



REPUBLIKA E KOSOVËS – PRESIDENTI  
REPUBLIC OF KOSOVO – THE PRESIDENT  
REPUBLIKA KOSOVA – PREDSEDNIK

**DECREE FOR RATIFICATION OF THE  
INTERNATIONAL AGREEMENT**

Pursuant to Article 18, item 2 of the Constitution of the Republic of Kosovo, Article 10 paragraph 4 of the Law no. 04/L-052, on International Agreements and Article 4, item 3 of the Law No. 03/L-004 on the Ministry of Foreign Affairs and Diplomatic Service, I hereby issue the following;

**Decree**

The ratification of the Agreement on Mutual Legal Assistance in Criminal Matters, between the Government of the Republic of Kosovo and the Government of the Republic of Italy, signed in Prishtina on June 19, 2013, and received in the Office of the President of the Republic of Kosovo on November 12, 2013.

Pursuant to Article 18, item 3 of the Constitution of the Republic of Kosovo, the ratified agreement shall be forwarded to the Parliament of the Republic of Kosovo as a notification.

The ratified agreement shall enter into force on the day of its publication in the Official Gazette.

Decree No: DMN-020-2013

Prishtina, November 15, 2013

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Atifete Jahjaga  
President of the Republic of Kosovo

**TREATY ON MUTUAL LEGAL ASSISTANCE  
IN CRIMINAL MATTERS  
BETWEEN THE  
GOVERNMENT OF THE REPUBLIC OF KOSOVO  
AND THE  
GOVERNMENT OF THE REPUBLIC OF ITALY**

The Government of the Republic of Kosovo and the Government of the Republic of Italy, hereinafter referred to as the "Contracting Parties",

desiring to promote an effective cooperation between their two Countries with the intent of preventing crime on the basis of mutual respect for sovereignty, equality and mutual benefit,

considering that this purpose can be achieved through the conclusion of a bilateral treaty establishing rules on legal assistance in criminal matters,

has agreed as follows:

**ARTICLE 1**

**Scope**

1. The Contracting Parties, in compliance with the provisions of this Treaty, undertake to provide one another the greatest measure of mutual legal assistance in criminal matters.
2. Such assistance shall include:
  - (a) locating and identifying person;
  - (b) serving documents and records relating to criminal proceedings;
  - (c) summoning witnesses, victims, defendants in criminal proceedings and experts to appear voluntarily before the competent Authority in the Requesting State;
  - (d) obtaining and providing documents, records, and articles of evidence;

- (e) carrying out and sending expert opinions;
  - (f) taking the testimony or statements of persons;
  - (g) carrying out questionings;
  - (h) transferring detained persons for their testimony or taking part in other procedural activities;
  - (i) carrying out judicial inspections or examining sites or items;
  - (j) executing investigations, searches, freezing of assets and seizures;
  - (k) confiscating the proceeds of crime and items related to the criminal offence;
  - (l) communicating the outcome of criminal proceedings and transmitting criminal judgments and information taken from judicial records;
  - (m) exchanging information on law;
  - (n) any other form of assistance not contrary to the law of the Requested State.
3. This Treaty shall not apply to:
- (a) the execution of warrants of arrest and other measures restrictive of personal liberty;
  - (b) the extradition of any person;
  - (c) the execution of criminal judgments given in the Requesting State;
  - (d) the transfer of a sentenced person for the purpose of serving sentence; and
  - (e) the transfer of criminal proceedings.

## **ARTICLE 2**

### **Double Criminality**

1. Legal assistance shall be provided also when the act for which it is requested does not constitute a criminal offence in the Requested State.
2. However, when the request for assistance relates to executing searches, seizures, confiscations of assets and other activities which affect the fundamental rights of a person or are invasive of sites or items, assistance shall be provided only if the act for which it is requested is regarded as a criminal offence also by the law of the Requested State.

