Uzbekistan

Cybercrime legislation

Domestic equivalent to the provisions of the Budapest Convention

Version 01 May 2020

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[reference to the provisions of the Budapest Convention]

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COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

State:	
Signature of the Budapest Convention:	N/A
Ratification/accession:	

BUDAPEST CONVENTION	DOMESTIC LEGISLATION
Chapter I – Use of terms	
Article 1 – "Computer system", "computer data", "service provider", "traffic data": For the purposes of this Convention: a "computer system" means any device or a group of interconnected or related devices, one or more of which, pursuant to a program, performs automatic processing of data; b "computer data" means any representation of facts, information or concepts in a form suitable for processing in a computer system, including a program suitable to cause a computer system to perform a function; c "service provider" means: i any public or private entity that provides to users of its service the ability to communicate by means of a computer system, and ii any other entity that processes or stores computer data on behalf of such communication service or users of such service; d "traffic data" means any computer data relating to a communication by means of a computer system, generated by a computer system that formed a part in the chain of communication, indicating the communication's origin, destination, route, time, date, size, duration, or type of underlying service	
Chapter II – Measures to be taken at the national level	
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Article 2 – Illegal access Each Party shall adopt such legislative and other measures as may be	**Criminal Code**

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necessary to establish as criminal offences under its domestic law, when committed intentionally, the access to the whole or any part of a computer system without right. A Party may require that the offence be committed by infringing security measures, with the intent of obtaining computer data or other dishonest intent, or in relation to a computer system that is connected to another computer system.	**Article 278-2. Illegal (unauthorized) access to computer information** Illegal (unauthorized) access to computer information, that is, information in information-computing systems, networks and their components, if this action resulted in destruction, blocking, modification, copying or interception of information, disruption of operation of electronic computers, system of electronic computers or their network, Shall be punished by a fine of up to one hundred basic calculation values or by deprivation of a certain right of up to three years or by correctional labour of up to one year. The same action done: A) by prior agreement of a group of persons; B) repeated or dangerous recidivist; C) using official position; D) organized group or for its benefit, Shall be punished by a fine from one hundred to three hundred basic calculation values or by correctional work from one year to two years or restriction of liberty from one year to three years or imprisonment for up to three years. **Article 278-7. Illegal (unauthorized) access to telecommunications network** Illegal (unauthorized) access to the telecommunications network for the purpose of its use and the passage of international traffic, bypassing the established security systems, as well as storage and creation of conditions for the operation of special software or hardware for this purpose, - Shall be punished by a fine from one hundred to three hundred basic calculation

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	values or restriction of liberty from one year to three years or imprisonment for up to three years. The same acts committed: A) by prior agreement of a group of persons; B) repeated or dangerous recidivist; C) using official position; D) organized group or for its benefit, - Shall be punished by a fine from three hundred to six hundred basic calculation values or restriction of liberty from three to five years or imprisonment from three to five years.
Article 3 – Illegal interception Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, the interception without right, made by technical means, of non-public transmissions of computer data to, from or within a computer system, including electromagnetic emissions from a computer system carrying such computer data. A Party may require that the offence be committed with dishonest intent, or in relation to a computer system that is connected to another computer system.	**Criminal Code** **Article 143. Violation of the confidentiality of correspondence, telephone conversations, telegraph or other communications** Intentional violation of the confidentiality of correspondence, telephone conversations, telegraph or other communications committed after the application of an administrative penalty for the same acts, Shall be punished by a fine of up to twenty-five basic calculation values or by deprivation of a certain right of up to three years, or mandatory public works of up to three hundred and sixty hours or correctional works of up to three years.
Article 4 – Data interference 1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, the damaging, deletion, deterioration, alteration or suppression of computer data without right. 2 A Party may reserve the right to require that the conduct described in paragraph 1 result in serious harm.	**Criminal Code** **Article 278-4. Modification of computer information** Modification of computer information, that is, illegal modification, damage, erasure of information stored in the computer system, as well as introduction of knowingly false information into it, which caused major damage or substantial

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	harm to the rights or legally protected interests of citizens or State or public interests, Shall be punished by a fine of up to 100 basic calculated values or by correctional labour of up to one year or restriction of liberty of up to two years or imprisonment of up to two years. The same acts committed: A) causing particularly severe damage; B) by prior agreement of a group of persons; C) repeated or dangerous recidivist, Shall be punished by correctional labour of one to two years or restriction of liberty of two to three years or imprisonment of two to three years.
Article 5 – System interference Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, the serious hindering without right of the functioning of a computer system by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing computer data	**Criminal Code** **Article 278-5. Computer sabotage** Intentional failure of foreign or service computer equipment, as well as destruction of the computer system (computer sabotage) Is punishable by a fine of three hundred to four hundred basic calculation values with deprivation of a certain right of up to three years or restriction of liberty of up to two years or imprisonment of up to two years. The same acts committed: A) by prior agreement of a group of persons; B) repeated or dangerous recidivist, Shall be punished by correctional labour of two to three years or restriction of

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	liberty of two to three years or imprisonment of two to three years.
Article 6 – Misuse of devices 1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right: a the production, sale, procurement for use, import, distribution or otherwise making available of: i a device, including a computer program, designed or adapted primarily for the purpose of committing any of the offences established in accordance with the above Articles 2 through 5; ii a computer password, access code, or similar data by which the whole or any part of a computer system is capable of being accessed, with intent that it be used for the purpose of committing any of the offences established in Articles 2 through 5; and b the possession of an item referred to in paragraphs a.i or ii above, with intent that it be used for the purpose of committing any of the offences established in Articles 2 through 5. A Party may require by law that a number of such items be possessed before criminal liability attaches. 2 This article shall not be interpreted as imposing criminal liability where the production, sale, procurement for use, import, distribution or otherwise making available or possession referred to in paragraph 1 of this article is not for the purpose of committing an offence established in accordance with Articles 2 through 5 of this Convention, such as for the authorised testing or protection of a computer system. 3 Each Party may reserve the right not to apply paragraph 1 of this article, provided that the reservation does not concern the sale, distribution or otherwise making available of the items referred to in paragraph 1 a.ii of this article.	**Criminal Code** **Article 278-3. Manufacture for the purpose of marketing or marketing and distribution of special means for obtaining illegal (unauthorized) access to a computer system, as well as to telecommunication networks** Manufacture for the purpose of marketing or marketing and distribution of special software or hardware to obtain illegal (unauthorized) access to a secure computer system, as well as to telecommunication networks Is punishable by a fine of up to two hundred basic calculated values or by corrective labour of up to one year. The same acts committed: A) by prior agreement of a group of persons; B) repeated or dangerous recidivist; C) using official position; D) organized group or for its benefit, Shall be punished by a fine of two hundred to three hundred basic calculated values or by corrective labour of one to three years. **Article 278-6. Creation, use, or distribution of malware** Creation of computer programs or modification of existing programs for the purpose of unauthorized destruction, blocking, modification, copying or interception of information stored or transmitted to the computer system, as well as development of special virus programs, their deliberate use or distribution

