

Poland – national procedures for mutual legal assistance in criminal matters

Updated 31/01/2025

The information contained in this table should be updated on a yearly basis.

<p>The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for mutual legal assistance:</p>	<p>Mutual legal assistance requests may be sent to Poland via Central Authority or directly to the competent judicial authority executing such requests as provided for in the European Convention on Mutual Assistance in Criminal Matters of 1959 and in the Second Additional Protocol to that convention of 2001.</p> <p>Competent judicial authorities in Poland may be located through the use of the EJN-criminal Atlas webpage.</p> <p>In cases where mutual legal assistance is requested during the investigative stage of criminal proceedings in the requesting State, requests should be sent to the competent prosecutorial unit having territorial jurisdiction or to the Central Authority, which in this case is the National Prosecutor's Office (Prokuratura Krajowa).</p> <p>National Prosecutor's Office Bureau of International Cooperation ul. Postępu 3 02-676 Warszawa Poland tel. +48 22 12 51 490 fax. +48 22 12 51 422 e-mail: sekretariat.pk.bwm@prokuratura.gov.pl</p> <p>If mutual legal assistance is requested while the case is being heard by the court in the requesting State, requests should be sent to the competent court in Poland having territorial jurisdiction or to the Central Authority, which is the Ministry of Justice of the Republic of Poland.</p> <p>Ministry of Justice Department of International Cooperation and Human Rights Al. Ujazdowskie 11 00-950 Warszawa Poland tel. +48 22 23 90 870 fax. +48 22 62 80 949 e-mail: sekretariat.dwmpc@ms.gov.pl</p>
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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):	-
Channels of communication for the request for mutual legal assistance (directly, through diplomatic channels or other):	Directly to the competent Polish judicial authority (prosecutorial unit or court), the Ministry of Justice or the National Prosecutor's Office.
Means of communication (e.g. by post, fax, e-mail ¹):	In general, Poland accepts requests (together with supporting documents) sent by post in paper form. However, it can also accept faxed or e-mailed documents, provided that originals will be sent later by post in due time or upon request. Different arrangements can be made in relations with specific countries.
Language requirements:	According to the declaration made by Poland to Art. 16 of the European Convention on mutual assistance in criminal matters: <i>"The requests and other documents being transmitted shall be accompanied by a translation into the Polish language or into an official language of the Council of Europe; the translation of the documents which are to be transmitted is not necessary if the transmission has the form of a simple service. In other cases they shall be translated into the Polish language if the receiver is a Polish national or if his permanent residence is in Poland."</i>

¹ Please indicate if encryption or electronic signature is required.

Double criminality requirement, if applicable:	Double criminality may in certain cases be invoked as optional ground for refusal. The application of this ground is a discretionary power of the executing judicial authority – prosecutor or court.
Limitation of use of evidence obtained:	No special requirements, other than those provided in Art. 25 and 26 of the Second Additional Protocol to the Convention.
Other particularly relevant information (e.g. documentation required for special types of assistance):	<p>As regards requests for search and seizure, it is advisable to attach to the request copies of domestic decisions on search and seizure.</p> <p>In cases of requests for hearing of a witness or a suspect, a list of questions should be attached to the letter of request.</p>
Links to national legislation, national guides on procedure:	-
Parties to the Second Additional Protocol: Link to database with contact details of competent authorities for the purpose of direct transmission of MLA requests	Competent judicial authorities in Poland may be located via the EJNI-criminal Atlas webpage.