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**United States of America
and
Russian Federation**

Treaty between the United States of America and the Russian Federation on mutual legal assistance in criminal matters (with exchange of notes, 17 June 1999, 22 September 1999 and 20 October 1999). Moscow, 17 June 1999

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[ENGLISH TEXT – TEXTE ANGLAIS]

**TREATY BETWEEN
THE UNITED STATES OF AMERICA
AND
THE RUSSIAN FEDERATION
ON
MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS**

ARTICLE 1

GENERAL PROVISIONS

- 1. The Parties shall provide to each other, in accordance with this Treaty, comprehensive mutual legal assistance in criminal matters.**
- 2. For the purposes of this Treaty, legal assistance in criminal matters shall mean any assistance provided by the Parties in connection with: prevention, suppression, and investigation of crimes; criminal prosecutions; and other proceedings related to such criminal matters.**
- 3. Legal assistance shall be provided in accordance with the provisions of this Treaty where the conduct that is the subject of the request constitutes a crime under the laws of both Parties. The Requested Party may, in its discretion, also provide legal assistance where the conduct that is the subject of the request would not constitute a crime under the laws of the Requested Party.**
- 4. This Treaty is intended solely for cooperation and legal assistance between the Parties. The provisions of this Treaty shall not give rise to a right on the part of any other persons to obtain evidence, to have evidence excluded, or to impede the execution of a request.**
- 5. For purposes of this Treaty, the term "person" shall mean both individuals and legal entities in the following articles: Article 1(4), Article 2(4), Article 5(3) subparagraphs 1-5, Article 10(1), Article 14, and Article 15(2).**

ARTICLE 2

SCOPE OF LEGAL ASSISTANCE

Legal assistance under this Treaty shall include:

- (1) obtaining testimony and statements;**
- (2) providing documents, records, and other items;**
- (3) serving documents;**
- (4) locating and identifying persons and items;**
- (5) executing requests for searches and seizures;**
- (6) transferring persons in custody for testimony or other purposes under this Treaty;**
- (7) locating and immobilizing assets for purposes of forfeiture, restitution, or collection of fines; and**
- (8) providing any other legal assistance not prohibited by the laws of the Requested Party.**

ARTICLE 3

CENTRAL AUTHORITIES AND PROCEDURES FOR COMMUNICATIONS

- 1. Each Party shall implement the provisions of this Treaty, including the making and receiving of requests, through its Central Authority.**
- 2. For the United States of America, the Central Authority shall be the Attorney General or persons designated by the Attorney General. For the Russian Federation, the Central Authority shall be the Office of the Procurator General of the Russian Federation or persons designated by the Procurator General.**
- 3. The Central Authorities shall communicate directly with one another for the purposes of this Treaty and may agree upon such practical measures as may be necessary to facilitate the implementation of this Treaty.**

ARTICLE 4

DENIAL OF LEGAL ASSISTANCE

- 1. The Central Authority of the Requested Party may deny legal assistance if:**
 - (1) the request relates to a crime under military law that is not a crime under general criminal law;**
 - (2) the execution of the request would prejudice the security or other essential interests of the Requested Party; or**
 - (3) the request does not conform to the requirements of this Treaty.**
- 2. The Requested Party shall not decline execution of a request on the ground of bank secrecy.**
- 3. Before denying legal assistance pursuant to paragraph 1 of this Article, the Central Authority of the Requested Party shall consult with the Central Authority of the Requesting Party to consider whether legal assistance can be given subject to such conditions as it deems necessary. If the Requesting Party accepts legal assistance subject to these conditions, it shall comply with the conditions.**
- 4. If the Central Authority of the Requested Party denies legal assistance, it shall inform the Central Authority of the Requesting Party of the reasons for the denial.**

ARTICLE 5

FORM AND CONTENTS OF REQUESTS FOR LEGAL ASSISTANCE

- 1. A request for legal assistance shall be in writing, but in urgent situations the Central Authority of the Requested Party may accept a request in another form. If the request is not in writing, the request shall be confirmed in writing within ten days of its receipt by the Requested Party unless the Central Authority of the Requested Party agrees otherwise.**
- 2. The request shall include:**
 - (1) the identity of the authority on whose behalf the request is made;**
 - (2) a description of the facts and circumstances of the case;**
 - (3) the text of the law under which the conduct constitutes a crime;**
 - (4) a description of the legal assistance sought; and**
 - (5) a statement of the purpose for which the legal assistance is sought.**
- 3. To the extent necessary and possible, a request shall also include:**
 - (1) information on the identity and suspected location of a person to be located;**
 - (2) information on the identity and location of a person to be served, that person's relationship to the proceeding, and the manner in which service is to be made;**
 - (3) information on the identity and location of a person from whom evidence is sought;**
 - (4) a list of questions to be asked of a person identified in the request;**
 - (5) a precise description of the place or person to be searched and of the item to be seized;**
 - (6) a description of procedures for the execution of the request;**
 - (7) information as to the allowances and expenses to which a person asked to appear in the territory of the Requesting Party will be entitled; and**
 - (8) any other information that may be brought to the attention of the Central Authority of the Requested Party to facilitate the execution of the request.**
- 4. The request shall be prepared and signed in accordance with the regulations of the Requesting Party.**