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	Is punishable by a fine of one hundred to three hundred basic calculation values or restriction of liberty for up to two years or imprisonment for up to two years. The same acts committed: A) causing particularly severe damage; B) by prior agreement of a group of persons; C) repeated or dangerous recidivist; D) organized group or for its benefit, Shall be punishable by restriction of liberty from two to three years or imprisonment from two to three years.
Title 2 – Computer-related offences	
Article 7 – Computer-related forgery Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the input, alteration, deletion, or suppression of computer data, resulting in inauthentic data with the intent that it be considered or acted upon for legal purposes as if it were authentic, regardless whether or not the data is directly readable and intelligible. A Party may require an intent to defraud, or similar dishonest intent, before criminal liability attaches.	
Article 8 – Computer-related fraud Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the causing of a loss of property to another person by: a any input, alteration, deletion or suppression of computer data;	**Criminal Code** **Article 168. Fraud** Fraud, that is, possession of other people 's property or right to other people 's property by deception or abuse of trust - Shall be punished by a fine from fifty to one hundred basic calculated values or

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b any interference with the functioning of a computer system, with fraudulent or dishonest intent of procuring, without right, an economic benefit for oneself or for another person.	by correctional work of up to two years or restriction of liberty from one to three years or imprisonment of up to three years. Fraud, perfect: A) in significant size; B) by prior agreement of a group of persons; C) using computer equipment, - Shall be punished by a fine from one hundred to three hundred basic calculation values or by correctional labour of up to three years or restriction of liberty from three to five years or imprisonment from three to five years. Fraud, perfect: A) on a large scale; B) repeated or dangerous recidivist; C) using official position, - Shall be punished by a fine of three hundred to four hundred basic calculation values or by corrective labour of two to three years or by imprisonment of five to eight years with deprivation of a certain right. Fraud, perfect: A) on a particularly large scale; B) a particularly dangerous recidivist; C) by or for an organized group, -

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	Is punishable by a fine from four hundred to six hundred basic calculation values or imprisonment from eight to ten years. In case of compensation for material damage caused, the penalty of restriction of liberty and deprivation of liberty shall not be applied.
Title 3 – Content-related offences	
Article 9 – Offences related to child pornography 1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct: a producing child pornography for the purpose of its distribution through a computer system; b offering or making available child pornography through a computer system; c distributing or transmitting child pornography through a computer system; d procuring child pornography through a computer system for oneself or for another person; e possessing child pornography in a computer system or on a computer-data storage medium. 2 For the purpose of paragraph 1 above, the term "child pornography" shall include pornographic material that visually depicts: a a minor engaged in sexually explicit conduct; b a person appearing to be a minor engaged in sexually explicit conduct; c realistic images representing a minor engaged in sexually explicit conduct 3 For the purpose of paragraph 2 above, the term "minor" shall include all persons under 18 years of age. A Party may, however, require a lower age-limit, which shall be not less than 16 years. 4 Each Party may reserve the right not to apply, in whole or in part, paragraphs 1, sub-paragraphs d. and e, and 2, sub-paragraphs b. and c.	**Criminal Code** **Article 130. Production, import, distribution, advertising, demonstration of pornographic products** Manufacture or import into the territory of the Republic of Uzbekistan for the purpose of distribution, advertising, demonstration, as well as distribution, advertising, demonstration of pornographic products committed after the application of administrative penalty for the same actions - Shall be punished by a fine from four hundred to six hundred basic calculated values or mandatory public works up to three hundred and sixty hours or correctional works up to three years. The same acts committed: A) repeated or dangerous recidivist; B) by prior agreement of a group of persons, - Are punishable by compulsory community service from three hundred and sixty to four hundred and eighty hours or restriction of liberty from one year to three years or imprisonment for up to three years. Manufacture or import into the territory of the Republic of Uzbekistan for the purpose of distribution, advertising, demonstration, as well as distribution, advertising, demonstration of pornographic products with description or image of a minor or involvement of a minor as a perpetrator in acts of a pornographic nature -

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	Shall be punishable by restriction of liberty from three to five years or imprisonment from three to five years.
Title 4 – Offences related to infringements of copyright and related rights	
Article 10 – Offences related to infringements of copyright and related rights 1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law the infringement of copyright, as defined under the law of that Party, pursuant to the obligations it has undertaken under the Paris Act of 24 July 1971 revising the Bern Convention for the Protection of Literary and Artistic Works, the Agreement on Trade-Related Aspects of Intellectual Property Rights and the WIPO Copyright Treaty, with the exception of any moral rights conferred by such conventions, where such acts are committed wilfully, on a commercial scale and by means of a computer system. 2 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law the infringement of related rights, as defined under the law of that Party, pursuant to the obligations it has undertaken under the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome Convention), the Agreement on Trade-Related Aspects of Intellectual Property Rights and the WIPO Performances and Phonograms Treaty, with the exception of any moral rights conferred by such conventions, where such acts are committed wilfully, on a commercial scale and by means of a computer system. 3 A Party may reserve the right not to impose criminal liability under paragraphs 1 and 2 of this article in limited circumstances, provided that other effective remedies are available and that such reservation does not derogate from the Party's international obligations set forth in the international instruments referred to in paragraphs 1 and 2 of this article.	**Criminal Code** **Article 149. Infringement of copyright or inventive rights** Attribution of authorship, coercion to co-author on intellectual property objects, as well as disclosure without the author 's consent of information about these objects before their official registration or publication, Is punishable by a fine from twenty-five to seventy-five basic calculation values or by deprivation of a certain right for up to five years, or mandatory public works for up to three hundred and sixty hours or correctional works for up to three years.
Title 5 – Ancillary liability and sanctions	
Article 11 – Attempt and aiding or abetting 1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, aiding or abetting the commission of any of the	**Criminal Code** **Article 25. Preparation for and attempt to commit a crime**

