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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)

Findings of the PC-OC working groups for the update and limitation of reservations to Council of Europe treaties on international co-operation in criminal matters: List of reservations or declarations that could potentially be out-dated or constitute an obstacle to efficient co-operation

Group A: Review of reservations and declarations made to the European Convention on Extradition and to its Additional Protocols.

Group B: Review of reservations and declarations made to the European Convention on Mutual Assistance in Criminal Matters, to its Additional Protocols and to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime

Group C: Review of reservations and declarations made to the Convention on the Transfer of Sentenced Persons to its Additional Protocol and to the European Convention on the Transfer of Proceedings in Criminal Matters.

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Albania

European Convention on Extradition, ETS N°24

Article 7 (declaration)
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.
This declaration is valid only in conditions of reciprocity

Article 12 (reservation)
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.

European Convention on Mutual Assistance in Criminal Matters ETS N° 30

Article 24 (Declaration)

In accordance with Article 24 and for the purposes of the Convention, the Republic of Albania considers the following to be as the judicial authorities :
The Supreme Court
The Courts of Appeal
The Courts of First Instance
The General Prosecutor Office
The Prosecutor Offices at the Courts of Appeals
The Prosecutor Offices at the Courts of First Instance.

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73

Appendix I to the Convention paragraphs.b., c., d. and g. (reservation)
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.

Andorra

European Convention on Extradition ETS N° 24

Article 1 (declaration)
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.

In the same way, and pursuant to Article 14, paragraphs 12, 13, 14 and 15 of the Law "qualificada" of the Principality of Andorra [*Law which, to be passed, requires a higher majority than other laws*], extradition shall not be granted :

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.

European Convention on Mutual Assistance in Criminal Matters ETS N° 30

Article 13 (Reservation)

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.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 2 (Reservation)

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 concerning the laundering of money or values derived from crime.

Armenia

European Convention on Mutual Assistance in Criminal Matters ETS N° 30

Article 3 (Reservation)

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.

Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°99

Article 8 (Reservation)

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.

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73

Appendix I to the Convention, paragraphs .b., c, d, e, f and g (reservation)

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.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 2 (Reservation)

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:
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
The Republic of Armenia reserves the right of further adding other categories of criminal activities.

Austria

European Convention on Extradition ETS N° 24

Article 5 (reservation)
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.

Article 6 (declaration)
Austria will regard the time of surrender of the person claimed as decisive for the determination of nationality.

Article 11 (reservation)
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.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N° 73.

Appendix I to the Convention, paragraphs b, c, d and g. (reservation)
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].

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

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 be an administrative authority [Appendix I, paragraph g].

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 16 (declaration)
Austria requests to be notified of the transit by air of sentenced persons. The transit by air will not be authorized if the person to be transferred is an Austrian citizen.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)
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.

Azerbaijan

European Convention on Extradition, ETS N° 24 .

Article 1 (declaration)
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.

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.

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.

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.

Convention on the Transfer of Sentenced Persons, ETS N° 112

Article 4 (reservation)
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.

Article 12 (reservation)
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.

Article 16 (declaration)
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.

Belgium

Additional Protocol to the Convention on the Transfer of Sentenced Persons ETS N°167

Article 3 (declaration)
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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 3 (reservation)
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.

Article 13 (reservation)
The Government of the Kingdom of Belgium will grant temporary transfer as provided for in Article 11 only if the person concerned is serving a sentence on its territory and if there are no special considerations opposed thereto.

Bulgaria

European Convention on Extradition , ETS N° 24
Article 6 (declaration)
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.

On 25 October 2006, the National Assembly of Bulgaria adopted a Law by which it modified the declaration of the Republic of Bulgaria relating to paragraph 1 of Article 6 of the European Convention on Extradition.

Therefore, the text of the declaration made by the Republic of Bulgaria in respect of Article 6, paragraph 1, of the European Convention on Extradition is modified and shall read:

"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."

European Convention on Mutual Assistance in Criminal Matters ETS N°30
Article 13 (Reservation)
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.

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73
Appendix I to the Convention, paragraphs a,b,c,d,e,f. (reservation)
In accordance with Article 41, paragraph 1, of the Convention, the Republic of Bulgaria reserves its right:

a) to refuse a request for proceedings, if it considers that the offence is a purely religious offence (Appendix I, sub-paragraph a);
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);
c) not to accept Article 22 (Appendix I, sub-paragraph c);
d) not to accept Article 23 (Appendix I, sub-paragraph d);
e) not to accept the provisions contained in the second sentence of Article 25 (Appendix I, sub-paragraph e);
f) not to accept the provisions laid down in Article 26, paragraph 2 (Appendix I, sub-paragraph f);

Convention on the Transfer of Sentenced Persons , ETS N° 112
Article 7 (declaration)
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.

