dated from 14 September 2011,

the Second Additional Protocol, Ukraine declares that it shall enjoy the right not to accept Article 19. Period covered: 01/01/2012 –

Article 20 – Joint investigation teams

1 By mutual agreement, the competent authorities of two or more Parties may set up a joint investigation team for a specific purpose and a limited period, which may be extended by mutual consent, to carry out criminal investigations in one or more of the Parties setting up the team. The composition of the team shall be set out in the agreement.

A joint investigation team may, in particular, be set up where:

a a Party's investigations into criminal offences require difficult and demanding investigations having links with other Parties;

b a number of Parties are conducting investigations into criminal offences in which the circumstances of the case necessitate co-ordinated, concerted action in the Parties involved.

A request for the setting up of a joint investigation team may be made by any of the Parties concerned. The team shall be set up in one of the Parties in which the investigations are expected to be carried out.

2 In addition to the information referred to in the relevant provisions of Article 14 of the Convention, requests for the setting up of a joint investigation team shall include proposals for the composition of the team.

3 A joint investigation team shall operate in the territory of the Parties setting up the team under the following general conditions:

a the leader of the team shall be a representative of the competent authority participating in criminal investigations from the Party in which the team operates. The leader of the team shall act within the limits of his or her competence under national law;

b the team shall carry out its operations in accordance with the law of the Party in which it operates. The members and seconded members of the team shall carry out their tasks under the leadership of the person referred to in sub-paragraph a, taking into account the conditions set by their own authorities in the agreement on setting up the team;

c the Party in which the team operates shall make the necessary organisational arrangements for it to do so.

4 In this article, members of the joint investigation team from the Party in which the team operates are referred to as "members", while members from Parties other than the Party in which the team operates are referred to as "seconded members".

5 Seconded members of the joint investigation team shall be entitled to be present when investigative measures are taken in the Party of operation. However, the leader of the team may, for particular reasons, in accordance with the law of the Party where the team operates, decide otherwise.

6 Seconded members of the joint investigation team may, in accordance with the law of the Party where the team operates, be entrusted by the leader of the team with the task of taking certain investigative measures where this has been approved by the competent authorities of the Party of operation and the seconding Party.

7 Where the joint investigation team needs investigative measures to be taken in one of the Parties setting up the team, members seconded to the team by that Party may request their own competent authorities to take those measures. Those measures shall be considered in that Party under the conditions which would apply if they were requested in a national investigation.

8 Where the joint investigation team needs assistance from a Party other than those which have set up the team, or from a third State, the request for assistance may be made by the competent authorities of the State of operation to the competent authorities of the other State concerned in accordance with the relevant instruments or arrangements.

9 A seconded member of the joint investigation team may, in accordance with his or her national law and within the limits of his or her competence, provide the team with information available in the Party which has seconded him or her for the purpose of the criminal investigations conducted by the team.

10 Information lawfully obtained by a member or seconded member while part of a joint investigation team which is not otherwise available to the competent authorities of the Parties concerned may be used for the following purposes:

a for the purposes for which the team has been set up;

b subject to the prior consent of the Party where the information became available, for detecting, investigating and prosecuting other criminal offences. Such consent may be withheld only in cases where such use would endanger criminal investigations in the Party concerned or in respect of which that Party could refuse mutual assistance;

c for preventing an immediate and serious threat to public security, and without prejudice to subparagraph b. if subsequently a criminal investigation is opened;

d for other purposes to the extent that this is agreed between Parties setting up the team.

11 This article shall be without prejudice to any other existing provisions or arrangements on the setting up or operation of joint investigation teams.

12 To the extent that the laws of the Parties concerned or the provisions of any legal instrument applicable between them permit, arrangements may be agreed for persons other than representatives of the competent authorities of the Parties setting up the joint investigation team to take part in the activities of the team. The rights conferred upon the members or seconded members of the team by virtue of this article shall not apply to these persons unless the agreement expressly states otherwise.

Chile	In accordance with Article 33, paragraph 2, of the Second Additional Protocol, the Republic of Chile reserves the right to accept Article 20 thereof.	Dated from 30 May 2011, Period covered: 01/09/2011 –
Slovakia	The Slovak Republic avails itself of the opportunity provided by Article 33, paragraph 2, of the Second Additional Protocol and does not accept wholly the Articles 16, 17, 19 and 20 of the Second Additional Protocol.	Dated from 11 January 2005, Period covered: 01/05/2005 -

III: Transfer of Proceedings

3. European Convention on the Transfer of Proceedings in Criminal Matters (ETS 73)

Part VI

Article 41

1 Any Contracting State may, at the time of signature or when depositing its instrument of ratification, acceptance or accession, declare that it avails itself of one or more of the reservations provided for in Appendix I or make a declaration provided for in Appendix II to this Convention.

2 Any Contracting State may wholly or partly withdraw a reservation or declaration it has made in accordance with the foregoing paragraph by means of a declaration addressed to the Secretary General of the Council of Europe which shall become effective as from the date of its receipt.

3 A Contracting State which has made a reservation in respect of any provision of this Convention may not claim the application of that provision by any other Contracting State; it may, however, if its reservation is partial or conditional, claim the application of that provision in so far as it has itself accepted it.

Appendix I

Each Contracting State may declare that it reserves the right:

a. to refuse a request for proceedings, if it considers that the offence is a purely religious offence;

Albania	With reference to Appendix I, sub-paragraphs a, b, c, d and g the Republic of Albania declares that it reserves the right: - to refuse a request for proceedings, if it considers that the offence is purely religious offence; - to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority; - not to accept Article 22; - not to accept Article 23; - not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority.	Dated from 4 April 2000, Period covered: 05/07/2000 -
Armenia	In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.	Dated from 17 December 2004, Period covered: 18/03/2005 –
Bulgaria	In accordance with Article 41, paragraph 1, of the Convention, the Republic of Bulgaria reserves its right:	Dated from 30 March 2004, Period covered:

	a) to refuse a request for proceedings, if it considers that the offence is a purely religious offence (Appendix I, sub-paragraph a);	01/07/2004 –
Lithuania	In accordance with paragraph 1 of Article 41 of the Convention, the Republic of Lithuania declares that it reserves the right:	Dated from 23 November 1999, Period covered: 24/02/2000 –
	a. to refuse a request for criminal proceedings if it considers that the offence is a purely religious offence (Appendix I (a));	
Moldova	In accordance with Article 41, paragraph 1, the Republic of Moldova declares that:	Dated from 23 January 2007, Period covered: 24/04/2007 –
	– it will refuse a request for proceedings, if it considers that the offence is a purely religious offence, in accordance with paragraph a of Appendix I;	
Romania	Romania declares that it reserves the right:	Dated from 8 June 2000, Period covered: 09/09/2000 –
	to refuse a request for proceedings, if it considers that the offence is a purely religious offence (Appendix I.a);	
Spain	With regard to Appendix I, Spain declares that it reserves the right to refuse a request for proceedings in the cases foreseen in sub-paragraphs a, b, and g.	Dated from 11 August 1988, Period covered: 12/11/1988 –
Turkey	In conformity with Article 41, the Turkish Government will avail itself of the reservations provided for in paragraphs a and f of Appendix I to this Convention.	Dated from 26 June 1974, Period covered: 28/01/1979 -

Appendix I

Each Contracting State may declare that it reserves the right:

b. to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority;

Albania	With reference to Appendix I, sub-paragraphs a, b, c, d and g the Republic of Albania declares that it reserves the right:	Dated from 4 April 2000, Period covered: 05/07/2000 –
	- to refuse a request for proceedings, if it considers that the offence is purely religious offence;	
	- to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority;	
	- not to accept Article 22;	
	- not to accept Article 23;	
	- not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority.	

Armenia	In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.	Dated from 17 December 2004, Period covered: 18/03/2005 -
Austria	Austria will refuse a request for proceedings for an act the sanctions for which, in accordance with Austrian law, can be imposed only by an administrative authority [Appendix I, paragraph b].	Dated from 1 April 1980, Period covered: 01/07/1980 –
Bulgaria	b) to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority (Appendix I, sub-paragraph b);	Dated from 30 March 2004, Period covered: 01/07/2004 -
Liechtenstein	In accordance with Appendix I, paragraph b, of the Convention, the Principality of Liechtenstein declares that it will refuse a request for proceedings for an act the sanctions for which, in accordance with Liechtenstein law, can be imposed only by an administrative authority.	Dated from 26 February 2003, Period covered: 27/05/2003 –
Lithuania	In accordance with paragraph 1 of Article 41 of the Convention, the Republic of Lithuania declares that it reserves the right: b. to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority (Appendix I (b));	Dated from 23 November 1999, Period covered: 24/02/2000 –
Moldova	In accordance with Article 41, paragraph 1, the Republic of Moldova declares that: – it will refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority, in accordance with paragraph b of Appendix I;	Dated from 23 January 2007, Period covered: 24/04/2007 –
Romania	Romania declares that it reserves the right: to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority (Appendix I.b);	Dated from 8 June 2000, Period covered: 09/09/2000 –
Spain	With regard to Appendix I, Spain declares that it reserves the right to refuse a request for proceedings in the cases foreseen in sub-paragraphs a, b, and g.	Dated from 11 August 1988, Period covered: 12/11/1988 –

Appendix I

Each Contracting State may declare that it reserves the right:

- c. not to accept Article 22;

Article 22

A request for proceedings, made in accordance with the provisions of this Part, shall have the effect in the requesting State of prolonging the time-limit for proceedings by six months.

Albania	<p>With reference to Appendix I, sub-paragraphs a, b, c, d and g the Republic of Albania declares that it reserves the right:</p> <ul style="list-style-type: none"> - to refuse a request for proceedings, if it considers that the offence is purely religious offence; - to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority; - not to accept Article 22; - not to accept Article 23; - not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority. 	<p>Dated from 4 April 2000, Period covered: 05/07/2000 -</p>
Armenia	<p>In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.</p>	<p>Dated from 17 December 2004, Period covered: 18/03/2005 –</p>
Austria	<p>Austria does not accept Articles 22 and 23 [Appendix I, paragraphs c and d].</p>	<p>Dated from 1 April 1980, Period covered: 01/07/1980 –</p>
Bulgaria	<p>c) not to accept Article 22 (Appendix I, sub-paragraph c);</p>	<p>Dated from 30 March 2004, Period covered: 01/07/2004 –</p>
Czech Republic	<p>Articles 22 and 23 will not be accepted.</p>	<p>Dated from 13 February 1992, Period covered: 01/01/1993 –</p>
Denmark	<p>The Danish Government, availing itself of the possibility provided for in Appendix I to the Convention, declares that it cannot accept Article 22 and Article 23.</p>	<p>Dated from 13 November 1975, Period covered: 30/03/1978 –</p>
Liechtenstein	<p>In accordance with Appendix I, paragraphs c and d, of the Convention, the Principality of Liechtenstein declares that it does not accept Articles 22 and 23.</p>	<p>Dated from 26 February 2003, Period covered:</p>

27/05/2003 –

Slovakia Articles 22 and 23 will not be accepted.