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offences established in accordance with Articles 2 through 10 of the present Convention with intent that such offence be committed. 2 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, an attempt to commit any of the offences established in accordance with Articles 3 through 5, 7, 8, and 9.1.a and c. of this Convention. 3 Each Party may reserve the right not to apply, in whole or in part, paragraph 2 of this article.	Preparation for a crime is considered to be the act of a person who creates conditions for the commission or concealment of an intentional crime interrupted before the commission of it by circumstances beyond his control. An attempt to commit an offence is considered to be the beginning of a premeditated offence that is not complete due to circumstances beyond the control of the person. Liability for preparation and attempt comes under the same article of the Special Part of this Code as for the completed crime. **Article 26. Voluntary refusal to commit a crime** A voluntary refusal of a crime is the cessation of preparatory acts by a person or the cessation of the commission of a crime if the person was conscious of the possibility of ending the crime, as well as the prevention of the occurrence of a criminal result if the person was conscious of the possibility of its occurrence. Voluntary refusal to commit a crime excludes liability. A person who voluntarily refuses to complete a crime shall be liable under this Code if the act actually committed by him contains all the characteristics of another offence. Article 27. The notion of complicity in a crime The joint participation of two or more persons in the commission of an intentional crime is recognized as complicity. **Article 28. Types of accomplices of crime** Organizers, instigators and accomplices are considered to be complicit in the crime along with the perpetrators. The perpetrator shall be a person who, in whole or in part, has committed a crime or a crime with the use of other persons, by virtue of this Code not

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	subject to liability, or other means. The organizer is the person who led the preparation or commission of the crime. The instigator is the person who bowed to commit the crime. A person who has facilitated the commission of a crime by advice, instructions, provision of funds or removal of obstacles, as well as who has promised in advance to hide the offender, tools, traces or means of commission of the crime or objects obtained by criminal means, as well as promised in advance to purchase or sell such objects, is considered an accomplice. **Article 29. Partnership forms** The forms of complicity in a crime are recognized as mere complicity; difficult partnership; organized group; criminal community. Participation in the commission of an offence by two or more persons without prior conspiracy is recognized as mere complicity. Participation in the commission of an offence by two or more persons by prior conspiracy is considered to be a complex complicity. An organized group is recognized as a preliminary association of two or more persons into a group for joint criminal activities. A criminal association is considered a preliminary association of two or more organized groups to engage in criminal activities. **Article 30. Limits of liability for complicity in a crime** Organizers, instigators and accomplices shall be liable under the same article of the Special Part of this Code as the perpetrators. Organizers, as well as members of prior conspiracy groups, organized groups

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	and criminal networks, are responsible for all crimes in which they participated in the preparation or commission of. Persons who have established or led an organized group or criminal association are responsible for all crimes committed by criminal groups if they have been covered by their intent. The perpetrator is responsible for an act not covered by the intent of other accomplices. The voluntary refusal of the organizer, instigator or accomplice excludes liability for complicity in the crime if the person has taken all measures dependent on him or her in a timely manner to prevent it.
Article 12 – Corporate liability 1 Each Party shall adopt such legislative and other measures as may be necessary to ensure that legal persons can be held liable for a criminal offence established in accordance with this Convention, committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person, who has a leading position within it, based on: a a power of representation of the legal person; b an authority to take decisions on behalf of the legal person; c an authority to exercise control within the legal person. 2 In addition to the cases already provided for in paragraph 1 of this article, each Party shall take the measures necessary to ensure that a legal person can be held liable where the lack of supervision or control by a natural person referred to in paragraph 1 has made possible the commission of a criminal offence established in accordance with this Convention for the benefit of that legal person by a natural person acting under its authority. 3 Subject to the legal principles of the Party, the liability of a legal person may be criminal, civil or administrative. 4 Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offence.	n/a
Article 13 – Sanctions and measures 1 Each Party shall adopt such legislative and other measures as may be necessary to ensure that the criminal offences established in accordance with Articles 2 through 11 are punishable by effective, proportionate and	See previous answers

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dissuasive sanctions, which include deprivation of liberty. 2 Each Party shall ensure that legal persons held liable in accordance with Article 12 shall be subject to effective, proportionate and dissuasive criminal or non-criminal sanctions or measures, including monetary sanctions.	
Section 2 – Procedural law	
Article 14 – Scope of procedural provisions 1 Each Party shall adopt such legislative and other measures as may be necessary to establish the powers and procedures provided for in this section for the purpose of specific criminal investigations or proceedings. 2 Except as specifically provided otherwise in Article 21, each Party shall apply the powers and procedures referred to in paragraph 1 of this article to: a the criminal offences established in accordance with Articles 2 through 11 of this Convention; b other criminal offences committed by means of a computer system; and c the collection of evidence in electronic form of a criminal offence. 3 a Each Party may reserve the right to apply the measures referred to in Article 20 only to offences or categories of offences specified in the reservation, provided that the range of such offences or categories of offences is not more restricted than the range of offences to which it applies the measures referred to in Article 21. Each Party shall consider restricting such a reservation to enable the broadest application of the measure referred to in Article 20. b Where a Party, due to limitations in its legislation in force at the time of the adoption of the present Convention, is not able to apply the measures referred to in Articles 20 and 21 to communications being transmitted within a computer system of a service provider, which system: i is being operated for the benefit of a closed group of users, and ii does not employ public communications networks and is not connected with another computer system, whether public or private,	

