



**UNODC**

United Nations Office on Drugs and Crime



**CASC**

**JUDICIAL COOPERATION NETWORK FOR  
CENTRAL ASIA AND SOUTHERN CAUCASUS**

A world map at night, showing city lights in yellow and white against a dark blue background. The map is centered on the Atlantic Ocean, with North and South America on the left and Europe and Africa on the right.

**Compendium of the National Legal Requirements  
for International Judicial Cooperation  
in the Central Asian countries**

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**THE REPUBLIC OF  
KAZAKHSTAN**

The cooperation between competent authorities of foreign states on the issues of providing mutual legal assistance in criminal matters shall be based on bilateral, multilateral, and international treaties, as well as on the principle of reciprocity.

The main provisions on providing international legal assistance in the field of criminal proceedings are stipulated in Chapters 58 and 59 of the Criminal Procedure Code of the Republic of Kazakhstan.

### **Legal Framework**

The Republic of Kazakhstan is a Party to a number of multilateral international treaties. In particular, these include the UN Convention against Corruption (New York, 31/10/2003), the UN Convention against Transnational Organized Crime (New York, 15/11/2000), the UN Convention for the Suppression of the Financing of Terrorism (New York, 09/12/1999), the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20/12/1988), the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (New York, 21/03/1950), the Convention of the Council of Europe on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (Strasbourg, 08/11/1990), the SCO Convention on Countering Extremism (Astana, 09/06/2017), the SCO Convention on Combating Terrorism (Yekaterinburg, 16/06/2009), Inter-American Convention on Mutual Assistance in Criminal Matters (Nassau, 23/05/1992), CIS Conventions on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22 January 1993 and Kishinev, 07/10/2002), as well as other multilateral documents with provisions on mutual legal assistance in criminal matters.

The Republic of Kazakhstan has concluded bilateral agreements and treaties on mutual legal assistance in criminal matters with several countries, including the USA, the PRC, the UAE, India, Korea, Mongolia, Pakistan, Georgia, Lithuania, etc.

### **Non-Treaty requests**

In case of an absence of a treaty on legal assistance in criminal matters, legal assistance may be provided based on the principle of reciprocity. When submitting a request, the requesting state confirms the principle of reciprocity through a written obligation to provide similar legal assistance to a competent authority of a foreign state in the execution of selected legal proceedings.

### **Double criminality requirement**

If the legislation of the Republic of Kazakhstan does not recognize the action which is the subject of a request, as a crime, the execution of the request shall be refused.

### **Central Authority**

In case of an available treaty on mutual legal assistance, a request shall be submitted to the corresponding authority of the Republic of Kazakhstan designated as the Central Competent Authority.

In case of absence of a treaty and following Article 559 of the Criminal Procedure Code of the Republic of Kazakhstan, requests for legal assistance in criminal matters shall be submitted to:

*The General Prosecutor's Office of the Republic of Kazakhstan* – for the requests to perform legal proceedings requiring authorizations of a prosecutor (court), criminal prosecution, extradition of persons, temporary extradition or transit, temporary surrender of persons, surrender of convicts and persons with mental disorders subject to coercive measures of a medical nature, recognition, and execution of sentences, and relevant requests of foreign competent authorities.

*The Supreme Court of the Republic of Kazakhstan* – for requests of the courts of foreign states for providing legal assistance.

In the absence of intergovernmental or inter-agency agreements on direct communication, requests for legal assistance and related correspondence shall be submitted through diplomatic channels.

**Contact information:**

The General Prosecutor's Office of the Republic of Kazakhstan  
The International Cooperation Department  
14 Mangilik El Avenue, Nur-Sultan, Republic of Kazakhstan, 020000  
Tel.: (8 10 771 72) 30-18-65  
Fax: (8 10 771 72) 71-28-68  
Webpage: [www.prokuror.gov.kz](http://www.prokuror.gov.kz)

The Supreme Court of the Republic of Kazakhstan  
The Department to Ensure Operation of Courts  
39 Dinmukhamed Kunaev St., Nur-Sultan, Republic of Kazakhstan, 020000  
Tel.: +7 (7172) 71-02-10  
Fax: +7 (7172) 71-02-70  
E-mail: [707-0210@sud.kz](mailto:707-0210@sud.kz)  
Webpage: [www.sud.gov.kz](http://www.sud.gov.kz)

### **Preliminary Consultations**

As a general rule, no preliminary consultations with the Central Competent Authority are required for submitting requests for legal assistance in criminal matters. The reason for this is that the key requirements for the form and content of a request for legal assistance are established by international treaties which the central competent authorities of the Republic of Kazakhstan use to formulate their requirements for requests.