Dated from 13
February 1992,
Period covered:
01/01/1993 –

Appendix I

Each Contracting State may declare that it reserves the right:
d. not to accept Article 23;

Article 23

If the competence of the requested State is exclusively grounded on Article 2 the time-limit for proceedings in that State shall be prolonged by six months.

Albania

With reference to Appendix I, sub-paragraphs a, b, c, d and g the Republic of Albania declares that it reserves the right:

- to refuse a request for proceedings, if it considers that the offence is purely religious offence;
- to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority;
- not to accept Article 22;
- not to accept Article 23;
- not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority.

Dated from 4 April
2000,
Period covered:
05/07/2000 -

Armenia

In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.

Dated from 17
December 2004,
Period covered:
18/03/2005 -

Austria

Austria does not accept Articles 22 and 23 [Appendix I, paragraphs c and d].

Dated from 1 April
1980,
Period covered:
01/07/1980 –

Bulgaria

d) not to accept Article 23 (Appendix I, sub-paragraph d);

Dated from 30 March
2004,
Period covered:
01/07/2004 –

Czech Republic

Articles 22 and 23 will not be accepted.

Dated from 13
February 1992,
Period covered:
01/01/1993 –

Denmark

The Danish Government, availing itself of the possibility

Dated from

	provided for in Appendix I to the Convention, declares that it cannot accept Article 22 and Article 23.	13 November 1975, Period covered: 30/03/1978 –
Norway	The Government of the Kingdom of Norway cannot accept Article 23 and the provision concerning <i>ne bis in idem</i> , see Articles 35-37, in cases where the offender was a Norwegian national or was resident in Norway at the time the offence was committed.	Dated from 29 December 1977, Period covered: 30/03/1978 –
Slovakia	Articles 22 and 23 will not be accepted.	Dated from 13 February 1992, Period covered: 01/01/1993 –
Sweden	Sweden does not approve Article 23 (automatic prolongation of the time limit for proceedings in the requested State in cases of subsidiary competence).	Dated from 7 April 1976, Period covered: 30/03/1978 -

Appendix I

Each Contracting State may declare that it reserves the right:

e. not to accept the provisions contained in the second sentence of Article 25 for constitutional reasons;

Article 25

In the requested State the sanction applicable to the offence shall be that prescribed by its own law unless that law provides otherwise. Where the competence of the requested State is exclusively grounded on Article 2, the sanction pronounced in that State shall not be more severe than that provided for in the law of the requesting State.

Armenia	In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.	Dated from 17 December 2004, Period covered: 18/03/2005 –
Bulgaria	e) not to accept the provisions contained in the second sentence of Article 25 (Appendix I, sub-paragraph e);	Dated from 30 March 2004, Period covered: 01/07/2004 –
Estonia	Pursuant to Article 41 and Appendix I, paragraph (e), of the Convention, the Republic of Estonia does not accept the second sentence of Article 25 of the Convention. (Declaration)	Dated from 28 April 1997, Period covered: 29/07/1997 –

Appendix I

Each Contracting State may declare that it reserves the right:

f. not to accept the provisions laid down in Article 26, paragraph 2, where it is competent by virtue of its own law;

Article 26

2 Any act which interrupts time-limitation and which has been validly performed in the requesting State shall have the same effects in the requested State and vice versa.

Armenia	In accordance with Article 41, paragraph 1, of the Convention, the Republic of Armenia declares that it avails itself of the reservations provided for in paragraphs a, b, c, d, e, f and g of Appendix I.	Dated from 17 December 2004, Period covered: 18/03/2005 –
Bulgaria	f) not to accept the provisions laid down in Article 26, paragraph 2 (Appendix I, sub-paragraph f);	Dated from 30 March 2004, Period covered: 01/07/2004 –
Turkey	In conformity with Article 41, the Turkish Government will avail itself of the reservations provided for in paragraphs a and f of Appendix I to this Convention.	Dated from 26 June 1974, Period covered: 28/01/1979 –

Appendix I

Each Contracting State may declare that it reserves the right:

g. not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority;

Article 30

1 Any Contracting State which, before the institution or in the course of proceedings for an offence which it considers to be neither of a political nature nor a purely military one, is aware of proceedings pending in another Contracting State against the same person in respect of the same offence shall consider whether it can either waive or suspend its own proceedings, or transfer them to the other State.

2 If it deems it advisable in the circumstances not to waive or suspend its own proceedings it shall so notify the other State in good time and in any event before judgment is given on the merits.

Article 31

1 In the eventuality referred to in Article 30, paragraph 2, the States concerned shall endeavour as far as possible to determine, after evaluation in each of the circumstances mentioned in Article 8, which of them alone shall continue to conduct proceedings. During this consultative procedure the States concerned shall postpone judgment on the merits without however being obliged to prolong such postponement beyond a period of 30 days as from the despatch of the notification provided for in Article 30, paragraph 2.

2 The provisions of paragraph 1 shall not be binding:

a on the State despatching the notification provided for in Article 30, paragraph 2, if the main trial has been declared open there in the presence of the accused before despatch of the notification;

b on the State to which the notification is addressed, if the main trial has been declared open there in the presence of the accused before receipt of the notification.

Albania	<p>With reference to Appendix I, sub-paragraphs a, b, c, d and g the Republic of Albania declares that it reserves the right:</p> <ul style="list-style-type: none"> - to refuse a request for proceedings, if it considers that the offence is purely religious offence; - to refuse a request for proceedings for an act the sanctions for which, in accordance with its own law, can be imposed only by an administrative authority; - not to accept Article 22; - not to accept Article 23; - not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority. 	<p>Dated from 4 April 2000, Period covered: 05/07/2000 -</p>
Austria	<p>Austria will not apply Articles 30 and 31 in respect of acts for which the sanctions, in accordance with Austrian law, can be imposed only by an administrative authority [Appendix I, paragraph g].</p>	<p>Dated from 1 April 1980, Period covered: 01/07/1980 -</p>
Bulgaria	<p>g) not to apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority (Appendix I, sub-paragraph g).</p>	<p>Dated from 30 March 2004, Period covered: 01/07/2004 -</p>
Estonia	<p>Pursuant to Article 41 and Appendix I, paragraph (g), of the Convention, the Republic of Estonia does not apply Articles 30 and 31 of the Convention, in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority.</p>	<p>Dated from 28 April 1997, Period covered: 29/07/1997 -</p>
Liechtenstein	<p>In accordance with Appendix I, paragraph g, of the Convention, the Principality of Liechtenstein declares that it will not apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with Liechtenstein law, can be imposed only by an administrative authority.</p>	<p>Dated from 26 February 2003, Period covered: 27/05/2003 -</p>
Lithuania	<p>In accordance with paragraph 1 of Article 41 of the Convention, the Republic of Lithuania declares that it reserves the right:</p> <ul style="list-style-type: none"> c. not to apply Articles 30 and 31 in respect of an act for which the sanctions in accordance with its own law, can be imposed only by an administrative authority (Appendix I (g)). 	<p>Dated from 23 November 1999, Period covered: 24/02/2000 -</p>
Moldova	<p>In accordance with Article 41, paragraph 1, the Republic of Moldova declares that:</p>	<p>Dated from 23 January 2007, Period covered:</p>

	– it will not apply Articles 30 and 31 in respect of an act for which the sanctions, in accordance with its own law or that of the other State concerned, can be imposed only by an administrative authority, in accordance with paragraph g of Appendix I.	24/04/2007 -
Romania	Romania declares that it reserves the right: 3. not to apply Articles 30 and 31 (Appendix I.g). 4. For the purpose of this Convention, the term "national" shall mean "citizen" (Appendix II).	Dated from 8 June 2000, Period covered: 09/09/2000 -
Russia	The Russian Federation, in accordance with paragraph (g) of Appendix I to the Convention, reserves the right not to apply Articles 30 and 31 of the Convention in respect of an act for which the sanctions, in accordance with the law of another Contracting State, can be imposed only by an administrative authority.	Dated from 26 June 2008, Period covered: 27/09/2008 -
Spain	With regard to Appendix I, Spain declares that it reserves the right to refuse a request for proceedings in the cases foreseen in sub-paragraphs a, b, and g.	Dated from 11 August 1988, Period covered: 12/11/1988 –

Each Contracting State may declare that it reserves the right:

- h. not to accept Part V.

Part V- Ne bis in idem

Article 35

1 A person in respect of whom a final and enforceable criminal judgment has been rendered may for the same act neither be prosecuted nor sentenced nor subjected to enforcement of a sanction in another Contracting State:

- a. if he was acquitted;
- b. if the sanction imposed:
 - i. has been completely enforced or is being enforced, or
 - ii. has been wholly, or with respect to the part not enforced, the subject of a pardon or an amnesty, or
 - iii. can no longer be enforced because of lapse of time;
- c. if the court convicted the offender without imposing a sanction.

2 Nevertheless, a Contracting State shall not, unless it has itself requested the proceedings, be obliged to recognise the effect of *ne bis in idem* if the act which gave rise to the judgment was directed against either a person or an institution or any thing having public status in that State, or if the subject of the judgment had himself a public status in that State.

3 Furthermore, a Contracting State where the act was committed or considered as such according to the law of that State shall not be obliged to recognise the effect of *ne bis in idem* unless that State has itself requested the proceedings.

Article 36

If new proceedings are instituted against a person who in another Contracting State has been sentenced for the same act, then any period of deprivation of liberty arising from the sentence enforced shall be deducted from the sanction which may be imposed.

Article 37

This Part shall not prevent the application of wider domestic provisions relating to the effect of *ne bis in idem* attached to foreign criminal judgments.

Norway	The Government of the Kingdom of Norway cannot accept Article 23 and the provision concerning <i>ne bis in idem</i> , see Articles 35-37, in cases where the offender was a Norwegian national or was resident in Norway at the time the offence was committed.	Dated from 29 December 1977, Period covered: 30/03/1978 -
Sweden	Sweden does not approve the provisions of Part V (Articles 35-37), in so far as these provisions imply on the one hand an obstacle to the prosecution in Sweden under Swedish Law by at least four years imprisonment, and on the other hand an obstacle to the enforcement of a sanction imposed or pronounced in respect of an offence committed in Sweden.	Dated from 7 April 1976, Period covered: 30/03/1978 -

IV: Seizure and Confiscation

4. Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141)

Article 40 – Reservations

1 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it avails itself of one or more of the reservations provided for in Article 2, paragraph 2, Article 6, paragraph 4, Article 14, paragraph 3, Article 21, paragraph 2, Article 25, paragraph 3 and Article 32, paragraph 2. No other reservation may be made.

2 Any State which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall take effect on the date of receipt of such notification by the Secretary General.

3 A Party which has made a reservation in respect of a provision of this Convention may not claim the application of that provision by any other Party; it may, however, if its reservation is partial or conditional, claim the application of that provision in so far as it has itself accepted it.