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that Party may reserve the right not to apply these measures to such communications. Each Party shall consider restricting such a reservation to enable the broadest application of the measures referred to in Articles 20 and 21	
Article 15 – Conditions and safeguards 1 Each Party shall ensure that the establishment, implementation and application of the powers and procedures provided for in this Section are subject to conditions and safeguards provided for under its domestic law, which shall provide for the adequate protection of human rights and liberties, including rights arising pursuant to obligations it has undertaken under the 1950 Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, the 1966 United Nations International Covenant on Civil and Political Rights, and other applicable international human rights instruments, and which shall incorporate the principle of proportionality. 2 Such conditions and safeguards shall, as appropriate in view of the nature of the procedure or power concerned, *inter alia,* include judicial or other independent supervision, grounds justifying application, and limitation of the scope and the duration of such power or procedure. 3 To the extent that it is consistent with the public interest, in particular the sound administration of justice, each Party shall consider the impact of the powers and procedures in this section upon the rights, responsibilities and legitimate interests of third parties.	
Article 16 – Expedited preservation of stored computer data 1 Each Party shall adopt such legislative and other measures as may be necessary to enable its competent authorities to order or similarly obtain the expeditious preservation of specified computer data, including traffic data, that has been stored by means of a computer system, in particular where there are grounds to believe that the computer data is particularly vulnerable to loss or modification. 2 Where a Party gives effect to paragraph 1 above by means of an order to a person to preserve specified stored computer data in the person's possession or control, the Party shall adopt such legislative and other measures as may	**Code of Criminal Procedure** **Article 166. Arrest of post and cable transmissions** If there are sufficient grounds to believe that the postal and telegraph shipments of a suspect, accused person, defendant or other persons to a suspect, accused person or defendant contain information about the crime committed or documents, objects of relevance to the case, the prosecutor, investigator or investigator shall issue an order to initiate an application for the arrest of all postal and telegraph shipments of the said persons or some of them with a statement of the reasons for the investigation.

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be necessary to oblige that person to preserve and maintain the integrity of that computer data for a period of time as long as necessary, up to a maximum of ninety days, to enable the competent authorities to seek its disclosure. A Party may provide for such an order to be subsequently renewed. 3 Each Party shall adopt such legislative and other measures as may be necessary to oblige the custodian or other person who is to preserve the computer data to keep confidential the undertaking of such procedures for the period of time provided for by its domestic law. 4 The powers and procedures referred to in this article shall be subject to Articles 14 and 15.	Postal and telegraph shipments that can be seized include: letters of all kinds, telegrams, radiograms, banderols, parcels, mail containers. The decision of the prosecutor, investigator or person conducting an initial inquiry to initiate an application for the arrest of postal and telegraph shipments specifies the surname, first name and middle name of the person whose correspondence is to be detained; The address of the person 's permanent residence; Types of mail and telegraph to be seized; The period during which the arrest must be maintained; The names of the communication institutions that have the obligation to detain correspondence and inform the prosecutor, investigator or person conducting the initial inquiry. The necessary material justifying the application shall be attached to the order. The order of the investigator or the person conducting the initial inquiry to initiate an application for the arrest of postal and telegraph shipments and the necessary materials shall be sent to the prosecutor. The Prosecutor, having checked the validity of the application for the arrest of postal and telegraph shipments, if he agrees with him, sends the order to initiate the application for the arrest of postal and telegraph parcels and the necessary materials to the court. The issue of arrest of postal and telegraph shipments of a suspect, accused person or other persons to a suspect or accused person shall be decided by the court in accordance with the procedure established by this Chapter, and the defendant to other persons or other persons to the defendant shall be decided in accordance with the procedure provided for in articles 423, 438 of this Code.
Article 17 – Expedited preservation and partial disclosure of traffic data 1 Each Party shall adopt, in respect of traffic data that is to be preserved under Article 16, such legislative and other measures as may be necessary to: a ensure that such expeditious preservation of traffic data is available regardless of whether one or more service providers were involved in the transmission of that communication; and b ensure the expeditious disclosure to the Party's competent authority,	n/a

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or a person designated by that authority, of a sufficient amount of traffic data to enable the Party to identify the service providers and the path through which the communication was transmitted. 2 The powers and procedures referred to in this article shall be subject to Articles 14 and 15.	
Article 18 – Production order 1 Each Party shall adopt such legislative and other measures as may be necessary to empower its competent authorities to order: a a person in its territory to submit specified computer data in that person's possession or control, which is stored in a computer system or a computer-data storage medium; and b a service provider offering its services in the territory of the Party to submit subscriber information relating to such services in that service provider's possession or control. 2 The powers and procedures referred to in this article shall be subject to Articles 14 and 15. 3 For the purpose of this article, the term "subscriber information" means any information contained in the form of computer data or any other form that is held by a service provider, relating to subscribers of its services other than traffic or content data and by which can be established: a the type of communication service used, the technical provisions taken thereto and the period of service; b the subscriber's identity, postal or geographic address, telephone and other access number, billing and payment information, available on the basis of the service agreement or arrangement; c any other information on the site of the installation of communication equipment, available on the basis of the service agreement or arrangement.	**Code of Criminal Procedure** **Article 198. Submission of objects to the person conducting the inquiry, investigator or court at the initiative of persons holding them** Citizens and also heads and other officials of the enterprises, institutions, organizations have the right to present to the investigator, the investigator or court objects which, according to them, can matter for business. The person conducting the initial inquiry, the investigator or the court is obliged to examine the subject matter submitted in accordance with the rules set forth in articles 136, 137, 139 and 140 of this Code and to accept it if he considers that the subject matter is or may be of relevance to the case in the future. Items, although not relevant to the case in question, that have been removed from circulation (weapons, narcotic drugs, pornographic publications and others) must also be accepted. In the event of presentation of an item not relevant to the case and not removed from circulation, the person conducting the initial inquiry, the investigator or the court shall immediately return the item by affiliation after the examination. **Article 199. Presentation of objects at the request of the person conducting the initial inquiry, the investigator or the court** The person conducting the initial inquiry, the investigator or the court may, without conducting a search or seizure, require the head of the enterprise, institution or organization, as well as citizens, to present items that are necessary for their temporary use in the conduct of investigative and judicial actions. Such subjects include:

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	1) objects - analogues or models for reproduction of the situation and conditions of the investigated event during the experiment production; 2) objects uniform with the object presented for identification; 3) devices, tools, devices, materials for their application in the course of investigative or judicial actions or expert research, if they are not available to the person conducting the initial inquiry, the investigator and the court or a specialist, expert or expert institution acting on their behalf. If necessary, these items shall be returned by affiliation. **Article 200. Submission of documents to the person conducting the inquiry, investigator or court at the initiative of persons holding them** Citizens, as well as heads and other officials of enterprises, institutions and organizations, have the right to submit to the person conducting the initial inquiry, investigator or court documents at their disposal or specially prepared by them on the basis of the information available to them. **Article 201. Submission of documents at the request of the person conducting the initial inquiry, investigator, prosecutor or court** Heads and other officials of enterprises, institutions and organizations are obliged, at the request of the person conducting the initial inquiry, the investigator, the prosecutor or the court, to submit documents held by them or specially drawn up on the basis of the information available to them. Heads and other officials of enterprises, institutions, organizations are obliged, at the request of the person conducting the initial inquiry, investigator, prosecutor or court, to carry out, within the limits of their competence, an audit or other official inspection and to submit a report on the results of the audit or inspection with all annexes within the prescribed time frame. Having found in the certificate on the results of the audit or inspection or in another document deviations from the established rules, gaps, contradictions and other shortcomings, the person conducting the initial inquiry, investigator,

