

State Party Netherlands
 – national procedures for mutual legal assistance in criminal matters
 Updated 16/05/19

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for mutual legal assistance:	Ministry of Justice and Security Directorate General for the Administration of Justice and Law enforcement Legal and Operation Affairs Department Office for International Legal Assistance in Criminal Matters Postbus 20301 2500 EH The Hague The Netherlands Telephone number: 0031-70-370-7314 Fax number: 0031-70-370 7945 Email: airts@minjenv.nl
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	Countries that are party to the European Union are kindly requested to send documentation directly between the local authorities where treaties or agreements make this possible.
Channels of communication for the request for mutual legal assistance (directly, through diplomatic channels or other):	The Netherlands accepts requests directly except in the case when international treaty stipulates differently (through diplomatic channels).
Means of communication (eg. by post, fax, e-mail ¹):	Requests for mutual legal assistance must be received in original form. Other communications can be sent by fax or email. In case of urgency the original documents can be preceded by a fax or email version.
Language requirements:	Requests and annexed documents shall be accompanied by a translation into Dutch or into either of the official languages of the Council of Europe. The Netherlands prefer to receive translations in Dutch or English.

¹ Please indicate if encryption or electronic signature is required.

Double criminality requirement, if applicable:	In case of a request for coercive measures, like search or seizure, double criminality is required. In this case, please attach the relevant provisions of criminal law to the request.
Limitation of use of evidence obtained:	The evidence of execution of a request for mutual legal assistance may only be used for the objective for which it was requested. According to Dutch legislation seized goods must be returned after use.
Other particularly relevant information (e.g. documentation required for special types of assistance):	<p>Dutch declarations and reservations:</p> <p>Concerning article 2 of the European Convention on Mutual Assistance in Criminal Matters the Netherlands have reserved the right to not 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.
Links to national legislation, national guides on procedure:	Please check the website of the European Judicial Network for more detailed information concerning mutual legal assistance. For instance the "Fiches Belges" provides detailed information on the possibilities in the Netherlands concerning different measures. Check: www.ejn-crimjust.europa.eu
Parties to the Second Additional Protocol: Link to database with contact details of competent authorities for the purpose of direct	-

transmission of MLA requests	
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