Article 2 – Confiscation measures

1. Each Party shall adopt such legislative and other measures as may be necessary to enable it to confiscate instrumentalities and proceeds or property the value of which corresponds to such proceeds.

2. Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declare that paragraph 1 of this article applies only to offences or categories of offences specified in such declaration.

Andorra

According to the commitments derived from the Monetary Agreement signed between the Principality of Andorra and the European Commission, the Government of Andorra has decided to amend the reservation formulated with regards to Article 2, paragraph 2, of the Convention, contained in the instrument of ratification deposited before the Secretary General of the Council of Europe on 28 July 1999. The reservation should now read as follows:

In accordance with Article 2, paragraph 2, the Andorran State declares that paragraph 1 of Article 2 applies only to criminal offences or to categories of criminal offences provided for in Andorran national legislation which have a maximum penalty of loss of liberty exceeding one year and do not constitute a tax offence.

Note by the Secretariat: The reservation made on 28 July 1999 read as follows:

"In accordance with Article 2, paragraph 2, the Andorran State declares that paragraph 1 of Article 2 applies only to criminal offences or to categories of criminal offences

Dated from 28 July 1999,
Period covered:
01/11/1999 –

provided for in Andorran national legislation concerning the laundering of money or values derived from crime."

Armenia	<p>In accordance with paragraph 2 of Article 2, the Republic of Armenia declares that paragraph 1 of Article 2 shall apply to the following categories of crimes:</p> <ul style="list-style-type: none"> a) Crimes against Property b) Crimes against Economic Activity c) Crimes against Public Security d) Crimes against Public Health e) Crimes against the Foundations of Constitutional Order and Security of the State f) Crimes against State service <p>The Republic of Armenia reserves the right of further adding other categories of criminal activities.</p>	<p>Dated from 24 November 2003, Period covered: 01/03/2004 –</p>
Cyprus	<p>In accordance with Article 2, paragraph 2, of the Convention, the Republic of Cyprus declares that paragraph 1 of this article shall apply to offences punishable with more than one year of imprisonment.</p>	<p>Dated from 7 November 2001, Period covered: 01/03/1997 -</p>
Greece	<p>The Greek Government reserves the right to add other categories of criminal activities.</p>	<p>Dated from 22 June 1999, Period covered: 01/10/1999 –</p>
Ireland	<p>In accordance with Article 2, paragraph 2, Ireland declares that Article 2, paragraph 1, shall apply only to drug trafficking offences as defined in its domestic legislation and other offences triable on indictment.</p>	<p>Dated from 28 November 1996, Period covered: 01/03/1997 –</p>
Luxembourg	<p>In accordance with Article 2, paragraph 2, and Article 6, paragraph 4, of the Convention, Article 2, paragraph 1, and Article 6, paragraph 1, of the Convention shall apply only to the offences mentioned in Article 8-1, item 1), of the Law of 19 February 1973 concerning the sale of medicinal substances and the fight against drug addiction, and in Article 506-1, item 1), of the Penal Code.</p>	<p>Dated from 4 September 2001, Period covered: 01/01/2002 –</p>
Monaco	<p>In accordance with Article 2, paragraph 2, of the Convention, the Principality of Monaco declares that paragraph 1 of this article shall apply only to the laundering of the proceeds of an offence as provided and punished by Articles 218 to 218-3 of the Penal Code of the Principality of Monaco and to the laundering of the proceeds from drug trafficking as provided and punished by Articles 4-1 b, 4-3 and 4-4 of Law No. 890 of 1 July 1970 on narcotics as amended by Law No. 1157 of 23 December 1992.</p>	<p>Dated from 10 May 2002, Period covered: 01/09/2020 –</p>
Netherlands	<p>In accordance with Article 2, paragraph 2, of the Convention, the Kingdom of the Netherlands declares that it reserves the right not to apply Article 2, paragraph 1, of the Convention with regard to the confiscation of the proceeds from offences punishable under legislation on taxation or on customs and</p>	<p>Dated from 10 May 1993, Period covered: 01/09/1993 –</p>

excise.

Norway	Norway declares that Article 2, paragraph 1, shall apply only to offences which would be punishable if committed within Norwegian criminal jurisdiction.	Dated from 16 November 1994, Period covered: 01/03/1995 –
Sweden	In accordance with Article 2, paragraph 2, Sweden declares that, for Sweden's part, the provision in Article 2, paragraph 1, shall be applicable to such proceeds of crime and such instrumentalities which have been used in the commission of an offence as may be confiscated under the provisions of the Penal Code, the Narcotic Drugs Penal Act (1968:64) or the Act Prohibiting Certain Doping Substances (1991:1969). Regarding other offences, Sweden reserves the right, where justified in view of the type of offence, to prescribe confiscation to a more limited extent.	Dated from 15 July 1996, Period covered: 01/11/1996 –
Turkey	In accordance with Article 2, paragraph 2, the Republic of Turkey declares that Article 2, paragraph 1, shall only apply to offences defined in its domestic legislation.	Dated from 9 November 2004, Period covered: 01/02/2005 -

Article 6 – Laundering offences

1 Each Party shall adopt such legislative and other measures as may be necessary to establish as offences under its domestic law, when committed intentionally:

the conversion or transfer of property, knowing that such property is proceeds, for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in the commission of the predicate offence to evade the legal consequences of his actions;

the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to, or ownership of, property, knowing that such property is proceeds;

and, subject to its constitutional principles and the basic concepts of its legal system;

the acquisition, possession or use of property, knowing, at the time of receipt, that such property was proceeds;

participation in, association or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with this article.

2 For the purposes of implementing or applying paragraph 1 of this article:

a. it shall not matter whether the predicate offence was subject to the criminal jurisdiction of the Party;

b. it may be provided that the offences set forth in that paragraph do not apply to the persons who committed the predicate offence;

c. knowledge, intent or purpose required as an element of an offence set forth in that paragraph may be inferred from objective, factual circumstances.

3 Each Party may adopt such measures as it considers necessary to establish also as offences under its domestic law all or some of the acts referred to in paragraph 1 of this article, in any or all of the following

cases where the offender:

- a. ought to have assumed that the property was proceeds;
- b. acted for the purpose of making profit;
- c. acted for the purpose of promoting the carrying on of further criminal activity.

4 Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by declaration addressed to the Secretary General of the Council of Europe declare that paragraph 1 of this article applies only to predicate offences or categories of such offences specified in such declaration.

Andorra	In accordance with Article 6, paragraph 4, the Andorran State declares that paragraph 1 of Article 6 applies only to predicate offences or categories of such offences provided for in Andorran national legislation concerning the laundering of money or values derived from crime.	Dated from 28 July 1999, Period covered: 01/11/1999 –
Armenia	In accordance with paragraph 4 of Article 6, the Republic of Armenia declares that paragraph 1 of Article 6 of the Convention shall apply to all categories of crimes set forth in its declaration made in accordance with paragraph 2 of Article 2.	Dated from 24 November 2003, Period covered: 01/03/2004 –
Austria	The Republic of Austria declares in accordance with Article 6, paragraph 4, that Article 6, paragraph 1, will apply only to predicate offences which are crimes (" <i>Verbrechen</i> ") under Austrian penal legislation (paragraph 17 of the Austrian Penal Code).	Dated from 7 July 1997, Period covered: 01/11/1999 –
Azerbaijan	In accordance with Article 6, paragraph 4, of the Convention, the Republic of Azerbaijan declares that paragraph 1 of Article 6 shall apply only to the predicate offences specified in the criminal legislation of the Republic of Azerbaijan.	Dated from 4 July 2003, Period covered: 01/11/2003 –
Cyprus	In accordance with Article 6, paragraph 4, of the Convention, the Republic of Cyprus declares that paragraph 1 of this article shall apply to the predicate offences specified in its relevant domestic legislation which are offences punishable with more than one year of imprisonment.	Dated from 7 November 2001, Period covered: 01/03/1997 -
Germany	Article 6, paragraph 1, applies only to the following predicate offences or categories of such offences: 1. crimes (Article 12, paragraph 1, of the German Criminal Code - StGB), ie offences punishable with imprisonment of not less than one year; 2. misdemeanours of receiving bribes (Article 332 paragraph 1, also in combination with paragraph 3 of the StGB) and bribery (Article 334 of the StGB); 3. misdemeanours under Article 29, paragraph 1, sentence 1, No. 1, of the Narcotics Act (<i>Betäubungsmittelgesetz</i>) or under Article 29, paragraph 1, No. 1, of the Raw Materials	Dated from 16 September 1998, Period covered: 01/01/1999 –

Surveillance Act (*Grundstoffüberwachungsgesetz*);

4. misdemeanours of organised smuggling committed by a gang with the use of violence (Article 373 of the German Tax Code - *Abgabenordnung*) or with the handling for gain of property obtained through tax fraud (Article 374 of the Tax Code), each in combination with Article 12, paragraph 1 of the Common Market Organisations Implementation Act (*Gesetz zur Durchführung der Gemeinsamen Marktorganisationen*);

5. [misdemeanours committed for gain or by a member of a gang formed for the purpose of repeatedly carrying out one of the following acts constituting the elements of one of the following offences: **[traffic in human beings*]** (Article 180b of the StGB), procuring (Article 181a of the StGB), theft (Article 242 of the StGB), embezzlement (Article 246 of the StGB), extortion (Article 253 of the StGB), handling of stolen goods (Article 259 of the StGB), fraud (Article 263 of the StGB), computer fraud (Article 263a of the StGB), fraudulently obtaining subsidies (Article 264 of the StGB), breach of trust (Article 266 of the StGB), falsification of documents (Article 267 of the StGB), falsification of evidence (Article 269 of the StGB), illegal organisation of gambling (Article 284 of the StGB), illegal handling of dangerous waste (Article 326, paragraphs 1, 2 and 4, of the StGB), illegal handling of radioactive substances or other dangerous substances and goods (Article 328, paragraphs 1, 2 and 4, of the StGB), **[incitement to make an improper application for asylum*]** (Section 84 of the Asylum Procedure Act - AsylVfG), **[smuggling of aliens*]** (Section 92a of the Aliens Act - AuslG);*]

6. [misdemeanours committed by a member of a criminal organisation (Article 129 of the StGB).*]
(Misdemeanours - *Vergehen* - are offences for which the minimum penalty is imprisonment of less than one year or a fine - cf Article 12, paragraph 2, of the StGB).

The Federal Republic of Germany partly withdraws the reservation to Article 6, paragraph 1, of the Convention, contained in the declaration of 16 September 1998, to the extent that Article 6, paragraph 1, now also applies to the following predicate offences in addition to those specified in the declaration of 16 September 1998.