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	prosecutor or court has the right to demand that the noted errors be eliminated in the document.
Article 19 – Search and seizure of stored computer data 1 Each Party shall adopt such legislative and other measures as may be necessary to empower its competent authorities to search or similarly access: a a computer system or part of it and computer data stored therein; and b a computer-data storage medium in which computer data may be stored in its territory. 2 Each Party shall adopt such legislative and other measures as may be necessary to ensure that where its authorities search or similarly access a specific computer system or part of it, pursuant to paragraph 1.a, and have grounds to believe that the data sought is stored in another computer system or part of it in its territory, and such data is lawfully accessible from or available to the initial system, the authorities shall be able to expeditiously extend the search or similar accessing to the other system. 3 Each Party shall adopt such legislative and other measures as may be necessary to empower its competent authorities to seize or similarly secure computer data accessed according to paragraphs 1 or 2. These measures shall include the power to: a seize or similarly secure a computer system or part of it or a computer-data storage medium; b make and retain a copy of those computer data; c maintain the integrity of the relevant stored computer data; d render inaccessible or remove those computer data in the accessed computer system. 4 Each Party shall adopt such legislative and other measures as may be necessary to empower its competent authorities to order any person who has knowledge about the functioning of the computer system or measures applied to protect the computer data therein to provide, as is reasonable, the necessary information, to enable the undertaking of the measures referred to in paragraphs 1 and 2. 5 The powers and procedures referred to in this article shall be subject to Articles 14 and 15.	**Code of Criminal Procedure** **Article 167. Inspection and seizure of mail and telegraph** Upon arrival at the communications facility, the interrogator or investigator, with the participation of the witnesses, and if necessary, with the participation of the relevant specialist, opens and examines the detained postal and telegraph shipments. In case of detection of information, documents, objects of importance for the case, the interrogator, investigator shall take out the corresponding postal and telegraph shipments or be limited to taking copies from them. In the absence of information, documents, items of relevance to the case, the person conducting the initial inquiry or the investigator shall give instructions on the delivery of correspondence to the addressee under inspection or on its detention before the deadline set by him. A report shall be drawn up on each case of inspection of detained correspondence, specifying which postal and telegraph shipments have been inspected, what has been seized and what must be delivered to the addressee or temporarily detained, from which correspondence copies have been taken. The protocol shall be drawn up in accordance with the requirements of articles 90 to 92 of this Code.

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Article 20 – Real-time collection of traffic data 1 Each Party shall adopt such legislative and other measures as may be necessary to empower its competent authorities to: a collect or record through the application of technical means on the territory of that Party, and b compel a service provider, within its existing technical capability: i to collect or record through the application of technical means on the territory of that Party; or ii to co-operate and assist the competent authorities in the collection or recording of, traffic data, in real-time, associated with specified communications in its territory transmitted by means of a computer system. 2 Where a Party, due to the established principles of its domestic legal system, cannot adopt the measures referred to in paragraph 1.a, it may instead adopt legislative and other measures as may be necessary to ensure the real-time collection or recording of traffic data associated with specified communications transmitted in its territory, through the application of technical means on that territory. 3 Each Party shall adopt such legislative and other measures as may be necessary to oblige a service provider to keep confidential the fact of the execution of any power provided for in this article and any information relating to it. 4 The powers and procedures referred to in this article shall be subject to Articles 14 and 15.	**Code of Criminal Procedure** **Article 169. Grounds for listening to conversations from telephones and other talking devices** If the evidence collected in the case gives sufficient grounds that information relevant to the case can be obtained, the investigator may order the hearing of negotiations conducted from telephones and other negotiating devices. **Article 170. Wiretapping conversations from telephones and other talking devices** The hearing of negotiations conducted from the phones and other negotiating devices of the suspect, the accused or the defendant shall be carried out by order of the person conducting the initial inquiry, the investigator authorized by the prosecutor or by decision of the court. If there is a threat of violence, extortion or other unlawful acts against the victim, the witness, as well as against their relatives and relatives, on the application of these persons or with their written consent and with the authorization of the prosecutor or as determined by the court, negotiations conducted from their phones or other negotiating devices may be heard. In cases of urgent delay, the person conducting the initial inquiry or the investigator has the right to send an order to the State Security Service to conduct an audition without the authorization of the prosecutor, followed by his immediate written notification. The order not authorized by the prosecutor to listen to negotiations is valid within one day. The decision or decision on listening to negotiations conducted from telephones and other negotiating devices, which determines the nature and scope of the information heard, as well as the form of recording the progress and results of listening to negotiations, is sent for execution to the State security authorities. Listening to ongoing negotiations cannot last longer than six months.

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	Sound recording shall be used when listening to talks from telephones and other talking devices. Magnetic tape with phonograms of negotiations is to be attached to the protocol of investigative action.
Article 21 – Interception of content data 1 Each Party shall adopt such legislative and other measures as may be necessary, in relation to a range of serious offences to be determined by domestic law, to empower its competent authorities to: a collect or record through the application of technical means on the territory of that Party, and b compel a service provider, within its existing technical capability: i to collect or record through the application of technical means on the territory of that Party, or ii to co-operate and assist the competent authorities in the collection or recording of, content data, in real-time, of specified communications in its territory transmitted by means of a computer system. 2 Where a Party, due to the established principles of its domestic legal system, cannot adopt the measures referred to in paragraph 1.a, it may instead adopt legislative and other measures as may be necessary to ensure the real-time collection or recording of content data on specified communications in its territory through the application of technical means on that territory. 3 Each Party shall adopt such legislative and other measures as may be necessary to oblige a service provider to keep confidential the fact of the execution of any power provided for in this article and any information relating to it. 4 The powers and procedures referred to in this article shall be subject to Articles 14 and 15.	**Code of Criminal Procedure** **Article 169. Grounds for listening to conversations from telephones and other talking devices** If the evidence collected in the case gives sufficient grounds that information relevant to the case can be obtained, the investigator may order the hearing of negotiations conducted from telephones and other negotiating devices. **Article 170. Wiretapping conversations from telephones and other talking devices** The hearing of negotiations conducted from the phones and other negotiating devices of the suspect, the accused or the defendant shall be carried out by order of the person conducting the initial inquiry, the investigator authorized by the prosecutor or by decision of the court. If there is a threat of violence, extortion or other unlawful acts against the victim, the witness, as well as against their relatives and relatives, on the application of these persons or with their written consent and with the authorization of the prosecutor or as determined by the court, negotiations conducted from their phones or other negotiating devices may be heard. In cases of urgent delay, the person conducting the initial inquiry or the investigator has the right to send an order to the State Security Service to conduct an audition without the authorization of the prosecutor, followed by his immediate written notification. The order not authorized by the prosecutor to listen to negotiations is valid within one day. The decision or decision on listening to negotiations conducted from telephones and other negotiating devices, which determines the nature and scope of the information heard, as well as the form of recording the progress and results of