However, if a requesting party has any questions with regard to the content of a request, the necessary consultations shall be provided.

### **REQUIRED ACTIONS WHEN SUBMITTING A REQUEST**

In order to request the Republic of Kazakhstan for legal assistance, it is necessary to prepare application which indicates the following required items based on the provisions of international treaties and criminal procedure legislation:

#### **Grounds for Submitting a Request for Legal Assistance**

The request shall have a reference to the international treaty which constitutes the basis for such request. The form and the content of the request shall strictly comply with the provisions of such treaty. In the absence of a treaty between the two countries, legal assistance shall be provided on the basis of the principle of reciprocity. Therewith, the requesting party shall guarantee provision of similar legal assistance to the requested party through a letter of obligation.

In execution of a request for performance of legal proceedings, the provisions of the Criminal Procedure Code of the Republic of Kazakhstan shall be applied. Following the request from the requesting party, the provisions of the procedural legislation of the requesting state may be applied, if they do not contradict the legislation of the Republic of Kazakhstan.

#### **Information about the Request Initiator**

The request shall contain the full and exact name of the authority that initiated such request, its postal address, and e-mail for sending the executed materials. It is also advisable to include contact information (phone, fax, e-mail) of the initiator or a responsible person to promptly resolve issues that may arise during the request execution.

#### **Form and Content of a Request for Legal Assistance:**

A request for legal assistance shall contain:

- name of the requesting authority;
- name and address of the authority to which the request is submitted;
- reference to the corresponding international treaty, or the principle of reciprocity;
- title of the criminal case in relation to which the request is sent;
- brief description of the criminal offense which is the subject of the criminal proceedings, and its legal qualification with the full text of the relevant articles of the criminal code of the

- requesting state (or another act), and, where necessary, with the information on the extent of damage inflicted by this offense;
- information about the reported suspicion, accusation with the full text of the relevant articles of the criminal code (or another act);
  - information about the person concerned, in particular his/her surname, name, patronymic (if any), procedural status, place of residence or stay, citizenship, for legal entities – their name and location, other information that may facilitate execution of the request, and also the connection of this person with the subject-matter of the criminal proceedings;
  - statement of the circumstances to be clarified, as well as a list of the requested legal proceedings, documents, physical and other evidence, and justification of their connection with the subject matter of the criminal proceedings.

The Central Authority of the Republic of Kazakhstan may accept a request for consideration received from the requesting party by electronic, facsimile, or other means of communication. Such a request shall be executed only if the submission or transfer of its original is confirmed. The materials of an executed request shall be sent to the competent authority of a foreign state only if the Central Authority of the Republic of Kazakhstan receives the original request.

### **Annexes to a Request**

A request for legal assistance shall be complemented by:

- extracts (text) from articles of the criminal code (or another act) which constitutes the basis for initiating criminal proceedings, bringing charges, including applicable sanctions/punishments;
- extracts (text) from legislative acts related to the requested legal proceedings;
- extracts (text) from other legislative acts related to the investigated crime;
- originals or certified copies of reasoned decisions of competent authorities on the performance of legal proceedings requiring authorization of the prosecutor or court, or confiscation of property – if such actions are requested.
- other documents necessary for the execution of the request.

### **Document Form and Language**

The authenticity of a request and documents attached shall be verified by the official imprint of the coat of arms and the signature of a corresponding official of the requesting party.

A request and attached documents shall be prepared or translated into the language stipulated by the international treaty that constitutes the basis for the request. In case a request is submitted on the basis of the principle of reciprocity, the request is in in Kazakh or Russian.



## Description of Requested Legal Assistance

The requested legal assistance shall have a logical connection with the description of the offense and include the gist of the required legal proceedings.

Peculiarities of selected legal proceedings:

### *a) obtaining testimony*

If it is necessary to interrogate persons to obtain testimony, complete identity information about those subject to interrogation is required (including date and place of birth, citizenship, occupation, place of residence, procedural status in the criminal case). In the absence of the complete information, it shall be indicated that the requesting party has no other information. The questions to be asked to a person shall be formulated in a correct and understandable form.

### *b) inspection*

If it is necessary to inspect an area, premises, a corpse, animals, an object or documents, the exact address of their location shall be indicated, as well as the information to be discovered or clarified. If indicated in the request, taking measurements, photographs, film shots, video recording, prepare plans, diagrams, drawings, take casts and impressions of traces during the inspection is permitted.