Additions to number 5:

Counterfeiting of debit and other cards, cheques and promissory notes (section 152a of the German Criminal Code – StGB), causing wrong entries to be made in public records (section 217 of the StGB), making false entries in public records (section 348 of the StGB), tax evasion (section 370 of the Fiscal Code – AO), offences under the German Securities Trading Act – WpHG (section 38(1) to (3) and (5) of the WpHG), punishable infringement of symbols (section 143 of the Act on the Protection of Trade Marks and Symbols –

MarkenG), punishable infringement of a Community trade mark (section 143a of the MarkenG), punishable use of indications of geographical origin (section 144 of the MarkenG), unlawful exploitation of copyrighted works (section 106 of the Copyright Act – UrhG), unlawful affixing of designation of author (section 107 of the UrhG), infringement of related rights (section 108 of the UrhG), unlawful exploitation on a commercial scale (section 108a of the UrhG), infringement of technological measures and rights-management information (section 108b of the UrhG), offences under the German Utility Models Act (section 25 of the GebrMG), offences under the German Design Act (section 51 of the DesignG), infringement of a Community design (section 65 of the DesignG), offences under the Patent Act (section 142 of the PatG), offences under the Semiconductor Protection Act (section 10 of the HalbSchG), offences under the Plant Variety Protection Act (section 39 of the SortSchG);

Additions to number 6:

Misdemeanours to prepare a serious violent offence endangering the state (section 89a of the StGB), to form a criminal organisation (section 129 of the StGB), to form a terrorist organisation with the aim of threatening the commission of specified serious offences (section 129a (3) of the StGB) or to support a terrorist organisation (section 129 (5) of the StGB), or any of the above committed in relation to organisations abroad (in conjunction with section 129b (1) of the StGB), as well as misdemeanours committed by a member of a criminal or terrorist organisation under sections 129 or 129a of the StGB, also for criminal or terrorist organisations abroad (in conjunction with section 129b (1) of the StGB).

Greece

Dated from 22 June 1999,
Period covered:
01/10/1999 -

Hungary

The Greek Government reserves the right to add other categories of criminal activities

Dated from 2 March 2000,
Period covered:
01/07/2000 -

Italy

In accordance with Article 6, paragraph 4, Hungary reserves the right to apply paragraph 1 of this Article only to the predicate offences specified in its Criminal Code.

Dated from 20 January 1994,
Period covered:
01/05/1994 –

Luxembourg

Under the terms of Article 6, paragraph 4, of the Convention, the Italian Republic declares that paragraph 1 of this article applies only to predicate offences which constitute "*delitti*" under Italian law, excluding "*delitti*" which are not deliberate.

Dated from 4 September 2001,
Period covered:
01/01/2002 -

Monaco

In accordance with Article 2, paragraph 2, and Article 6, paragraph 4, of the Convention, Article 2, paragraph 1, and Article 6, paragraph 1, of the Convention shall apply only to the offences mentioned in Article 8-1, item 1), of the Law of 19 February 1973 concerning the sale of medicinal substances and the fight against drug addiction, and in Article 506-1, item 1), of the Penal Code.

Dated from 10 May 2002,
Period covered:

		01/09/2020 –
Netherlands	In accordance with Article 6, paragraph 4, of the Convention, the Principality of Monaco declares that the paragraph 1 of this article shall apply only to the laundering of the proceeds of an offence as provided and punished by Articles 218 to 218-3 of the Penal Code of the Principality of Monaco and to the laundering of the proceeds from drug trafficking as provided and punished by Articles 4-1 b, 4-3 and 4-4 of Law No. 890 of 1 July 1970 on narcotics as amended by Law No. 1157 of 23 December 1992.	Dated from 10 May 1993, Period covered: 01/09/1993 –
Norway	In accordance with Article 6, paragraph 4, of the Convention, the Kingdom of the Netherlands declares that Article 6, paragraph 1, of the Convention will only be applied to predicate offences that qualify as " <i>misdrifven</i> " (crimes) under the domestic law of the Netherlands (the Kingdom in Europe).	Dated from 16 November 1994, Period covered: 01/03/1995 –
San Marino	Norway declares that Article 6, paragraph 1, shall apply only to offences which would be punishable if committed within Norwegian criminal jurisdiction.	Dated from 3 October 2000, Period covered: 01/02/2001 –
Switzerland	In accordance with Article 6, paragraph 4, the Republic of San Marino declares that paragraph 1 of Article 6 applies only to criminal predicate offences or categories of criminal predicate offences provided for in San Marino's national legislation concerning the laundering of money or proceeds from crime (Act No. 123 of 1998).	Dated from 11 May 1993, Period covered: 01/09/1993 –
Turkey	Article 6, paragraph 1 of the Convention applies only where the predicate offence is classified as a crime under Swiss law (see Article 9, sub-paragraph 1 of the Swiss Criminal Code and the offences provided for in the Swiss Criminal Code and supplementary criminal law).	Dated from 9 November 2004, Period covered: 01/02/2005 -
	In accordance with Article 6, paragraph 4, the Republic of Turkey declares that Article 6, paragraph 1 shall only apply to offences defined in its domestic legislation.	

Article 14 – Execution of confiscation

1 The procedures for obtaining and enforcing the confiscation under Article 13 shall be governed by the law of the requested Party.

2 The requested Party shall be bound by the findings as to the facts in so far as they are stated in a conviction or judicial decision of the requesting Party or in so far as such conviction or judicial decision is implicitly based on them.

3 Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declare that paragraph 2 of this article applies only subject to its constitutional principles and the basic concepts of its legal system.

(.....)

Andorra	In accordance with Article 14, paragraph 3, the Andorran	Dated from 28 July
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	State declares that paragraph 2 of Article 14 applies only subject to its constitutional principles and the basic concepts of the Andorran legal system.	1999, Period covered: 01/11/1999 –
Armenia	In accordance with paragraph 3 of Article 14, the Republic of Armenia declares that paragraph 2 of Article 14 applies only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 24 November 2003, Period covered: 01/03/2004 –
Azerbaijan	In accordance with Article 14, paragraph 3, of the Convention, the Republic of Azerbaijan declares that the provisions of Article 14, paragraph 2, of the Convention shall apply only subject to the constitutional principles of the Republic of Azerbaijan.	Dated from 4 July 2003, Period covered: 01/11/2003 –
Bulgaria	In accordance with Article 14, paragraph 3 of the Convention, the Republic of Bulgaria declares that the provisions of Article 14, paragraph 2 shall apply only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 2 June 1993, Period covered: 01/10/1993 –
Cyprus	In accordance with paragraph 3 of Article 14, paragraph 2 of this Article shall apply only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 14 November 1996, Period covered: 01/03/1997 –
Greece	With regard to Article 14, paragraph 3, the Greek Government shall enforce the confiscation requested by the requesting Party on the condition that it is not in contradiction with the Constitution and the fundamental principles of the Greek legal system.	Dated from 22 June 1999, Period covered: 01/10/1999 –
Hungary	With regard to Article 14, paragraph 3, Hungary declares that paragraph 2 of Article 14 applies only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 2 March 2000, Period covered: 01/07/2000 –
Ireland	In accordance with Article 14, paragraph 3, Ireland declares that Article 14, paragraph 2, shall apply only subject to the constitutional principles and the basic concepts of its legal system.	Dated from 28 November 1996, Period covered: 01/03/1997 –
Kazakhstan	In accordance with paragraph 3 of Article 14 of the Convention, the Republic of Kazakhstan declares that it applies paragraph 2 of Article 14 of the Convention in accordance with its constitutional principles and basic concepts of its legal system.	Dated from 23 September 2014, Period covered: 01/01/2015 –
Latvia	In pursuance of paragraph 3 of Article 14 of the Convention, the Republic of Latvia declares that paragraph 2 of Article 14 applies only subject to constitutional principles and the basic concepts of legal system of the Republic of Latvia.	Dated from 12 November 1998, Period covered: 01/04/1999 –
Liechtenstein	In accordance with Article 14, paragraph 3, of the Convention, the Principality of Liechtenstein declares that paragraph 2 of Article 14 shall apply only subject to the	Dated from 9 November 2000, Period covered: 01/03/2001 –

	constitutional principles and the basic concepts of the legal system of the Principality of Liechtenstein.	
Lithuania	Article 14, paragraph 2, will be applied only subject to the principles of the Constitution of the Republic of Lithuania and the basic concepts of the legal system.	Dated from 20 June 1995, Period covered: 01/10/1995 –
Malta	Malta declares that, in accordance with paragraph 3 of Article 14, paragraph 2 of this Article shall apply only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 19 November 1999, Period covered: 01/03/2000 –
Monaco	In accordance with Article 14, paragraph 3, of the Convention, the Principality of Monaco declares that Article 14, paragraph 2, shall apply only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 10 May 2002, Period covered: 01/09/2020 –
Montenegro	Pursuant to Article 14, paragraph 3, of the Convention, paragraph 2 thereof shall apply only subject to the constitutional principles and the basic legal concepts of the legal system of Montenegro.	Dated from 13 October 2006, Period covered: 06/06/2006 –
Romania	In accordance with Article 14, paragraph 3, of the Convention, Romania declares that Article 14, paragraph 2, shall apply only subject to the constitutional principles and the basic concepts of the Romanian legal system.	Dated from 6 August 2002, Period covered: 01/12/2002 –
Russia	In accordance with Article 14, paragraph 3, of the Convention, the Russian Federation declares that Article 14, paragraph 2, of the Convention shall apply only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 2 August 2001, Period covered: 01/12/2001 –
San Marino	In accordance with Article 14, paragraph 3, the Republic of San Marino declares that paragraph 2 of Article 14 applies only subject to its constitutional principles and the basic concepts of its legal system.	Dated from 3 October 2000, Period covered: 01/02/2001 –
Serbia	Pursuant to Article 14, paragraph 3, of the Convention, paragraph 2 thereof shall apply only subject to the constitutional principles and the basic legal concepts of the legal system of Serbia.	Dated from 18 June 2007, Period covered: 01/02/2004 –
Slovakia	The Slovak Republic declares that Article 14, paragraph 3, shall apply only subject to the constitutional principles and the basic concepts of the Slovak legal system.	Dated from 7 May 2001, Period covered: 01/09/2001 –
Turkey	In accordance with Article 14, paragraph 3, the Republic of Turkey declares that Article 14, paragraph 2, shall only apply to the extent that its application is compatible with the constitutional principles and the basic legal concepts of the Republic of Turkey.	Dated from 9 November 2004, Period covered: 01/02/2005 –
Ukraine	Article 14, paragraph 2, of the Convention shall be applied	Dated from 26 January 1998,

only subject to the constitutional principles and basic concepts of the legal system of Ukraine.

Period covered:
01/05/1998 –

United Kingdom

In accordance with Article 14, paragraph 3 the United Kingdom declares that Article 14, paragraph 2 shall apply only subject to the constitutional principles and the basic concepts of its legal systems.

Dated from
28 September 1992,
Period covered:
01/09/1993 –

Article 21 – Notification of documents

1 The Parties shall afford each other the widest measure of mutual assistance in the serving of judicial documents to persons affected by provisional measures and confiscation.