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	listening to negotiations, is sent for execution to the State security authorities. Listening to ongoing negotiations cannot last longer than six months. Sound recording shall be used when listening to talks from telephones and other talking devices. Magnetic tape with phonograms of negotiations is to be attached to the protocol of investigative action.
Section 3 – Jurisdiction	
Article 22 – Jurisdiction 1 Each Party shall adopt such legislative and other measures as may be necessary to establish jurisdiction over any offence established in accordance with Articles 2 through 11 of this Convention, when the offence is committed: a in its territory; or b on board a ship flying the flag of that Party; or c on board an aircraft registered under the laws of that Party; or d by one of its nationals, if the offence is punishable under criminal law where it was committed or if the offence is committed outside the territorial jurisdiction of any State. 2 Each Party may reserve the right not to apply or to apply only in specific cases or conditions the jurisdiction rules laid down in paragraphs 1.b through 1.d of this article or any part thereof. 3 Each Party shall adopt such measures as may be necessary to establish jurisdiction over the offences referred to in Article 24, paragraph 1, of this Convention, in cases where an alleged offender is present in its territory and it does not extradite him or her to another Party, solely on the basis of his or her nationality, after a request for extradition. 4 This Convention does not exclude any criminal jurisdiction exercised by a Party in accordance with its domestic law. When more than one Party claims jurisdiction over an alleged offence established in accordance with this Convention, the Parties involved shall, where appropriate, consult with a view to determining the most appropriate jurisdiction for prosecution.	**Criminal Code** **Article 11. Application of the Code to persons who have committed crimes in Uzbekistan** A person who has committed a crime in the territory of Uzbekistan shall be liable under this Code. An offence committed in the territory of Uzbekistan should be considered an act that: A) started, ended or interrupted in the territory of Uzbekistan; B) committed outside Uzbekistan, and the criminal result occurred on its territory; C) committed on the territory of Uzbekistan, and the criminal result came outside its borders; D) constitutes, together with other acts, a crime, part of which is committed in the territory of Uzbekistan. If an offence is committed on an aircraft, sea or river vessel outside Uzbekistan and not in the territory of a foreign State, liability shall arise under this Code if the named vessel is under the flag or assigned to the port of Uzbekistan. The question of the responsibility of foreign nationals who, according to existing laws, international treaties or agreements, are not subject to the jurisdiction of the courts of Uzbekistan, in the event of their commission of an offence in the

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	territory of the Republic of Uzbekistan, is decided on the basis of the norms of international law. **Article 12. Application of the Code to persons who have committed crimes outside Uzbekistan** Citizens of the Republic of Uzbekistan, as well as stateless persons permanently residing in Uzbekistan for crimes committed in the territory of another State, are liable under this Code if they have not been punished by a court of the State in the territory of which the crime was committed. A citizen of Uzbekistan may not be extradited for an offence committed in the territory of a foreign State unless otherwise provided for in international treaties or agreements. Foreign citizens, as well as stateless persons who do not reside permanently in Uzbekistan, for crimes committed outside its borders are subject to liability under this Code only in cases provided for by international treaties or agreements.
Chapter III – International co-operation	
Article 24 – Extradition 1 a This article applies to extradition between Parties for the criminal offences established in accordance with Articles 2 through 11 of this Convention, provided that they are punishable under the laws of both Parties concerned by deprivation of liberty for a maximum period of at least one year, or by a more severe penalty. b Where a different minimum penalty is to be applied under an arrangement agreed on the basis of uniform or reciprocal legislation or an extradition treaty, including the European Convention on Extradition (ETS No. 24), applicable between two or more parties, the minimum penalty provided for under such arrangement or treaty shall apply. 2 The criminal offences described in paragraph 1 of this article shall be deemed to be included as extraditable offences in any extradition treaty existing between or among the Parties. The Parties undertake to include such offences as extraditable offences in any extradition treaty to be	

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concluded between or among them. 3 If a Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another Party with which it does not have an extradition treaty, it may consider this Convention as the legal basis for extradition with respect to any criminal offence referred to in paragraph 1 of this article. 4 Parties that do not make extradition conditional on the existence of a treaty shall recognise the criminal offences referred to in paragraph 1 of this article as extraditable offences between themselves. 5 Extradition shall be subject to the conditions provided for by the law of the requested Party or by applicable extradition treaties, including the grounds on which the requested Party may refuse extradition. 6 If extradition for a criminal offence referred to in paragraph 1 of this article is refused solely on the basis of the nationality of the person sought, or because the requested Party deems that it has jurisdiction over the offence, the requested Party shall submit the case at the request of the requesting Party to its competent authorities for the purpose of prosecution and shall report the final outcome to the requesting Party in due course. Those authorities shall take their decision and conduct their investigations and proceedings in the same manner as for any other offence of a comparable nature under the law of that Party. 7 a Each Party shall, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, communicate to the Secretary General of the Council of Europe the name and address of each authority responsible for making or receiving requests for extradition or provisional arrest in the absence of a treaty. b The Secretary General of the Council of Europe shall set up and keep updated a register of authorities so designated by the Parties. Each Party shall ensure	
Article 25 – General principles relating to mutual assistance 1 The Parties shall afford one another mutual assistance to the widest extent possible for the purpose of investigations or proceedings concerning criminal offences related to computer systems and data, or for the collection of evidence in electronic form of a criminal offence.	**Code of Criminal Procedure** **Article 595. Execution of the request for proceedings in the territory of the Republic of Uzbekistan** The court, the prosecutor, the investigator and the person conducting the initial