## **ARTICLE 3**

### **Refusal or Postponement of Assistance**

1. The Requested State may refuse, entirely or in part, the assistance requested if:

(a) the request for assistance is contrary to its domestic law or does not comply with the provisions of this Treaty;

(b) the request relates to a criminal offence of a political nature or to a criminal offence related to a political offence. To this end the following shall not be considered as political offences:

i) homicide or any other criminal offence against the life, physical integrity or freedom of a Head of State or Government or a member of his/her family;

ii) terrorist criminal offences and any other criminal offence not considered as political offence under any international treaty, convention or agreement to which both States are parties;

(c) the request relates to an exclusively military criminal offence pursuant to the law of the Requesting State;

(d) the criminal offence for which the request is made is punished in the Requesting State by a type of penalty which is prohibited by the law of the Requested State;

(e) it has reasonable grounds to believe that the request is made in order to investigate, prosecute, punish or promote other types of actions against a person on account of that person's race, sex, religion, nationality or political opinion or that such person's position may be prejudiced by any of those reasons;

(f) it has already started criminal proceedings, or has already rendered a final judgment, with respect to that same person and the same criminal offence indicated in the request for legal assistance;

(g) it considers that executing the request may impair its sovereignty, security, public order or other essential interests of the State or cause consequences in contrast with the fundamental principles of its domestic law.

2. The Requested State may postpone the execution of the request for assistance if executing the request would interfere with ongoing criminal proceedings in the Requested State.

3. Before refusing a request or postponing its execution, the Requested State has the faculty to consider whether the assistance may be granted upon conditions. To this end, the Central Authorities of each State, designated pursuant to Article 4 of this Treaty, shall consult with one another and, if the Requesting State accepts such a conditional assistance, the request shall be executed in compliance with the modalities agreed upon.

4. When the Requested State refuses or postpones the legal assistance, it shall inform the Requesting State, in writing, of the reasons for such refusal or postponement.

#### **ARTICLE 4**

##### **Central Authorities**

1. For the purpose of this Treaty, requests for legal assistance shall be submitted by the Central Authorities designated by the Contracting Parties. The Central Authorities shall communicate directly with one another as to the enforcement of the provisions of this Treaty.
2. The Central Authorities are the Ministero della Giustizia (Ministry of Justice) for the Republic of Italy and the Ministria e Drejtesise (Ministry of Justice) for the Republic of Kosovo.
3. Each Contracting Party shall communicate to the other, through diplomatic channels, any change of its designated Central Authority.
4. The Central Authorities shall closely cooperate with each other and, upon request, provide information on the status of the requests submitted in the application of this Treaty.

#### **ARTICLE 5**

##### **Form and Contents of Requests**

1. The request for assistance shall be made in writing and must bear the signature or stamp of the requesting Authority in compliance with its domestic laws.
2. The request for assistance shall include the following:
  - (a) the name of the competent Authority conducting the investigation or criminal proceedings to which the request relates;
  - (b) a description of the facts of the case, including the time and place of commission of the criminal offence and any damage caused, as well as their legal denomination;
  - (c) the indication of the law provisions applying, including the provisions of the statute of limitations and on the sentence which may be imposed;
  - (d) a description of the cooperation activities requested;
  - (e) the indication of the time limit within which the request should be executed, in cases of proven urgency;
  - (f) the indication of the persons to be authorised to be present at the execution of the request, in compliance with Article 6, paragraph 3, below;

- (g) information as to the allowances and reimbursements to which the person who is summoned to appear in the Requesting State for the purpose of taking evidence is entitled, in compliance with Article 10, paragraph 3, below;
- (h) any information necessary for taking evidence via videoconference, in compliance with article 14, paragraph 5, below.

3. The request for assistance, to the extent necessary and insofar as possible, shall also include the following:

- (a) information on the identity of the persons under investigation or prosecution;
- (b) information on the identity of the person to be identified or found and on the place where said person may be;
- (c) information on the identity and residence of the person on which service is to be effected and his/her status in respect of the proceedings, as well as the manner in which service is to be made;
- (d) information on the identity and residence of the person who has to give testimony or make other declarations;
- (e) the location and description of the place or item to be inspected or examined;
- (f) the location and description of the place to be searched and the indication of the items to be seized or confiscated;
- (g) the indication of any special procedure sought for giving execution to the request and the relevant reasons for it;
- (h) the indication of any requirement for confidentiality;
- (i) any other information which may facilitate the execution of the request.

4. If the Requested State considers that the content of the request is not sufficient to meet the conditions of this Treaty, it has the faculty to require further information.

5. The request for legal assistance and the supporting documents submitted pursuant to this Article shall be accompanied by a translation into the language of the Requested State, that is in Albanian or Serbian for the Republic of Kosovo and in Italian for the Republic of Italy.

6. The request for legal assistance, submitted through the Central Authorities indicated in Article 4 above, may be anticipated by any speedy means of communication, including telex, fax and e-mail. In such cases, the formal request shall arrive within eighteen days therefrom, or the request for assistance will be cancelled.