Chile

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 9 (declaration)

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.

Articles 18 and 19 (reservation)

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.

Croatia

European Convention on Extradition, ETS N° 24

Article 6 (declaration)
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).

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 9 (declaration)

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.

Articles 17, 18 and 19 (reservations)

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.

Cyprus

European Convention on Extradition , ETS N° 24

Article 1 (declaration)
The Government of the Republic of Cyprus declares that under Article 11.2.f. of the Constitution of the Republic no extradition of citizens of the Republic can be made. The provisions, therefore, of this Article, as far as the Republic of Cyprus is concerned, should be restricted to extradition of aliens.

Article 6 (declaration)
The Government of the Republic of Cyprus declares that so long as under its Constitution no extradition of citizens of 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".

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.

Czech Republic

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73

Appendix I to the Convention, paragraphs c and d.(reservation)
Articles 22 and 23 will not be accepted.

Denmark

European Convention on Mutual Assistance in Criminal Matters ETS N°30
Article 3 (reservation)
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.

Article 11 (reservation)
The Danish Government reserves its position on the whole of this clause.

Article 13 (reservation)
The Danish Government reserves its position on the whole of this clause. 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.

Article 16 (declaration)
Requests and annexed documents from countries other than Austria, France, the Federal Republic of 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 longer documents, the Danish Government reserves the right, in any specific case, to require a Danish translation or to have one made at the expense of the requesting State.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182
Article 9 (declaration)
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.

Article 17 (reservation)
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)

Article 19 (reservation)
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)

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73
Appendix I to the Convention, paragraphs c and d.(reservation)

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.

Estonia

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N° 73

Appendix I to the Convention, paragraphs e and g.(reservation)

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.

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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Articles 17 and 19 (reservations)

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.

Finland

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 17 (reservation)
Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares that it will not accept Article 17 of the Protocol.

Article 18 (reservation)
Pursuant to Article 33, paragraph 2, of the Protocol, the Republic of Finland declares that it will not accept Article 18 of the Protocol.

Article 19 (reservation)
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.

France

Convention européenne d'extradition, STE n° 24

Article 6 (déclaration)
L'extradition sera refusée lorsque la personne réclamée avait la nationalité française au moment des faits.

Deuxième protocole additionnel à la Convention européenne d’entraide judiciaire en matière pénale STE n°182

Article 9 (déclaration)
Conformément à l'article 9, paragraphe 9, du Deuxième Protocole additionnel, la France déclare qu'elle n'appliquera pas les dispositions du présent article aux auditions des personnes poursuivies lorsqu'elles comparaissent devant la juridiction de jugement.

Georgia

European Convention on Extradition ETS N°24

Article 1 (reservation)
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.

Article 6 (declaration)
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

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.

Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°99

Article 8 (reservation)
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.

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.

Germany

Convention on the Transfer of Sentenced Persons ETS N° 112

Declarations to the Convention as a whole
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.
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.

Article 3 (first three declarations)

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

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.

Article 4 (declaration)
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.

Article 7 (declaration)
In accordance with the law, applicable in the Federal Republic of Germany, consent cannot be withdrawn.

Article 8 (declaration)
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 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.

Article 12 (declaration)
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.

Article 16 (declaration)
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).

Greece

European Convention on Extradition ETS N° 24.

Article 11 (reservation)
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.

Article 19 (reservation)
This Article is accepted subject to the provisions of Article 441 of the Greek Code of Criminal Procedure.

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 4 (reservation)
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.

Article 11 (reservation)
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.

Hungary

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 13 (reservation)
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.

Convention on the Transfer of Sentenced Persons, ETS N° 112

Article 16 (declaration)
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.

Iceland

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 13 (reservation)

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.

Ireland

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 11 (reservation)
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.

Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°99
Article 3 (reservation)
In accordance with Article 8, paragraph 2, the Government of Ireland reserves the right not to accept Chapters II and III.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182
Article 17 (reservation)
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).

Article 19 (reservation)
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).

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141
Article 2 (reservation)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112
Article 3 (declaration)

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

Israel

European Convention on Extradition ETS N° 24

Article 2 (reservation)
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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 4 (declaration)

In accordance with Article 4, paragraph 9, of the Second Additional Protocol (amending Article 15 of the European Convention on Mutual Assistance in Criminal Matters), the Government of the State of Israel declares that at the present time it will accept requests for legal assistance by means of electronic telecommunication in circumstances of extreme urgency only. Acceptance of a request by electronic telecommunication is on condition that the reasons for such urgency are set forth in the request and that the requesting Party transmits, at the same time, the original request in the usual manner. Israel will not accept requests to serve procedural documents and judicial decisions where such requests are transmitted by electronic telecommunication, as this form of transmittal is, in any case, not suitable for such requests.