2 Nothing in this article is intended to interfere with:

- a. the possibility of sending judicial documents, by postal channels, directly to persons abroad;
- b. the possibility for judicial officers, officials or other competent authorities of the Party of origin to effect service of judicial documents directly through the consular authorities of that Party or through judicial officers, officials or other competent authorities of the Party of destination,

unless the Party of destination makes a declaration to the contrary to the Secretary General of the Council of Europe at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession.

(.....)

Andorra	In accordance with Article 21, paragraph 2, the Andorran State declares that service of judicial documents can be effected only through the central authority, which is the Administration of Justice or the President of the “Batllia”.	Dated from 28 July 1999, Period covered: 01/11/1999 –
Australia	In accordance with Article 21, paragraph 2, Australia declares that judicial documents should be served only through its central authority.	Dated from 31 July 1997, Period covered: 01/11/1997 –
Austria	The modalities of serving judicial documents under Article 21, paragraph 2, will be permitted in Austria only insofar as provided for in another bilateral or multilateral treaty.	Dated from 7 July 1997, Period covered: 01/11/1999 –
Azerbaijan	In accordance with Article 21, paragraph 2, of the Convention, the Republic of Azerbaijan declares that judicial documents shall be served through the Ministry of Justice of the Republic of Azerbaijan.	Dated from 4 July 2003, Period covered: 01/11/2003 –
Cyprus	In accordance with paragraph 2 of Article 21, judicial documents should be served only through its Central Authority which is: The Ministry of Justice and Public Order.	Dated from 14 November 1996, Period covered: 01/03/1997 –
Denmark	With regard to Article 21, paragraph 2, Denmark reserves the right to apply the provisions of the European Convention on Mutual Assistance in Criminal Matters.	Dated from 19 November 1996, Period covered: 01/03/1997 –
Estonia	Pursuant to Article 21, paragraph 2 of the Convention, the	Dated from 10 May

	judicial documents shall be served through the Ministry of Justice.	2000, Period covered: 01/09/2000 –
Hungary	In accordance with Article 21, paragraph 2, Hungary declares that judicial documents should be served only through its central authority.	Dated from 2 March 2000, Period covered: 01/07/2000 –
Ireland	In accordance with Article 21, paragraph 2, Ireland declares that judicial documents should be served only through its central authority.	Dated from 28 November 1996, Period covered: 01/03/1997 –
Italy	Under the terms of Article 21, paragraph 2, of the Convention, the Italian Republic declares that the procedures set out in parts a. and b. of this paragraph concerning the transmission and serving of judicial documents to persons affected by provisional measures and confiscation shall be allowed in respect of persons on Italian territory only when, in its relations with the other Party, they are provided for under Italian legislation or in the international agreements which generally govern mutual assistance in criminal matters.	Dated from 20 January 1994, Period covered: 01/05/1994 –
Latvia	In pursuance of paragraph 2 of Article 21 of the Convention, the Republic of Latvia declares that competent authorities of the Republic of Latvia to serve judicial documents are: – during pre-trial investigation: General Prosecutor's office O; Kalpaka blvd 6, Riga, LV - 1801, Latvia, phone: 371.7.320085, fax: 371.7.212231; - during the trial: The Ministry of Justice, Brivibas blvd 36, Riga, LV - 1536, Latvia, phones: 371.7.280437/282607, fax: 371.7.285575.	Dated from 12 November 1998, Period covered: 01/04/1999 –
Liechtenstein	In accordance with Article 21, paragraph 2, of the Convention, the Principality of Liechtenstein declares that judicial documents addressed to persons in the Principality of Liechtenstein shall be transmitted to them by the competent Liechtenstein authority (Rechtsdienst der Regierung).	Dated from 9 November 2000, Period covered: 01/03/2001 –
Lithuania	The judicial documents shall be transmitted to the Ministry of Justice of the Republic of Lithuania or to the Prosecutor General's Office of the Republic of Lithuania.	Dated from 20 June 1995, Period covered: 01/10/1995 –
Luxembourg	In accordance with Article 21, paragraph 2, of the Convention, the procedures provided in subparagraphs a and b of this paragraph, relating to the service of judicial documents to persons affected by provisional and confiscation measures, and who are in the territory of Luxembourg, shall be permitted only in the case where, in the relations between Luxembourg and the other State, they are foreseen by another treaty governing international mutual assistance in criminal matters.	Dated from 4 September 2001, Period covered: 01/01/2002 –

Malta	Malta declares that, in accordance with paragraph 2 of Article 21, judicial documents should be served only through its Central Authority which is: The Office of the Attorney General.	Dated from 19 November 1999, Period covered: 01/03/2000 –
Monaco	In accordance with Article 21, paragraph 2b, of the Convention, the Principality of Monaco declares that the service of judicial documents must be effected through the competent authorities of Monaco.	Dated from 10 May 2002, Period covered: 01/09/2020 –
Montenegro	The serving of judicial documents as set out in Article 21, paragraph 2, of the Convention, shall be allowed in Montenegro only if envisaged under another bilateral or multilateral agreement.	Dated from 13 October 2006, Period covered: 06/06/2006 –
Poland	The Republic of Poland declares under Article 21, paragraph 2 of the Convention that the methods of transmission referred to in Article 21, paragraph 2, of the Convention shall be applied on its territory only in so far as they are provided for in appropriate international agreements relating to legal assistance between the Republic of Poland and the Party transmitting a judicial document.	Dated from 20 December 2000, Period covered: 01/04/2001 –
Portugal	The application of the provisions of Article 21 of the Convention shall be subject to the existence of bilateral or multilateral agreements on mutual judicial assistance between Portugal and the requesting Party.	Dated from 19 October 1998, Period covered: 01/02/1999 –
Romania	In accordance with Article 21, paragraph 2, of the Convention, Romania declares that the service of judicial documents shall be effected only through the central authority, which is the Ministry of Justice. For the requests of assistance formulated in pre-trial investigation, the service shall be effected through the General Prosecutor's Office to the Supreme Court of Justice.	Dated from 6 August 2002, Period covered: 01/12/2002 –
Russia	In accordance with Article 21, paragraph 2, of the Convention, the Russian Federation declares that the service of judicial documents should be effected through the Ministry of Justice of the Russian Federation.	Dated from 2 August 2001, Period covered: 01/12/2001 –
San Marino	In accordance with Article 21, paragraph 2, the Republic of San Marino declares that service of judicial documents can be effected only through its central authority, without prejudice to what is provided for in bilateral treaties.	Dated from 3 October 2000, Period covered: 01/02/2001 –
Serbia	The serving of judicial documents as set out in Article 21, paragraph 2, of the Convention, shall be allowed in Serbia only if envisaged under another bilateral or multilateral agreement.	Dated from 18 June 2007, Period covered: 01/02/2004 –
Slovakia	The Slovak Republic declares that the serving of written documents to persons on the territory of the Slovak Republic pursuant to the modalities set forth in Article 21, paragraph 2, letter a) and letter b), shall be possible only insofar as	Dated from 7 May 2001, Period covered: 01/09/2001 –

	provided for in other bilateral and multilateral international treaties, which are binding for the Slovak Republic and for the Party transmitting the written document.	
Sweden	In accordance with Article 21, paragraph 2, Sweden makes a reservation in respect of the provision in Article 21, paragraph 2b.	Dated from 15 July 1996, Period covered: 01/11/1996 –
Switzerland	Service of judicial documents to persons in Switzerland must be effected through the competent Swiss authorities (Federal Office of Justice).	Dated from 11 May 1993, Period covered: 01/09/1993 –
Turkey	In accordance with Article 21, paragraph 2, the Republic of Turkey declares that the procedures set out in parts a and b of this paragraph concerning the transmission and serving of judicial documents to persons affected by provisional measures and confiscations shall be allowed in respect of persons in Turkish territory only when they are provided for in Turkish legislation or in relevant international agreements relating to mutual assistance in criminal matters between the Republic of Turkey and the Party transmitting the judicial documents, otherwise the judicial documents should be served through its central authority.	Dated from 9 November 2004, Period covered: 01/02/2005 –
United Kingdom	In accordance with Article 21, paragraph 2 the United Kingdom declares that judicial documents should be served only through its central authority. The central authority for the United Kingdom is : The United Kingdom Central Authority for Mutual Legal Assistance in Criminal Matters C7 Division Home Office 50 Queen Anne's Gate London SW1H 9AT	Dated from 28 September 1992, Period covered: 01/09/1993 -

Article 25 – Form of request and languages

1 All requests under this chapter shall be made in writing. Modern means of telecommunications, such as telefax, may be used.

2 Subject to the provisions of paragraph 3 of this article, translations of the requests or supporting documents shall not be required.

3 At the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, any Party may communicate to the Secretary General of the Council of Europe a declaration that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into its own language or into one of the official languages of the Council of Europe or into such one of these languages as it shall indicate. It may on that occasion declare its readiness to accept translations in any other language as it may specify. The other Parties may apply the reciprocity rule.

Andorra	In accordance with Article 25, paragraph 3, the documents sent to the Andorran State should be drafted in or translated	Dated from 28 July 1999,
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	into Catalan, Spanish, French or English.	Period covered: 01/11/1999 –
Armenia	In accordance with paragraph 3 of Article 25, the Republic of Armenia declares that the requests and supporting documents to be sent to the Armenian authorities shall be accompanied by a certified translation into Armenian or into one of the official languages of the Council of Europe.	Dated from 24 November 2003, Period covered: 01/03/2004 –
Australia	In accordance with Article 25, paragraph 3, Australia declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into English.	Dated from 31 July 1997, Period covered: 01/11/1997 -
Azerbaijan	In accordance with Article 25, paragraph 3, of the Convention, the Republic of Azerbaijan declares that requests and documents supporting such requests shall be accompanied by a translation into Azerbaijani or English.	Dated from 4 July 2003, Period covered: 01/11/2003 –
Bulgaria	In accordance with Article 25, paragraph 3 of the Convention, the Republic of Bulgaria declares that, for each individual case, it will require requests and supporting documents sent to it pursuant to Article 25, paragraph 1 to be accompanied by a translation into Bulgarian or into such one of the official languages of the Council of Europe as it shall indicate.	Dated from 2 June 1993, Period covered: 01/10/1993 –
Cyprus	In accordance with paragraph 3 of Article 25, it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into the English language which is one of the official languages of the Council of Europe.	Dated from 14 November 1996, Period covered: 01/03/1997 -
Denmark	With regard to Article 25 paragraph 3, requests and supporting documents from countries other than Austria, France, 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 voluminous documents, Denmark reserves the right, as appropriate, to require a Danish translation or to have one made at the expense of the requesting party.	Dated from 19 November 1996, Period covered: 01/03/1997 –
Estonia	In accordance with Article 25, paragraph 3, the requests and their annexes presented to the Republic of Estonia shall be accompanied by a translation into English.	Dated from 10 May 2000, Period covered: 01/09/2000 –
Finland	In accordance with Article 25, paragraph 3, of the Convention 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.	Dated from 9 March 1994, Period covered: 01/07/1994 –
Germany	Wherever requests and supporting documents are not drawn up in German, they shall be accompanied by a translation into German or into one of the official languages of the	Dated from 30 July 2014, Period covered: 04/08/2014 –