## ARTICLE 6

### Execution of Requests

1. The Requested State shall give immediate execution to the request for assistance in compliance with its domestic law. To this end, the judicial Authority of the Requested State shall issue the summons to appear, search orders, orders relevant to seizures or confiscations or any other activity necessary to execute the request.
2. Provided it is not contrary to its domestic law, the Requested State shall execute the request for assistance in accordance with the modalities requested by the Requesting State.
3. Provided it is not contrary to its domestic law, the Requested State may authorise the persons specified in the request for legal assistance to be present at the execution of the same. To this end, the Requested State shall promptly inform the Requesting State on the date and place of execution of the request for assistance. The persons who have been authorised may, through the competent Authorities of the Requested State, put questions relevant to the assistance activity, obtain directly – in the course of the taking of evidence - any document relevant to said evidence or request to execute other investigation activities which however are connected to the above activities.
4. The Requested State shall inform promptly the Requesting State on the outcome of the execution of the request. If the assistance requested cannot be provided, the Requested State shall immediately communicate it to the Requesting State, giving the reasons thereof.
5. If the person in respect of which the request for legal assistance is to be executed, invokes any immunity, privilege, right or incapacity in accordance with the domestic law of the Requested State, the issue shall be decided upon by the competent Authority of the Requested State prior to the execution of the request and the relevant decision shall be communicated to the Requesting State through the Central Authorities. If the person invokes any immunity, privilege, right or incapacity in accordance with the domestic law of the Requesting State, this invocation shall be communicated through the Central Authorities in order that the competent Authority of the Requesting State may decide upon it.

## **ARTICLE 7**

### **Searching for Persons**

In compliance with the provisions of this Treaty, the Requested State will take all the necessary measures to find the persons indicated in the requests for legal assistance who are presumably in its territory.

## **ARTICLE 8**

### **Summons and Service of Documents**

1. The Requested State shall serve the summons and documents sent by the Requesting State in compliance with its domestic law.
2. The Requested State, after having effected service, shall provide the Requesting State with an attestation of proof of service bearing the signature or stamp of the Authority that effected service, and indicating the date, time, place and modalities of delivery, as well as the person to which the documents have been delivered. If service is not effected, the Requested State shall inform promptly the Requesting State and communicate the reasons of failure to serve.
3. The requests to serve summons to appear in court shall be made to the Requested State within the time limit set in paragraph 2 of Article 10.
4. The summons and the documents served shall not be accompanied by any threat of measures compelling appearance in case of failure to appear.

## **ARTICLE 9**

### **Obtaining Evidence in the Requested State**

1. The Requested State, in compliance with its domestic law, shall carry out the taking of testimony from witnesses and victims and statements from persons under investigation or prosecution, from experts or other persons, and shall also obtain records, documents and any other evidence indicated in the request for legal assistance, and shall transmit them to the Requesting State.
2. The Requested State shall inform promptly the Requesting State of the date and place where the evidence taking activities indicated in the paragraph above is to be carried out, also for the purposes of



paragraph 3 of Article 6. If necessary, the Central Authorities shall consult with one another in order to set a date which is convenient to both States.

3. The person summoned to make declarations has the faculty to refuse to make them when the law of the Requested State or of the Requesting State allows it; to this end, the Requesting State shall mention this expressly in the request for assistance.

4. The Requested State shall allow the presence of the defence counsel of the person summoned to make declarations whenever this is provided by the law of the Requesting State and is not contrary to the law of the Requested State.

5. Documents and other articles of evidence indicated by the person summoned to make declarations may be obtained and are admissible as evidence in the Requesting State in compliance with the law of said State.

#### **ARTICLE 10**

##### **Appearance before the Judicial Authorities of the Requesting State**

1. The Requested State, at the request by the Requesting State, shall summon a person to appear before the competent Authority in the territory of the Requesting State in order to be questioned, give testimony or make other declarations, or to be heard as experts or to perform other procedural activities. The Requested State shall inform promptly the Requesting State about the availability of said person.

2. The Requesting State shall transmit to the Requested State the request for service of the summons to appear before an Authority in the territory of the Requesting State at least sixty days before the day set for appearance, unless the Requesting State has agreed on a shorter time limit in urgent cases.

3. The Requesting State shall indicate in the request the amount of any allowance and reimbursement of expenses the person cited is entitled to, pursuant to Article 5, paragraph 2, letter (g).