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2 Each Party shall also adopt such legislative and other measures as may be necessary to carry out the obligations set forth in Articles 27 through 35. 3 Each Party may, in urgent circumstances, make requests for mutual assistance or communications related thereto by expedited means of communication, including fax or e-mail, to the extent that such means provide appropriate levels of security and authentication (including the use of encryption, where necessary), with formal confirmation to follow, where required by the requested Party. The requested Party shall accept and respond to the request by any such expedited means of communication. 4 Except as otherwise specifically provided in articles in this chapter, mutual assistance shall be subject to the conditions provided for by the law of the requested Party or by applicable mutual assistance treaties, including the grounds on which the requested Party may refuse co-operation. The requested Party shall not exercise the right to refuse mutual assistance in relation to the offences referred to in Articles 2 through 11 solely on the ground that the request concerns an offence which it considers a fiscal offence. 5 Where, in accordance with the provisions of this chapter, the requested Party is permitted to make mutual assistance conditional upon the existence of dual criminality, that condition shall be deemed fulfilled, irrespective of whether its laws place the offence within the same category of offence or denominate the offence by the same terminology as the requesting Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under its laws.	inquiry shall execute the request submitted to them in accordance with the established procedure for the conduct of proceedings, received from the relevant competent authority of the foreign State, in accordance with international treaties of the Republic of Uzbekistan or on the basis of the principle of reciprocity. If the body to which the request for production of legal proceedings arrived is not competent to execute it, it sends inquiry to competent authority and in writing notifies on it the initiator of inquiry. A request for proceedings submitted directly to a court, a prosecutor, an investigative body or a body conducting an initial inquiry may be executed only in consultation with the relevant authorities referred to in article 592, paragraph 3, of this Code. The provisions of this Code shall apply when executing a request for proceedings. At the request of the competent authority of a foreign State, the rules of procedural legislation of a foreign State may be applied, if this is not contrary to the legislation of the Republic of Uzbekistan. In cases provided for by international treaties of the Republic of Uzbekistan or on the basis of the principle of reciprocity, representatives of the competent authority of a foreign State may be present when executing a request for the conduct of proceedings with the permission of the relevant bodies referred to in article 592, paragraph 3, of the present Code. If the request for proceedings cannot be executed, the documents received shall be returned to the competent authority of the foreign State from which the request was submitted, indicating the reasons that prevented the execution of the request, through the authority receiving the request and, if necessary, through diplomatic channels. The request shall be returned without execution if it is contrary to the legislation of the Republic of Uzbekistan or its execution may harm the sovereignty or security of the Republic of Uzbekistan.
Article 26 – Spontaneous information 1 A Party may, within the limits of its domestic law and without prior	

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request, forward to another Party information obtained within the framework of its own investigations when it considers that the disclosure of such information might assist the receiving Party in initiating or carrying out investigations or proceedings concerning criminal offences established in accordance with this Convention or might lead to a request for co-operation by that Party under this chapter. 2 Prior to providing such information, the providing Party may request that it be kept confidential or only used subject to conditions. If the receiving Party cannot comply with such request, it shall notify the providing Party, which shall then determine whether the information should nevertheless be provided. If the receiving Party accepts the information subject to the conditions, it shall be bound by them.	
Article 27 – Procedures pertaining to mutual assistance requests in the absence of applicable international agreements 1 Where there is no mutual assistance treaty or arrangement on the basis of uniform or reciprocal legislation in force between the requesting and requested Parties, the provisions of paragraphs 2 through 9 of this article shall apply. The provisions of this article shall not apply where such treaty, arrangement or legislation exists, unless the Parties concerned agree to apply any or all of the remainder of this article in lieu thereof. 2 a Each Party shall designate a central authority or authorities responsible for sending and answering requests for mutual assistance, the execution of such requests or their transmission to the authorities competent for their execution. b The central authorities shall communicate directly with each other; c Each Party shall, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, communicate to the Secretary General of the Council of Europe the names and addresses of the authorities designated in pursuance of this paragraph; d The Secretary General of the Council of Europe shall set up and keep updated a register of central authorities designated by the Parties. Each Party shall ensure that the details held on the register are correct at all times. 3 Mutual assistance requests under this article shall be executed in accordance with the procedures specified by the requesting Party, except	

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where incompatible with the law of the requested Party. 4 The requested Party may, in addition to the grounds for refusal established in Article 25, paragraph 4, refuse assistance if: a the request concerns an offence which the requested Party considers a political offence or an offence connected with a political offence, or b it considers that execution of the request is likely to prejudice its sovereignty, security, *ordre public* or other essential interests. 5 The requested Party may postpone action on a request if such action would prejudice criminal investigations or proceedings conducted by its authorities. 6 Before refusing or postponing assistance, the requested Party shall, where appropriate after having consulted with the requesting Party, consider whether the request may be granted partially or subject to such conditions as it deems necessary. 7 The requested Party shall promptly inform the requesting Party of the outcome of the execution of a request for assistance. Reasons shall be given for any refusal or postponement of the request. The requested Party shall also inform the requesting Party of any reasons that render impossible the execution of the request or are likely to delay it significantly. 8 The requesting Party may request that the requested Party keep confidential the fact of any request made under this chapter as well as its subject, except to the extent necessary for its execution. If the requested Party cannot comply with the request for confidentiality, it shall promptly inform the requesting Party, which shall then determine whether the request should nevertheless be executed. 9 a In the event of urgency, requests for mutual assistance or communications related thereto may be sent directly by judicial authorities of the requesting Party to such authorities of the requested Party. In any such cases, a copy shall be sent at the same time to the central authority of the requested Party through the central authority of the requesting Party. b Any request or communication under this paragraph may be made through the International Criminal Police Organisation (Interpol). c Where a request is made pursuant to sub-paragraph a. of this article and the authority is not competent to deal with the request, it shall refer the request to the competent national authority and inform directly the requesting Party that it has done so. d Requests or communications made under this paragraph that do not	

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involve coercive action may be directly transmitted by the competent authorities of the requesting Party to the competent authorities of the requested Party. e Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, inform the Secretary General of the Council of Europe that, for reasons of efficiency, requests made under this paragraph are to be addressed to its central authority.	
Article 28 – Confidentiality and limitation on use 1 When there is no mutual assistance treaty or arrangement on the basis of uniform or reciprocal legislation in force between the requesting and the requested Parties, the provisions of this article shall apply. The provisions of this article shall not apply where such treaty, arrangement or legislation exists, unless the Parties concerned agree to apply any or all of the remainder of this article in lieu thereof. 2 The requested Party may make the supply of information or material in response to a request dependent on the condition that it is: a kept confidential where the request for mutual legal assistance could not be complied with in the absence of such condition, or b not used for investigations or proceedings other than those stated in the request. 3 If the requesting Party cannot comply with a condition referred to in paragraph 2, it shall promptly inform the other Party, which shall then determine whether the information should nevertheless be provided. When the requesting Party accepts the condition, it shall be bound by it. 4 Any Party that supplies information or material subject to a condition referred to in paragraph 2 may require the other Party to explain, in relation to that condition, the use made of such information or material.	
Article 29 – Expedited preservation of stored computer data 1 A Party may request another Party to order or otherwise obtain the expeditious preservation of data stored by means of a computer system, located within the territory of that other Party and in respect of which the requesting Party intends to submit a request for mutual assistance for the search or similar access, seizure or similar securing, or disclosure of the data.	