At the present time, urgent requests for legal assistance may be transmitted by fax transmission addressed to the Director of the Department of International Affairs of the Office of the State Attorney, Ministry of Justice at fax number (972-2-6287-668). All such requests should be headed "Urgent Request for Legal Assistance under the Second Additional Protocol".

Latvia

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 17 (reservation)

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.

Liechtenstein

European Convention on the Transfer of Proceedings in Criminal Matters, ETS N°73.

Appendix I to the Convention, paragraphs b., c., d., and g. (reservations)
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.

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.

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.

Lithuania

European Convention on Extradition ETS N° 24

Article 1 (reservation)
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.

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 13 (reservation)
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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 17 (reservation)
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.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N°73

Appendix I.to the Convention, paragraphs a., b. and g. (reservations)
In accordance with paragraph 1 of Article 41 of the Convention, the Republic of Lithuania declares that it reserves the right:

a. to refuse a request for criminal proceedings if it considers that the offence is a purely religious offence (Appendix I (a));

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));

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)).

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 16 (declaration)
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.

Luxembourg

Convention européenne sur l'entraide judiciaire en matière pénale STE n°30

Article 11 (réserve)
Le Gouvernement du Grand-Duché de Luxembourg n'accordera le transfèrement temporaire, prévu par l'article 11, que s'il s'agit d'une personne qui subit une peine sur son territoire et si des considérations spéciales ne s'y opposent pas.

Malta

European Convention on Extradition ETS N°24 .

Article 1 (reservation)

- 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:

  "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."

European Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 11 (reservation)
The Government of Malta is unable to grant requests made under Article 11

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 9 (declaration)
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.

Monaco

Convention relative au blanchiment, au dépistage, à la saisie et à la confiscation des produits du crime STE n° 141

Article 2 (réserve)
Conformément à l'article 2, paragraphe 2 de la Convention, la Principauté de Monaco déclare que le paragraphe 1 dudit article ne s'applique qu'au blanchiment du produit d'une infraction prévu et réprimé par les articles 218 à 218-3 du Code Pénal de la Principauté et au blanchiment du produit du trafic de stupéfiants prévu et réprimé par les articles 4-1 b, 4-3 et 4-4 de la loi n° 890 du 1er juillet 1970 sur les stupéfiants modifiée par la loi n° 1.157 du 23 décembre 1992.

Montenegro

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)

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.

The Netherlands

Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 11 (reservation)

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.

Second Additional Protocol to the Convention on Mutual Assistance in Criminal Matters ETS N° 182

Article 9 (reservation)

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.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 2 (reservation)

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 excise.

Norway

European Convention on Extradition ETS N°24.

Article 12 (reservation)
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.

Convention on Mutual Assistance in Criminal Matters ETS N°30

Article 7 (reservation)
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

Second Additional Protocol to the Convention on Mutual Assistance in Criminal Matters ETS N° 182

Article 9 (declaration)
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.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N° 73

Appendix I.to the Convention, paragraphs d. and h. (reservations)
The Government of the Kingdom of Norway cannot accept Article 23 and the provision concerning ne bis in idem, 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.

Poland

European Convention on Extradition ETS N° 24.

Article 6 (declaration)
The Republic of Poland declares, in accordance with paragraph 1 (a) of Article 6, that it will under no circumstances extradite its own nationals.

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.

Second Additional Protocol to the Convention on Mutual Assistance in Criminal Matters ETS N° 182

Article 9 (declaration)
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).

Article 17 (reservation)
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).

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)

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.

Portugal

European Convention on Extradition ETS N° 24

Article 6 (declaration)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 16 (declaration)
In pursuance of Article 16 (7), Portugal requires notification of transit by air across its territory.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)

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

Republic of Korea

European Convention on Extradition ETS N°24

Article 12 (reservation)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 7 (declaration)
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.

Article 16 (declaration)
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.

Republic of Moldova

European Convention on Mutual Assistance in Criminal Matters ETS N° 30

Article 13 (reservation)
The Republic of Moldova reserves the right not to execute requests for assistance provided for under Article 13, paragraph 2, of the Convention.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N°73

Appendix I to the Convention, paragraphs a, b and g (reservations)
In accordance with Article 41, paragraph 1, the Republic of Moldova declares that:

– 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;
– 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;
– 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.

Romania

European Convention on Extradition ETS N°24.

Article 6 (declaration)
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.