	Council of Europe.	
Greece	The requests and supporting documents must be sent by the requesting State in Greek or be translated into English or French.	Dated from 22 June 1999, Period covered: 01/10/1999 –
Hungary	In accordance with Article 25, paragraph 3, requests and supporting documents must be drawn up in Hungarian or in one of the official languages of the Council of Europe or be accompanied by a translation into one of these languages. However, Hungary declares its readiness to accept translations of requests and supporting documents in German.	Dated from 2 March 2000, Period covered: 01/07/2000 –
Ireland	In accordance with Article 25, paragraph 3, Ireland declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into Irish or English.	Dated from 28 November 1996, Period covered: 01/03/1997 –
Italy	Under the terms of Article 25, paragraph 3, of the Convention, the Italian Republic declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into Italian or into one of the official languages of the Council of Europe.	Dated from 20 January 1994, Period covered: 01/05/1994 –
Latvia	In pursuance of paragraph 3 of Article 25 of the Convention, the Republic of Latvia declares that requests and documents supporting such requests shall be accompanied by a translation into Latvian or English language.	Dated from 12 November 1998, Period covered: 01/04/1999 –
Liechtenstein	In accordance with Article 25, paragraph 3, of the Convention, the Principality of Liechtenstein declares that whenever requests and supporting documents are not drawn up in German, they shall be accompanied by a translation into German or English.	Dated from 9 November 2000, Period covered: 01/03/2001 –
Lithuania	The requests and supporting documents to the Republic of Lithuania shall be translated to the English or Lithuanian languages.	Dated from 20 June 1995, Period covered: 01/10/1995 –
Luxembourg	Concerning Article 25, paragraph 3, of the Convention, requests and documents supporting such requests must be drawn up in French or in German or be accompanied by a translation into French or German.	Dated from 4 September 2001, Period covered: 01/01/2002 –
Malta	Malta declares that, in accordance with paragraph 3 of Article 25, it reserves the right to require that requests made to it and documents supporting such request be accompanied by a translation into the English language.	Dated from 19 November 1999, Period covered: 01/03/2000 –
Monaco	In accordance with Article 25, paragraph 3, of the Convention, the requests mentioned in Section 7 of this Convention and their supporting documents shall be accompanied by a translation in French language.	Dated from 10 May 2002, Period covered: 01/09/2020 –
Montenegro		Dated from 13 October 2006,

Norway	Pursuant to Article 25, paragraph 3, Montenegro declares that requests made to it and documents supporting such requests shall be accompanied by a translation into Serbian or English.	Period covered: 06/06/2006 –
Poland	Norway declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into Norwegian, Swedish, Danish or English.	Dated from 16 November 1994, Period covered: 01/03/1995 –
Portugal	The Republic of Poland declares under Article 25, paragraph 3, of the Convention, that all requests and documents transmitted to its authorities under Chapter III of the Convention shall be accompanied by a translation into Polish or into one of the official languages of the Council of Europe.	Dated from 20 December 2000, Period covered: 01/04/2001 –
Romania	In accordance with the provisions of Article 25 of the Convention, Portugal declares that requests and supporting documents addressed to Portugal must be accompanied by a translation into either Portuguese or French.	Dated from 19 October 1998, Period covered: 01/02/1999 –
Russia	In accordance with Article 25, paragraph 3, of the Convention, Romania declares that the requests forwarded to the Romanian authorities and the documents supporting such requests shall be accompanied by a translation in Romanian or into one of the official languages of the Council of Europe.	Dated from 6 August 2002, Period covered: 01/12/2002 –
San Marino	In accordance with Article 25, paragraph 3, of the Convention, the Russian Federation declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into Russian or English.	Dated from 2 August 2001, Period covered: 01/12/2001 –
Serbia	In accordance with Article 25, paragraph 3, of the Convention, the Republic of San Marino declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into Italian or into one of the official languages of the Council of Europe, the accuracy of which must be officially certified. Concerning voluminous documents which are not translated into Italian, the Republic of San Marino reserves the right to request, if appropriate, a translation into Italian or to have the documents translated at the expense of the requesting Party.	Dated from 3 October 2000, Period covered: 01/02/2001 –
Slovakia	Pursuant to Article 25, paragraph 3, Serbia declares that requests made to it and documents supporting such requests shall be accompanied by a translation into Serbian or English.	Dated from 18 June 2007, Period covered: 01/02/2004 –
Slovenia	The Slovak Republic declares that it reserves the right to require that the requests and documents supporting such requests be accompanied by a translation into the Slovak language, the English language or the French language.	Dated from 7 May 2001, Period covered: 01/09/2001 –
	In accordance with Article 25, paragraph 3, of the	Dated from 17 April 1998, Period covered: 01/08/1998 –

Spain	Convention, the Government of Slovenia reserves the right to require that requests made to the responsible central authority and documents supporting such requests be accompanied by a translation into the Slovene language or into the English language.	Dated from 6 August 1998, Period covered: 01/12/1998 –
Sweden	In accordance with Article 25, paragraph 3, Spain reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into one of the official languages of the Council of Europe.	Dated from 15 July 1996, Period covered: 01/11/1996 –
Switzerland	In accordance with Article 25, paragraph 3, Sweden declares that a request addressed to Sweden under the Convention shall be formulated in Swedish, Danish, Norwegian or English or that a translation into one of these languages is enclosed.	Dated from 11 May 1993, Period covered: 01/09/1993 –
Turkey	Requests and supporting documents must be submitted in German, French or Italian or accompanied by a translation into one of those languages. The accuracy of translations must be officially certified.	Dated from 9 November 2004, Period covered: 01/02/2005 –
Ukraine	In accordance with Article 25, paragraph 3, the Republic of Turkey declares that requests submitted to it and documents supporting such requests should be accompanied by a translation into Turkish or English.	Dated from 26 January 1998, Period covered: 01/05/1998 –
United Kingdom	The requests and documents supporting such requests referred to in Article 25, paragraph 3, of the Convention have to be sent to Ukraine accompanied by a translation into Ukrainian or into one of the official languages of the Council of Europe, if they are not written in these languages. In accordance with Article 25, paragraph 3 the United Kingdom declares that it reserves the right to require that requests made to it and documents supporting such requests be accompanied by a translation into English.	Dated from 28 September 1992, Period covered: 01/09/1993 -

Article 32 – Restriction of use

1 The requested Party may make the execution of a request dependent on the condition that the information or evidence obtained will not, without its prior consent, be used or transmitted by the authorities of the requesting Party for investigations or proceedings other than those specified in the request.

2 Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by declaration addressed to the Secretary General of the Council of Europe, declare that, without its prior consent, information or evidence provided by it under this chapter may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

Andorra	In accordance with paragraph 2 of Article 32, information or evidence provided by the Andorran State under this chapter may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or	Dated from 28 July 1999, Period covered: 01/11/1999 –
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proceedings other than those specified in the request.

Armenia	In accordance with paragraph 2 of Article 32, the Republic of Armenia declares that information or evidence provided it under Chapter III may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 24 November 2003, Period covered: 01/03/2004 –
Australia	In accordance with Article 32, paragraph 2, Australia declares that information or evidence provided by it under Chapter III of the Convention may not, without the prior consent of the competent Australian authorities, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 31 July 1997, Period covered: 01/11/1997 -
Azerbaijan	In accordance with Article 32, paragraph 2, of the Convention, the Republic of Azerbaijan declares that information or evidence provided by the Republic of Azerbaijan may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 4 July 2003, Period covered: 01/11/2003 –
Bulgaria	In accordance with Article 32, paragraph 2 of the Convention, the Republic of Bulgaria declares that information or evidence provided by it under Chapter III of the Convention may not, without the prior consent of the competent Bulgarian authorities, be used or transmitted by the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 2 June 1993, Period covered: 01/10/1993 –
Cyprus	In accordance with paragraph 2 of Article 32, information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 14 November 1996, Period covered: 01/03/1997 –
Greece	Information or evidence provided by the Greek Republic in accordance with Chapter III of the Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 22 June 1999, Period covered: 01/10/1999 –
Hungary	In accordance with Article 32, paragraph 2, Hungary declares that information or evidence provided by it under chapter III may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 2 March 2000, Period covered: 01/07/2000 –
Italy	Under the terms of Article 32, paragraph 2, of the Convention, the information or evidence provided by Italy under this chapter may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 20 January 1994, Period covered: 01/05/1994 –
Latvia	In accordance with Article 32, paragraph 2, Latvia declares that information or evidence provided by it under Chapter III of the Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from

		12 November 1998, Period covered: 01/04/1999 –
Liechtenstein	In pursuance of paragraph 2 of Article 32 of the Convention, the Republic of Latvia declares that information or evidence provided by the Republic of Latvia under Chapter III of the Convention, without its prior consent, may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 9 November 2000, Period covered: 01/03/2001 –
Lithuania	In accordance with Article 32, paragraph 2, of the Convention, the Principality of Liechtenstein declares that information or evidence provided by Principality of Liechtenstein when applying this Convention may not, without the prior consent of the Liechtenstein central authority (Rechtsdienst der Regierung) be used or transmitted by the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 20 June 1995, Period covered: 01/10/1995 –
Luxembourg	Without its prior consent, the information or evidence, provided by the Republic of Lithuania, may not be used or transmitted by the authorities of the requesting Party for investigation or proceedings other than those specified in the request.	Dated from 4 September 2001, Period covered: 01/01/2002 –
Malta	In accordance with Article 32, paragraph 2, of the Convention, the information or evidence obtained from Luxembourg under Chapter III of the Convention shall not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 19 November 1999, Period covered: 01/03/2000 –
Monaco	Malta declares that, in accordance with paragraph 2 of Article 32, information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 10 May 2002, Period covered: 01/09/2020 –
Montenegro	In accordance with Article 32, paragraph 2, of the Convention, the Principality of Monaco declares that information or evidence provided by it under Section 7 of this Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 13 October 2006, Period covered: 06/06/2006 –
Norway	Pursuant to Article 32, paragraph 2, of the Convention, without its prior consent, information and evidence provided by Montenegro under this chapter may not be used or transmitted by the authorities of the requesting State in investigations or proceedings other than those specified in the request.	Dated from 16 November 1994, Period covered: 01/03/1995 –
Poland	Norway declares that without prior consent, information or evidence provided by it under Chapter III of the Convention, may not be used or transmitted by the authorities of the	Dated from 20 décembre 2000,

	requesting Party, except to the extent that the disclosure is necessary for the investigations or proceedings described in the request.	Period covered: 01/04/2001 –
Portugal	The Republic of Poland declares under Article 32, paragraph 2, of the Convention that information and evidence transmitted for the execution of a request filed pursuant to Chapter III of the Convention shall, without its prior consent, not be used for purposes other than those specified in the request.	Dated from 19 October 1998, Period covered: 01/02/1999 –
Romania	In accordance with the provisions of Article 32 of the Convention, Portugal declares that, without its consent, the information or evidence provided by Portugal may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 6 August 2002, Period covered: 01/12/2002 –
San Marino	In accordance with Article 32, paragraph 2, of the Convention, Romania declares that the information or the evidence provided by Romania under Chapter III of the Convention may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request without its prior consent.	Dated from 3 October 2000, Period covered: 01/02/2001 –
Serbia	In accordance with Article 32, paragraph 2, the Republic of San Marino declares that information or evidence provided by it under chapter III of the Convention may not, without the prior consent of San Marino's competent authority, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 18 June 2007, Period covered: 01/02/2004 –
Slovakia	Pursuant to Article 32, paragraph 2, of the Convention, without its prior consent, information and evidence provided by Serbia under this chapter may not be used or transmitted by the authorities of the requesting State in investigations or proceedings other than those specified in the request.	Dated from 7 May 2001, Period covered: 01/09/2001 –
Slovenia	The Slovak Republic declares that any information or evidence provided by it in accordance with this Convention may not be, without its prior consent, used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 17 April 1998, Period covered: 01/08/1998 –
Spain	In accordance with Article 32, paragraph 2, of the Convention, information or evidence provided by the Government of Slovenia under Chapter III of the Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.	Dated from 6 August 1998, Period covered: 01/12/1998 –
Switzerland	In accordance with Article 32, paragraph 2, Spain declares that, without its prior consent, information or evidence provided by it under this chapter may not be used or transmitted by the authorities of the requesting Party in	Dated from 11 May 1993, Period covered: 01/09/1993 –

Turkey

investigations or proceedings other than those specified in the request.