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2 A request for preservation made under paragraph 1 shall specify: a the authority seeking the preservation; b the offence that is the subject of a criminal investigation or proceedings and a brief summary of the related facts; c the stored computer data to be preserved and its relationship to the offence; d any available information identifying the custodian of the stored computer data or the location of the computer system; e the necessity of the preservation; and f that the Party intends to submit a request for mutual assistance for the search or similar access, seizure or similar securing, or disclosure of the stored computer data. 3 Upon receiving the request from another Party, the requested Party shall take all appropriate measures to preserve expeditiously the specified data in accordance with its domestic law. For the purposes of responding to a request, dual criminality shall not be required as a condition to providing such preservation. 4 A Party that requires dual criminality as a condition for responding to a request for mutual assistance for the search or similar access, seizure or similar securing, or disclosure of stored data may, in respect of offences other than those established in accordance with Articles 2 through 11 of this Convention, reserve the right to refuse the request for preservation under this article in cases where it has reasons to believe that at the time of disclosure the condition of dual criminality cannot be fulfilled. 5 In addition, a request for preservation may only be refused if: a the request concerns an offence which the requested Party considers a political offence or an offence connected with a political offence, or b the requested Party considers that execution of the request is likely to prejudice its sovereignty, security, *ordre public* or other essential interests. 6 Where the requested Party believes that preservation will not ensure the future availability of the data or will threaten the confidentiality of or otherwise prejudice the requesting Party's investigation, it shall promptly so inform the requesting Party, which shall then determine whether the request should nevertheless be executed. 4 Any preservation effected in response to the request referred to in	

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paragraph 1 shall be for a period not less than sixty days, in order to enable the requesting Party to submit a request for the search or similar access, seizure or similar securing, or disclosure of the data. Following the receipt of such a request, the data shall continue to be preserved pending a decision on that request.	
Article 30 – Expedited disclosure of preserved traffic data 1 Where, in the course of the execution of a request made pursuant to Article 29 to preserve traffic data concerning a specific communication, the requested Party discovers that a service provider in another State was involved in the transmission of the communication, the requested Party shall expeditiously disclose to the requesting Party a sufficient amount of traffic data to identify that service provider and the path through which the communication was transmitted. 2 Disclosure of traffic data under paragraph 1 may only be withheld if: a the request concerns an offence which the requested Party considers a political offence or an offence connected with a political offence; or b the requested Party considers that execution of the request is likely to prejudice its sovereignty, security, *ordre public* or other essential interests.	
Article 31 – Mutual assistance regarding accessing of stored computer data 1 A Party may request another Party to search or similarly access, seize or similarly secure, and disclose data stored by means of a computer system located within the territory of the requested Party, including data that has been preserved pursuant to Article 29. 2 The requested Party shall respond to the request through the application of international instruments, arrangements and laws referred to in Article 23, and in accordance with other relevant provisions of this chapter. 3 The request shall be responded to on an expedited basis where: a there are grounds to believe that relevant data is particularly vulnerable to loss or modification; or b the instruments, arrangements and laws referred to in paragraph 2 otherwise provide for expedited co-operation.	
Article 32 – Trans-border access to stored computer data with consent or where publicly available	

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A Party may, without the authorisation of another Party: a access publicly available (open source) stored computer data, regardless of where the data is located geographically; or b access or receive, through a computer system in its territory, stored computer data located in another Party, if the Party obtains the lawful and voluntary consent of the person who has the lawful authority to disclose the data to the Party through that computer system.	
Article 33 – Mutual assistance in the real-time collection of traffic data 1 The Parties shall provide mutual assistance to each other in the real-time collection of traffic data associated with specified communications in their territory transmitted by means of a computer system. Subject to the provisions of paragraph 2, this assistance shall be governed by the conditions and procedures provided for under domestic law. 2 Each Party shall provide such assistance at least with respect to criminal offences for which real-time collection of traffic data would be available in a similar domestic case.	
Article 34 – Mutual assistance regarding the interception of content data The Parties shall provide mutual assistance to each other in the real-time collection or recording of content data of specified communications transmitted by means of a computer system to the extent permitted under their applicable treaties and domestic laws.	
Article 35 – 24/7 Network 1 Each Party shall designate a point of contact available on a twenty-four hour, seven-day-a-week basis, in order to ensure the provision of immediate assistance for the purpose of investigations or proceedings concerning criminal offences related to computer systems and data, or for the collection of evidence in electronic form of a criminal offence. Such assistance shall include facilitating, or, if permitted by its domestic law and practice, directly carrying out the following measures: a the provision of technical advice; b the preservation of data pursuant to Articles 29 and 30; c the collection of evidence, the provision of legal information, and	

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locating of suspects. 2 a A Party's point of contact shall have the capacity to carry out communications with the point of contact of another Party on an expedited basis. b If the point of contact designated by a Party is not part of that Party's authority or authorities responsible for international mutual assistance or extradition, the point of contact shall ensure that it is able to co-ordinate with such authority or authorities on an expedited basis. 3 Each Party shall ensure that trained and equipped personnel are available, in order to facilitate the operation of the network.	
Article 42 – Reservations By a written notification addressed to the Secretary General of the Council of Europe, 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 reservation(s) provided for in Article 4, paragraph 2, Article 6, paragraph 3, Article 9, paragraph 4, Article 10, paragraph 3, Article 11, paragraph 3, Article 14, paragraph 3, Article 22, paragraph 2, Article 29, paragraph 4, and Article 41, paragraph 1. No other reservation may be made.	

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