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

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N° 182

Article 17 (declaration)
In accordance with Article 17, paragraph 4, of the Second Additional Protocol, police officers are designated as competent officers within the Ministry of Administration and Interior for the purposes of paragraphs 1 and 2 of Article 17. The competent central authority for receiving requests for mutual assistance foreseen in Article 17, paragraphs 1 and 2, is the Ministry of Justice.

Article 18 (declaration)
In accordance with Article 18, paragraph 4, of the Second Additional Protocol, the competent authority for the purposes of Article 18 is the Prosecutor's Office to the High Court of Cassation and Justice. Controlled deliveries subject to a request for international mutual assistance addressed to Romania must be authorised by the competent prosecutor, in accordance with the Romanian law.

Article 19 (declaration)
In accordance with Article 19, paragraph 4, of the Second Additional Protocol, the competent authority for the purposes of Article 19 is the Prosecutor's Office to the High Court of Cassation and Justice. The conduct of criminal covert investigations, on the basis of a request for international mutual assistance addressed to Romania, must be authorised by the competent prosecutor, in accordance with Romanian law.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N°73.

Appendix I to the Convention, paragraphs a, b and g (reservations)
Romania declares that it reserves the right:

1. to refuse a request for proceedings, if it considers that the offence is a purely religious offence (Appendix I.a);
2. 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);
3. not to apply Articles 30 and 31 (Appendix I.g).

Russian Federation

European Convention on the Transfer of Proceedings in Criminal Matters ETS N° 73

Appendix I to the Convention, paragraph g (reservation)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 16 (declaration)
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.

San Marino

European Convention on Extradition, ETS N° 24

Article 2 declaration
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.

Serbia

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)

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.

Slovak Republic

European Convention on the Transfer of Proceedings in Criminal Matters ETS N°73.

Appendix I to the Convention, paragraphs c and d (reservations)
Articles 22 and 23 will not be accepted.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Articles 17, 19 and 20 (reservations)

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.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 21 (reservation)

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 provided for in other bilateral and multilateral international treaties, which are binding for the Slovak Republic and for the Party transmitting the written document.

Spain

European Convention on the Transfer of Proceedings in Criminal Matters ETS N°73.

Appendix I to the Convention, paragraphs a, b and g (reservations)
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.

Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N° 99

Article 2 (reservation)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 16 (declaration)
For the purposes of Article 16.7, Spain requires that it be notified of any transit of sentenced persons by air over its territory.

Sweden

European Convention on Extradition ETS N° 24

Article 12 (reservation)
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.

European Convention on the Transfer of Proceedings in Criminal Matters ETS N° 73

Appendix I to the Convention, paragraphs d. and h (reservations)
Sweden does not approve Article 23 (automatic prolongation of the time limit for proceedings in the requested State in cases of subsidiary competence).

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.

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime ETS N° 141

Article 2 (reservation)

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.

Article 21 (reservation)
In accordance with Article 21, paragraph 2, Sweden makes a reservation in respect of the provision in Article 21, paragraph 2b.

Switzerland/Suisse

Convention européenne sur l'entraide judiciaire en matière pénale STE n° 30

Article 13(réserve)
Attendu que toute personne peut se faire délivrer des extraits de son propre casier judiciaire, la Suisse se réserve le droit de ne déférer aux requêtes présentées en vertu de l'article 13, paragraphe 2, que si la nécessité d'obtenir un tel extrait par la voie officielle y est pertinemment démontrée.

Convention sur le transfèrement des personnes condamnées STE n° 112

Article 7 (déclaration)
La Suisse considère que le consentement au transfèrement est irrévocable dès le moment où, en raison de l'accord des Etats concernés, l'Office fédéral de la justice a statué sur le transfèrement.

The former Yugoslav Republic of Macedonia

European Convention on Extradition ETS N°24

Article 12 (reservation)
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.

Turkey

European Convention on the Transfer of Proceedings in Criminal Matters ETS N° 73.

Appendix I.to the Convention, paragraphs a and f (reservations)
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.

Convention on the Transfer of Sentenced Persons ETS N° 112

Article 17(declaration)

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.

Ukraine

European Convention on Extradition ETS N°24

Article 1 (reservation)
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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 17 (reservation)

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.

Article 19 (reservation)

In accordance with Article 33, paragraph 2, of the Second Additional Protocol, Ukraine declares that it shall enjoy the right not to accept Article 19.

United Kingdom

European Convention on Extradition ETS N° 24.

Article 8 (reservation)
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.

Article 9 (reservation)
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.

Article 10 (reservation)
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.

Article 21 (reservation)
The United Kingdom cannot accept the application of Article 21.

European Convention on Mutual Assistance in Criminal Matters ETS N° 30

Article 11 (reservation)
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.

Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°99

Article 3 (reservation)
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.

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters ETS N°182

Article 9 (declaration)
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.