Dated from 9
November 2004,
Period covered:
01/02/2005 –

Information and evidence obtained from Switzerland under this Convention may not, without the prior consent of the Federal Office of Justice (Central Offices), be used or transmitted by the authorities of the requesting party in investigations or proceedings other than those specified in the request.

Ukraine

In accordance with Article 32, paragraph 2, the Republic of Turkey declares that information or evidence provided by Turkish authorities under Chapter III of the Convention may not, without the prior consent of the competent Turkish authorities, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the requests.

Dated from
26 January 1998,
Period covered:
01/05/1998 –

In accordance with Article 32, paragraph 2, of the Convention, Ukraine declares that information or evidence provided by it under Chapter III of the Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

V: Transfer of Sentenced Persons

5.1 Convention on the Transfer of Sentenced Persons (ETS 112)

The Convention as a whole:

Germany	In conformity with the preamble of the Convention, the Federal Republic of Germany understands that the application of the Convention should further not only the social rehabilitation of sentenced persons, but also the ends of justice. Accordingly, it will take the decision on the transfer of sentenced persons in each individual case on the basis of all punitive purposes underlying its criminal law. [Declaration]	Dated from 31 October 1991 Period covered 01/02/1992-
	The Federal Republic of Germany interprets the Convention as creating rights and obligations between the Parties only, no claims or subjective rights accruing to sentenced persons and no such claims or rights having to be created. [Declaration]	

Article 3 – Conditions for transfer

1 A sentenced person may be transferred under this Convention only on the following conditions:

a if that person is a national of the administering State;

b if the judgment is final;

c if, at the time of receipt of the request for transfer, the sentenced person still has at least six months of the sentence to serve or if the sentence is indeterminate;

d if the transfer is consented to by the sentenced person or, where in view of his age or his physical or mental condition one of the two States considers it necessary, by the sentenced person's legal representative;

e if the acts or omissions on account of which the sentence has been imposed constitute a criminal offence according to the law of the administering State or would constitute a criminal offence if committed on its territory; and

f if the sentencing and administering States agree to the transfer.

2 In exceptional cases, Parties may agree to a transfer even if the time to be served by the sentenced person is less than that specified in paragraph 1.c.

3 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, indicate that it intends to exclude the application of one of the procedures provided in Article 9.1.a and b in its relations with other Parties.

4 Any State may, at any time, by a declaration addressed to the Secretary General of the Council of Europe, define, as far as it is concerned, the term "national" for the purposes of this Convention.

Germany

The Federal Republic of Germany will take charge of enforcing sentences in accordance with the Convention only on condition that

Dated from
31 October 1991
Period covered
01/02/1992-

a) the sentence was imposed in a trial conforming to the European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms and its supplementary protocols where these are in force for the Federal Republic of Germany,

b) no judgment or decision having similar legal effects has been passed against the person prosecuted for the same offence in the Federal Republic of Germany,

c) enforcement of the sentence is not barred under the law applicable in the Federal Republic of Germany due to lapse of time or would not be so barred after analogous conversion of the facts.

The Federal Republic of Germany will transfer enforcement of judgments in accordance with the Convention to other member States only if it is guaranteed that

a) the sentenced person is prosecuted, sentenced, detained for the enforcement of a penalty or detention order or subjected to any other restriction of his personal liberty in respect of an offence other than that underlying the transfer and committed before the surrender only in the following cases:

aa) if the Federal Republic of Germany consents or

bb) if the transferred person has not left the territory of the administering State within 45 days of his final discharge despite having had the opportunity to do so or if, having left such territory, has returned there,

and

b) the administering State will not prosecute again or enforce a new sentence in respect of the offence underlying the judgment.

The Federal Republic of Germany will take charge of enforcing sentences only on condition that a German court declares the judgment passed in the sentencing State to be enforceable. In considering whether the conditions for accepting enforcement are fulfilled, the court will proceed from the facts and legal conclusions set forth in the judgment

Ireland

Having regard to pressure on prison accommodation, Ireland, when deciding on applications for inward transfer into Ireland,

Dated from 31
July 1995,
Period covered:
01/11/1995 –

(a) reserves the right to limit the excess of inward over outward transfers in the light of the availability of prison spaces, and

(b) will regard the degree of closeness of applicants' ties with Ireland as a primary consideration. (Declaration)

USA

Under Article 3, paragraph 1(f), of the Convention on the Transfer of Sentenced Persons, both the sentencing and the administering States must agree to the transfer of a sentenced person. In the case of the United States of America, where a sentenced person has been convicted by a state of the United States of crimes under the laws of that state and is in the custody of authorities of that state, the Government of the United States will not agree to a transfer unless the competent state authorities first give their consent.

Dated from
2 September
1997

In any such case, the state government must have state legislation authorizing consent to such transfers and be prepared to exercise that authority in the specific case.

For the benefit of authorities of member States and other Parties to the Convention, a current list is enclosed of those states of the United States that have legal authority to transfer sentenced persons in their custody. The United States Government is renewing its efforts to encourage its states to obtain necessary statutory authorization for participation in transfers under the Convention.

As just noted, however, even in those states that have such authority, specific consent of the appropriate state authorities would be required for transfer of any particular individual who was convicted of violating that state's laws. Consent may not be presumed from the existence of statutory authority; indeed, there are some states which authorize few, or no, transfers notwithstanding the statutory authority to consent. While the Government of the United States strongly encourages state participation in transfers under the Convention, the United States Government cannot compel a state to consent to the transfer of an individual who was convicted of violating that state's laws.

United States Federal authorities are prepared to assist member States and other Parties to the Convention in contacting appropriate state authorities, and recommend that this be done informally prior to submission of a formal request for transfer. In addition, the member State or Party to the Convention may contact the state authorities directly to try to persuade them of the propriety of the transfer of a particular individual.

The United States Central Authority is the International Prisoner Transfer Unit, Office of Enforcement Operations, Criminal Division, Department of Justice, Washington, D.C. 20530. [Communication]

List of States:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa,

Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Northern Marianna Islands (U.S. Territory), Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont (Canada only), Virginia, Washington, Wisconsin and Wyoming.

Article 4 – Obligation to furnish information

1 Any sentenced person to whom this Convention may apply shall be informed by the sentencing State of the substance of this Convention.

2 If the sentenced person has expressed an interest to the sentencing State in being transferred under this Convention, that State shall so inform the administering State as soon as practicable after the judgment becomes final.

3 The information shall include:

a the name, date and place of birth of the sentenced person;

b his address, if any, in the administering State;

c a statement of the facts upon which the sentence was based;

d the nature, duration and date of commencement of the sentence.

4 If the sentenced person has expressed his interest to the administering State, the sentencing State shall, on request, communicate to the State the information referred to in paragraph 3 above.

5 The sentenced person shall be informed, in writing, of any action taken by the sentencing State or by the administering State under the preceding paragraphs, as well as of any decision taken by either State on a request for transfer.

Azerbaijan

The Republic of Azerbaijan hereby declares that the application of the procedures provided in Article 4, paragraph 5, of the Convention will be realised where it is compatible with the national law. (Declaration)

Dated from 25
January 2001,
Period covered:
01/05/2001 –

Germany

Objection to a reservation contained in a Note verbale from the Permanent Representation of Germany, dated 21 March 2002, registered at the Secretariat General on 21 March 2002 - Or. Engl.

The Government of the Federal Republic of Germany has examined the reservations to the Convention on the Transfer of Sentenced Persons in respect to paragraph 5 of Article 4 made by the Government of Azerbaijan at the time of its ratification of the Convention.

The Government of the Federal Republic of Germany notes that a reservation to a key provision of a convention which consists of a general reference to national law without specifying its contents does not clearly define for the other

States Parties to the Convention the extent to which the reserving State has accepted the obligations out of that provision of the Convention. The reservation made by the Government of Azerbaijan in respect to paragraph 5 of Article 4 therefore raises doubts as to the commitment of Azerbaijan to fulfil its obligations out of that provision of the Convention.

Hence the Government of the Federal Republic of Germany considers this reservation to be incompatible with the object and purpose of the Convention and objects to the aforesaid reservation made by the Government of Azerbaijan.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and Azerbaijan.

The Federal Republic of Germany dispenses with the information envisaged in Article 4.2 to 4.5, if, in the opinion of the competent German authorities, a request for transfer of enforcement is excluded a priori. It understands that an obligation to inform sentenced persons exists only where it is compatible with the relevant provisions of national law and that, in particular, the sentenced person has no right to be informed about official internal procedures. (Declaration)

Dated from
31 October 1991
Period covered
01/02/1992-

Sweden

Objection to a reservation contained in a Note verbale from the Permanent Representation of Sweden, dated 21 March 2002, registered at the Secretariat General on 21 March 2002 - Or. Engl.

The Swedish Permanent Representation has the honour to inform the Council of Europe that the Government of Sweden has examined the reservation to Article 4, paragraph 5, of the 1983 Convention on the Transfer of Sentenced Persons made by the Government of Azerbaijan upon ratifying the Convention.

The application of the said article is being made subject to a general reservation referring to national legislation without specifying its contents. Such a reservation to an essential provision of a treaty makes it unclear to what extent the reserving State considers itself bound by the obligations of the provision. The reservation made by Azerbaijan therefore raises doubts as to the commitment of Azerbaijan to the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

The Government of Sweden therefore objects to the

reservation to Article 4, paragraph 5, made by the Government of Azerbaijan to the Convention on the Transfer of Sentenced Persons.