#### **ARTICLE 11**

##### **Guarantees and Speciality Rule**

1. The person who is present in the territory of the Requesting State pursuant to Article 10 above:

- (a) shall not be investigated by the Requesting State nor prosecuted, tried or subjected to any other measure of deprivation of personal liberty in relation to criminal offences committed prior to entering the territory of said State;

(b) shall not be obliged to give testimony or make other declarations nor participate to take part in any activity relevant to a proceeding different from the one indicated in the request for assistance unless the Requested State and the person concerned give their consent.

2. Paragraph 1 of this Article shall cease to have effect if the person indicated therein:

(a) does not leave the territory of the Requesting State within thirty days of the moment in which s/he is officially informed that his/her presence is no longer necessary. Such time limit shall not include the period during which said person has not left the territory of the Requesting State for reasons beyond his/her control;

(b) after having left the territory of the Requesting State, voluntarily returns to it.

3. The person who does not appear following to a summon submitted in compliance with the provisions of this Treaty, or who refused to make declarations or to take part in other procedural activities pursuant to Articles 9 or 10 of this Treaty shall not be subjected to any coercive measure or measure of deprivation of personal liberty, including being brought forcibly before the court, as a consequence of failure to appear or refusal. Upon request, other sanctions of a different nature provided by the law of the Requested State in similar circumstances may be applied.

4. The witness, or expert, who is heard in compliance with Articles 9 and 10 is however responsible for the contents of the testimonial declaration or expert report or for any other conduct, regarded as an offence in criminal law, committed while appearing in court, in compliance with the relevant law of both the Requested State and the Requesting State, subject to the respective jurisdiction of each State over the criminal offence act.

## **ARTICLE 12**

### **Protection of Victims, Witnesses and other Parties taking part in the Criminal Proceedings**

When necessary or in order to ensure the outcome of the investigations and the correct administration of justice, both States shall adopt the measures provided in their domestic law for the protection of victims, witnesses and other parties taking part in the criminal proceedings with reference to the criminal offences and the assistance activities requested.

## ARTICLE 13

### Appearance through Videoconference

1. If a person is in the territory of the Requested State and has to be heard as a witness or expert by the competent Authorities of the Requesting State, said State may request that appearance take place by videoconference, in compliance with the provisions of this Article, if it proves to be unsuitable or impossible for the person to appear voluntarily in its territory.
2. Appearance by videoconference may also be requested for questioning the person under investigation or criminal prosecution and for his/her participation in the hearing, if he/ she consents to it and if this is not contrary to the domestic law of each State. In such a case, the defence counsel of the person appearing must be allowed to be present in the place where said person is in the Requested State or before the judicial Authority of the Requesting State, and the defence counsel be enabled to have distance communication with the person assisted by him/her in a confidential manner.
3. Appearance by videoconference must always be effected if the person who has to be heard or questioned is detained in the territory of the Requested State.
4. The Requested State shall authorise appearance by videoconference provided it has the technical means to realize it.
5. Requests of appearance by videoconference shall indicate, in addition to what is provided in Article 5, the reasons why it is unsuitable or impossible, for the person who is not detained and who has to be heard or questioned, to be present in person in the Requesting State, and also indicate the competent Authority and the persons who will receive the declaration.
6. The competent Authority of the Requested State shall cite to appear the person concerned in compliance with its domestic law.
7. In respect of appearance by videoconference, the following provisions shall apply:
  - (a) the competent Authorities of both States shall be present during the taking of evidence, if necessary with the assistance of an interpreter. The competent Authority of the Requested State shall perform the identification of the person appearing and ensure that this activity is carried out in compliance with its domestic law. Should the competent Authority of the Requested State consider that, during the taking of evidence, the fundamental principles of its domestic law are not complied with, it shall immediately adopt any necessary measure so that the activity is carried out in compliance with said principles;
  - (b) the competent Authorities of both States shall mutually agree on the protection measures for the person cited, if necessary;



(c) at the request of the Requesting State or of the person who has appeared, the Requested State shall provide for that person being assisted by an interpreter, if necessary;

(d) the person cited to make declarations has the faculty to refuse to make them when the law of the Requested State or of the Requesting State allows it.

8. Except as provided in letter (b) above, the competent Authority of the Requested State shall draw up, at the end of the appearance, an official record reporting the date and place of appearance, the details of identity of the person who has appeared, the details of identity and quality of all the other persons who have taken part in the activity as well as the technical conditions in which the taking of evidence has taken place. The original of said official record is sent promptly by the competent Authority of the Requested State to the competent Authority of the Requesting State, through their respective Central Authorities designated pursuant to Article 4.

9. The expenses incurred by the Requested State to effect the videoconference shall be reimbursed by the Requesting State, unless the Requested State waives reimbursement in whole or in part.

