


Country:  India

Available languages: **English**

Keywords:  Treaties (Mutual legal assistance)

Agreement on Mutual Legal Aid in Criminal Matters between Ukraine and the Republic of India

Ukraine and the Republic of India (hereinafter referred to as "the Contracting Party/ies") concluded an Agreement on Mutual legal Aid in Criminal Matters (hereinafter referred to as "the Agreement") to increase efficiency of measures taken in Ukraine and the Republic of India during investigation, criminal prosecution and preclusion of crimes (including crimes related to terrorism) as well as during search, arrest, seizure or confiscation of profits and means of crime. It is aimed at mutual aid in service of subpoena, execution of resolutions, rogatory letter and other judicial documents.

Entry into force / validity:

The Agreement was signed in New Delhi on October 3, 2002 and entered into force on September 11, 2003.

The Agreement shall be valid termless. Any Party may terminate the Agreement by informing the other Party in writing via diplomatic channels. In case of sending such notification the Agreement shall lose validity six months after its receipt by the other Party.

Subject matter/summary:¹⁾

According to the Agreement the Parties shall grant each other mutual legal aid in criminal matters. Requests for granting legal aid shall be submitted through central bodies of the Parties. Such bodies shall be:

- in Ukraine – General Prosecutor's Office and the Ministry of Justice of Ukraine ;
- in the Republic of India – the Ministry of Internal Affairs.

The Agreement enlists matters when the Party may refuse to grant aid. For example, fulfilment of request may harm sovereignty of the Party, security, public order or other significant interests or harm safety of any person.

The Agreement defines the procedure of:

- transfer of documents and objects ;
- receipt of evidences or aid from arrested or imprisoned persons during investigation;
- assistance in order to ensure seizure of confiscation of profits and means of crime.

All requests and auxiliary documents shall be accompanied by the translation in English.

The Agreement also defines the procedure of covering expenses of the Parties, which are related to fulfilment of request about granting aid.

Provisions of the Agreement shall apply to any requests about mutual legal aid as regards to crimes which had been committed before it came into force.

1) Summary is prepared by Yaroslav the Wise Institute of Legal Information.

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