This objection does not preclude the entry into force of the Convention between Azerbaijan and Sweden. It enters into force without Azerbaijan benefiting from the reservation.

Article 7 – Consent and its verification

1 The sentencing State shall ensure that the person required to give consent to the transfer in accordance with Article 3.1.d does so voluntarily and with full knowledge of the legal consequences thereof. The procedure for giving such consent shall be governed by the law of the sentencing State.

2 The sentencing State shall afford an opportunity to the administering State to verify through a consul or other official agreed upon with the administering State, that the consent is given in accordance with the conditions set out in paragraph 1 above.

Bulgaria	The Republic of Bulgaria declares that the consent of the person concerned cannot be withdrawn after the authorities responsible for his transfer have taken their decision. (Declaration)	Dated from 17 June 1994 Period covered: 01/10/1994 -.
Germany	In accordance with the law, applicable in the Federal Republic of Germany, consent cannot be withdrawn. (Declaration)	Dated from 31 October 1991 Period covered 01/02/1992-
Korea	The Republic of Korea declares that, in accordance with the law applicable in the Republic of Korea, the consent of the person concerned cannot be withdrawn once confirmed by the competent authorities of the Republic of Korea through written document signed by that person. (Declaration)	Dated from 20 July 2005 Period covered 01/11/2005-
Switzerland	Switzerland considers that the consent to the transfer becomes irrevocable as soon as, pursuant to the agreement of the States concerned, the Federal Office of Justice has decided on the transfer. (Declaration)	Dated from 15 January 1988 Updated on 23 January 2002 Period covered 01/05/1988-

Article 8 – Effect of transfer for sentencing State

1 The taking into charge of the sentenced person by the authorities of the administering State shall have the effect of suspending the enforcement of the sentence in the sentencing State.

2 The sentencing State may no longer enforce the sentence if the administering State considers enforcement of the sentence to have been completed.

Germany	The authorities of the Federal Republic of Germany will take measures to continue the enforcement of the sentence if, and as soon as, the sentenced person escapes from custody or otherwise evades serving the sentence after the authorities of the administering State have taken him into charge and before	Dated from 31 October 1991 Period covered 01/02/1992-
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enforcement of the sentence has been completed. Therefore, if the sentenced person is found in the territory of the Federal Republic of Germany before the expiry of half of the time remaining to be served under the sentence imposed or converted in the administering State, they will assume that he has escaped and detain him for further questioning, unless the administering State has, in addition to that envisaged in Article 15, conveyed the information that the sentenced person has been conditionally released or that the enforcement of the sentence has been interrupted on other grounds.
(Declaration)

Article 12 – Pardon, amnesty, commutation

Each Party may grant pardon, amnesty or commutation of the sentence in accordance with its Constitution or other laws.

Azerbaijan	In accordance with Article 12, of the Convention, the Republic of Azerbaijan declares that decisions regarding the pardons and amnesties of sentenced persons transferred by the Republic of Azerbaijan should be agreed with the relevant competent authorities of the Republic of Azerbaijan. (Declaration)	Dated from 25 January 2001 Period covered 01/05/2001 –
Germany	In view of the federal structure of the Federal Republic of Germany and the fact that the Länder have competence in respect of decisions regarding pardons, the Federal Republic of Germany reserves the right to transfer the enforcement of judgments to another member State in accordance with the Convention only on condition that, on the basis of a general or case-to-case declaration by the administering State, pardon will be granted in the administering State only in agreement with the German pardoning authority. (Declaration)	Dated from 31 October 1991 Period covered 01/02/1992-

Article 16 – Transit

1 A Party shall, in accordance with its law, grant a request for transit of a sentenced person through its territory if such a request is made by another Party and that State has agreed with another Party or with a third State to the transfer of that person to or from its territory.

2 A Party may refuse to grant transit:

A if the sentenced person is one of its nationals, or

B if the offence for which the sentence was imposed is not an offence under its own law.

3 Requests for transit and replies shall be communicated through the channels referred to in the provisions of Article 5.2 and 3.

4 A Party may grant a request for transit of a sentenced person through its territory made by a third State if that State has agreed with another Party to the transfer to or from its territory.

5 The Party requested to grant transit may hold the sentenced person in custody only for such time as transit through its territory requires.

6 The Party requested to grant transit may be asked to give an assurance that the sentenced person will not be prosecuted, or, except as provided in the preceding paragraph, detained, or otherwise subjected to any restriction on his liberty in the territory of the transit State for any offence committed or sentence imposed prior to his departure from the territory of the sentencing State.

7 No request for transit shall be required if transport is by air over the territory of a Party and no landing there is scheduled. However, each State may, by a declaration addressed to the Secretary General of the Council of Europe at the time of signature or of deposit of its instrument of ratification, acceptance, approval or accession, require that it be notified of any such transit over its territory.

Austria	Austria requests to be notified of the transit by air of sentenced persons. The transit by air will not be authorised if the person to be transferred is an Austrian citizen. (Declaration)	Dated from 9 September 1986 Period covered 01/01/1987-
Azerbaijan	In accordance with Article 16, paragraph 7, of the Convention, the Republic of Azerbaijan requires to be notified of all transit passages of sentenced persons through its territory. (Declaration)	Dated from 25 January 2001 Period covered 01/05/2001-
Germany	The Federal Republic of Germany declares that it avails itself of the possibility of refusing to grant transit under the provisions of Article 16.2 a) and b). (Declaration)	Dated from 31 October 1991 Period covered 01/02/1992-
Greece	Greece declares that it requires to be notified of any transit over its territory. (Declaration)	Dated from 17 December 1987 Period covered 01/04/1988-
Hungary	Hungary requires to be notified of the transit by air of sentenced persons. Such transit will not be authorized, if the person to be transferred is a Hungarian national, in accordance with its declaration made to Article 3, paragraph 4. (Declaration)	Dated from 13 July 1993 Period covered 01/11/1993-
Korea	In accordance with Article 16, paragraph 7, of the Convention, the Republic of Korea shall be notified in advance about any event of transit of sentenced persons by air over its territory, even when no landing there is scheduled. (Declaration)	Dated from 20 July 2005 Period covered 01/11/2005-
Lithuania	The competent authorities of the Republic of Lithuania shall be notified in advance about any event of transit of sentenced persons by air over its territory, even when no landing there is scheduled. (Declaration)	Dated from 24 May 1996 Period covered 01/09/1996-
Portugal	In pursuance of Article 16 (7), Portugal requires notification of transit by air across its territory. (Declaration)	Dated from 28 June 1993 Period covered 01/10/1993-
Russia	In accordance with Article 16, paragraph 7, of the Convention, the Russian Federation declares that it must be notified of any transport of a sentenced person by air over the territory of the Russian Federation. (Declaration)	Dated from 28 August 2007 Period covered 01/12/2007-

Spain	For the purposes of Article 16.7, Spain requires that it be notified of any transit of sentenced persons by air over its territory. (Declaration)	Dated from 11 March 1985 Period covered 01/07/1985-
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Article 17 – Language and costs

1 Information under Article 4, paragraphs 2 to 4, shall be furnished in the language of the Party to which it is addressed or in one of the official languages of the Council of Europe.

2 Subject to paragraph 3 below, no translation of requests for transfer or of supporting documents shall be required.

3 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, require that requests for transfer and supporting documents be accompanied by a translation into its own language or into one of the official languages of the Council of Europe or into such one of these languages as it shall indicate. It may on that occasion declare its readiness to accept translations in any other language in addition to the official language or languages of the Council of Europe.

4 Except as provided in Article 6.2.a, documents transmitted in application of this Convention need not be certified.

5 Any costs incurred in the application of this Convention shall be borne by the administering State, except costs incurred exclusively in the territory of the sentencing State.

Turkey	Costs of transfer shall be borne either by the Administering State or, according to the relating provision of the Turkish legislation, if an agreement can be established between the two parties, by the Sentencing State. (Declaration)	Dated from 3 September 1987 Period covered 01/01/1988-
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5.2 Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS 167)

Article 3 – Sentenced persons subject to an expulsion or deportation order

1 Upon being requested by the sentencing State, the administering State may, subject to the provisions of this article, agree to the transfer of a sentenced person without the consent of that person, where the sentence passed on the latter, or an administrative decision consequential to that sentence, includes an expulsion or deportation order or any other measure as the result of which that person will no longer be allowed to remain in the territory of the sentencing State once he or she is released from prison.

2 The administering State shall not give its agreement for the purposes of paragraph 1 before having taken into consideration the opinion of the sentenced person.

3 For the purposes of the application of this article, the sentencing State shall furnish the administering State with:

a a declaration containing the opinion of the sentenced person as to his or her proposed transfer, and

b a copy of the expulsion or deportation order or any other order having the effect that the sentenced person will no longer be allowed to remain in the territory of the sentencing State once he or she is released from prison.

4 Any person transferred under the provisions of this article shall not be proceeded against, sentenced or detained with a view to the carrying out of a sentence or detention order, for any offence committed prior to his or her transfer other than that for which the sentence to be enforced was imposed, nor shall he or she for any other reason be restricted in his or her personal freedom, except in the following cases:

a when the sentencing State so authorises: a request for authorisation shall be submitted, accompanied by all relevant documents and a legal record of any statement made by the convicted person; authorisation shall be given when the offence for which it is requested would itself be subject to extradition under the law of the sentencing State or when extradition would be excluded only by reason of the amount of punishment;

b when the sentenced person, having had an opportunity to leave the territory of the administering State, has not done so within 45 days of his or her final discharge, or if he or she has returned to that territory after leaving it.

5 Notwithstanding the provisions of paragraph 4, the administering State may take any measures necessary under its law, including proceedings in absentia, to prevent any legal effects of lapse of time.

6 Any contracting State may, by way of a declaration addressed to the Secretary General of the Council of Europe, indicate that it will not take over the execution of sentences under the circumstances described in this article.

Belgium	The Government of Belgium declares that Belgium undertakes not to apply Article 3 of the Protocol when the sentenced person has its habitual residence in the Kingdom's territory at the time of his/her arrest. [Declaration]	Dated from 26 May 2005 Period covered: 01/09/2005-
Ireland	Pursuant to Article 3, paragraph 6, of the Additional Protocol, Ireland declares that it will not apply Article 3 of the said Protocol and will not take over the execution of sentences under the circumstances described in Article 3 until	Dated from 13 December 2006 Period covered: 01/04/2007-

notification to the contrary. [Declaration]

Russia	In accordance with Article 3, paragraph 6, of the Additional Protocol, the Russian Federation declares that it will not take over the execution of sentences under the circumstances described in Article 3 of the Additional Protocol. [Declaration]	Dated from 28 August 2007 Period covered: 01/12/2007-
Turkey	In accordance with Article 3, paragraph 6, of the Additional Protocol, the Government of the Republic of Turkey declares that it excludes the application of Article 3 of the said Protocol, and unless otherwise notified, shall not take over the execution of sentences under the circumstances described in Article 3. [Declaration]	Dated from 2 May 2016 Period covered: 01/09/2016-