10. The Requested State may allow the use of videoconference technologies also for purposes different from those specified in paragraphs 1 and 2 above, including in order to effect the recognition of persons and items and for confrontations.

#### **ARTICLE 14**

##### **Temporary Transfer of Detained Persons**

1. When, pursuant to Article 14, paragraph 4, videoconference is not possible, the Requested State has the faculty, at the request of the Requesting State, to transfer temporarily to the Requesting State a person detained in its territory in order to enable him/her to appear before a competent Authority to be questioned, give evidence or make other type of declarations, or take part in other procedural activities, provided that said person so consents and that a written agreement has previously been reached between the States on the transfer and conditions thereof.

2. The temporary transfer of the person may be effected provided that:

(a) it does not interfere with investigations or criminal prosecutions that are being carried out in the Requested State, in which said person has to take part;

(b) the person transferred is retained by the Requesting State in detention.

3. The time spent in detention in the Requesting State shall be counted for the purposes of execution of the sentence imposed in the Requested State.

4. When, in order to execute the temporary transfer, the transit of the person detained is required through the territory of a third State, the Requesting State, where necessary, shall submit to the competent Authority of the third State a request for transit and inform in due time the Requested State of the outcome of said request, transmitting the relevant documentation.

5. The Requesting State shall immediately return to the Requested State the person transferred at the end of the activities indicated in paragraph 1 of this Article or at the end of any other time limit specifically agreed upon by the Central Authorities of both States.

6. The person who is temporarily transferred in compliance with this Article shall be granted, where applicable, the guarantees indicated in Article 11.

7. Temporary transfer may be refused by the Requested State in case of major and substantive grounds.

#### **ARTICLE 15**

##### **Providing Official or Public Documents**

1. Upon request, the Requested State shall provide the Requesting State with the original or certified copies of records or documents from state offices or public bodies which are available to the public.

2. The Requested State may provide originals or certified copies of records or documents from state offices or public bodies not available to the public, to the same extent and under the same conditions as such copies would be available to the judicial or law enforcement Authorities of the Requested State. The Requested State may in its discretion reject the aforementioned request, entirely or in part.

#### **ARTICLE 16**

##### **Providing Documents, Records or Items**

1. When the request for legal assistance concerns the transmission of documents or records other than those indicated in Article 15 above, the Requested State may transmit their original or certified copies. However, whenever the Requesting State expressly requests the transmission of the originals, the Requested State shall comply with the request insofar as possible.

2. Provided that this is not contrary to the law of the Requested State, the documents and other material to be transmitted to the Requesting State in compliance with this Article shall be certified in accordance with the modalities specified by the Requesting State, with a view to make them admissible under the law of that State.

3. The originals of the documents and records as well as the items transmitted to the Requesting State shall be returned as soon as possible to the Requested State, whenever the latter so requests.

#### **ARTICLE 17**

##### **Searches, Seizures and Confiscations**

1. The Requested State, at the request of the Requesting State, shall execute the verifications or investigations requested in order to ascertain whether any proceeds from crime or items related to the criminal offence are present in its territory and shall communicate to the Requesting State the outcome of such enquiries. In making the request, the Requesting State shall communicate to the Requested State the grounds which make it believe that any proceeds from crime or items related to the criminal offence may be present in the latter's territory.

2. Once the proceeds from crime or items related to the criminal offence have been traced, pursuant to paragraph 1 of this Article, the Requested State, at the request of the Requesting State, shall adopt any measure provided for by its domestic law in order to freeze, seize and confiscate such proceeds from crime or items related to the criminal offence, in compliance with Article 6 of this Treaty.

3. At the request of the Requesting State, the Requested State shall transfer to the Requesting State, entirely or in part, any proceeds from crime and items related to the criminal offence, as well as any sums obtained by the sale of these latter, under the conditions agreed upon between them.

4. In the application of this Article, any rights of the Requested State or third parties with regard to said proceeds from crime or items related to the criminal offence shall be safeguarded.

#### **ARTICLE 18**

##### **Identification of Bank and Financial Information**

1. At the request of the Requesting State, the Requested State shall ascertain promptly whether an identified natural or legal person who is suspected of or charged with a criminal offence is the holder of a

bank account or accounts at any bank located in its territory and shall provide the Requesting State with the relevant information, including information concerning the identities of the individuals authorised to use such accounts, the latter's locations and any transactions related to them.

2. The request indicated in paragraph 1 of this Article may concern also financial institutions other than banks.

3. The Requested State shall inform promptly the Requesting State of the outcome of its enquiries.

4. The assistance indicated in this Article may not be refused on grounds of bank secrecy.

## ARTICLE 19

### Compatibility with Other Instruments for Cooperation or Assistance

1. The provisions of this Treaty shall not prejudice any recognised right or obligation undertaken by each State through having signed other international agreements.

2. This Treaty shall not prevent the States from providing other forms of legal cooperation or assistance under specific agreements, arrangements or shared practices, if they comply with their respective legal systems. To this end, legal assistance may be requested also in order to:

(a) set up joint investigation teams operating in the territories of each State in order to facilitate the investigation of or criminal proceedings relevant to criminal offences which involve both States;

(b) carry out controlled deliveries in the territory of the Requested State;

(c) help law enforcement officers of the Requesting State to carry out undercover activities in the territory of the Requested State;

(d) carry out, in the territory of the Requested State, through law enforcement officers of the Requesting State the observation, tailing and checking of persons suspected of having taken part in the commission of serious criminal offences.

3. In respect of the assistance activities set in paragraph 2 of this Article, the following provisions shall apply:

(a) assistance shall be granted provided that the conduct for which it is requested constitutes a criminal offence under the law of both States, pursuant to paragraph 2 of Article 2;

(b) the request for assistance shall be considered and decided upon by the competent Authority of the Requested State on a case-to-case basis, in compliance with its domestic law and the provisions of this Treaty;

(c) the prosecuting Authority of the Requesting State and the competent Authority of the Requested State shall directly and preliminarily agree together all the details of the activity at issue, including



its organisation, the operational procedure to follow, who shall participate in it and in which capacity, any specific conditions to be complied with, and how long such an activity shall last. These arrangements shall be communicated to the Central Authorities designated pursuant to Article 4, only to the extent and in the manner that the provided information will not jeopardise the confidentiality of the operation and the security of the persons involved;

- (d) the assistance activity shall be effected in compliance with the procedures provided for by the law of the Requested State and under the supervision and direction of the competent Authority of that State;
- (e) the Requested State may refuse to provide legal assistance in addition to the grounds indicated in Article 3, also on account of the nature or minor seriousness of the criminal offence, or on other well-founded grounds, which it shall communicate to the Requesting State.

#### **ARTICLE 20**

##### **Exchange of Information on Criminal Proceedings**

The Requested State shall transmit to the Requesting State, for the purposes of the criminal proceedings on which the request for legal assistance is based, information on criminal proceedings, previous convictions and sentences imposed in its Country against citizens of the Requesting State.

#### **ARTICLE 21**

##### **Exchange of Information on Law**

The States shall, upon request, exchange information on the laws in force, or which were in force, and on the judicial practice followed in their Countries with reference to the enforcement of this Treaty.

#### **ARTICLE 22**

##### **Transmission of Judgments and Criminal Records Certificates**

1. When the Requested State transmits a criminal judgment it shall also provide information on the relevant proceedings, if the Requesting State so requests.
2. Criminal records certificates which are necessary to the judicial Authority of the Requesting State for the purposes of criminal proceedings shall be transmitted to said State if they could be issued in the same circumstances to the judicial Authorities of the Requested State.

### **ARTICLE 23**

#### **Exemption from Legalisation and Validity of Documents and Records**

The documents and records provided in compliance with this Treaty shall not require any legalisation or apostille and shall be fully admissible as evidence in the Requesting State.

### **ARTICLE 24**

#### **Confidentiality**

1. The Requested State shall treat with confidentiality the request for legal assistance, including its contents, supporting documents and any document received or obtained in execution of the same, if the Requesting State so requests. If the request cannot be executed without breaching such confidentiality, the Requested State shall so inform the Requesting State, which shall decide whether the request should nevertheless be executed.

2. The Requesting State shall treat as confidential any information or evidence provided by the Requested State, if the latter so requests.

### **ARTICLE 25**

#### **Costs and Expenses**

1. The Requested State shall bear the costs and expenses relating to the execution of the request for legal assistance. However, the Requesting State shall bear the following:

(a) travel and stay expenses in the Requested State of the persons indicated in

Article 6, paragraph 3;

(b) allowances and travel and stay expenses in the Requesting State of the persons indicated in Article 10;

(c) expenses arising from the execution of the request indicated in Article 12;

(d) expenses incurred for the purposes indicated in Article 13;

(e) expenses for videoconference, without prejudice to Article 14, paragraph 9;

(f) expenses and fees of experts;