### *c) search and seizure*

If a seizure or search are needed, a related decision from the competent authority following the legislation of the requesting state is required. In this decision and request, it is necessary to clearly indicate the name and address of the individual or legal entity subject to seizure or search, names of the items, and documents to be searched and seized.

If it is necessary to seize any information or documents that constitute bank secrecy, a relevant court decision is required. In this case, it is necessary to indicate the location of the bank or financial organization, which may possess the required information and documents.

Moreover, it is advisable to consider the following:

- the decision on search or seizure shall contain justification for the need to perform these actions, titles of the requested documents and items, their connection with the investigated crime;
- the requested state may send certified copies of the requested materials or documents if the requesting state does not indicate the need for originals;
- the originals of the documents transferred in the course of request execution shall be returned at the first request of the requested state. Upon request to return original documents, the requesting state shall ensure their return at the earliest opportunity.
- if the request requires a search, the requesting state shall clearly indicate the address of an individual or a legal entity, where the search shall be performed, and provide a list of documents to be seized.

#### *d) detection, seizure, and confiscation of property*

Upon request of the requesting party, legal proceedings may be performed to identify and seize illegally obtained property, money, and valuables, as well as property belonging to suspects, accused or convicted persons.

Upon request of the requesting party, the discovered property: 1) may be seized and transferred to the competent authority of the requesting party as evidence in criminal proceedings or for return to the owner; 2) may be confiscated if this is provided for by a sentence or another final and binding court decision of the requesting party.

If seizure of property is needed, a decision thereon adopted by the competent authority in accordance with the legislation of the requesting state is required.

#### *e) legal proceedings by videoconference*

Upon request of the requesting party, legal proceedings may be performed at the location of a person using videoconference means. Therewith, the requesting party shall ensure participation of an interpreter in the videoconference session.

#### **Participation of Representatives of Requesting Party**

If the execution of a request requires presence of representatives of the requesting state, the request shall indicate this, as well as the aim of their presence, information about the officials (full name, position, phone number), their time of arrival and the period of stay.

A representative of the requesting state, who was allowed to be present, shall have no right to execute any legal proceedings at their discretion in the territory of the Republic of Kazakhstan.

If these representatives are present at legal proceedings, they shall comply with the laws of the Republic of Kazakhstan.

#### **Indication of Timeframe**

If the timeframe is limited, it is necessary to indicate the desired but reasonable timeframe for the execution of a request.

#### **Indication of Necessity for Confidentiality Protection and Limitation of Use of Obtained Information**

It is advisable to indicate in a request the necessity for confidential information protection, if needed, and the reasons, therefore.

The information obtained in course of the request execution shall be used only for the purposes stated in the request. It shall be prohibited to use the obtained data and materials for any other purpose unless otherwise agreed with the requested state.

# **THE KYRGYZ REPUBLIC**

The cooperation with competent authorities of foreign states on the issues of providing mutual legal assistance in criminal matters shall be based on bilateral, multilateral and international treaties, as well as on the principle of reciprocity.

Chapter 63 of the Criminal Procedure Code of the Kyrgyz Republic stipulates the main provisions on providing international legal assistance in the field of criminal proceedings.

### **Legal Framework**

The Kyrgyz Republic is a Party to a number of multilateral and international treaties. In particular, these include the UN Convention against Corruption (New York, 31/10/2003), the UN Convention against Transnational Organized Crime (New York, 15/11/2000), the UN Convention for the Suppression of the Financing of Terrorism (New York, 09/12/1999), the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20/12/1988), the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (New York, 21/03/1950), the SCO Convention on Countering Extremism (Astana, 09/06/2017), the SCO Convention on Combating Terrorism (Yekaterinburg, 16/06/2009), Inter-American Convention on Mutual Assistance in Criminal Matters (Nassau, 23/05/1992), CIS Conventions on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22 January 1993 and Kishinev, 07/10/2002), as well as other multilateral documents with provisions on mutual legal assistance in criminal matters.

The Kyrgyz Republic has concluded bilateral agreements and treaties on mutual legal assistance in criminal cases with several countries, including Russia, Kazakhstan, Uzbekistan, Tajikistan, Azerbaijan, Latvia, China, India, Mongolia, Iran, Czech Republic, Turkey, etc.

### **Non-Treaty requests**

In case of absence of a treaty on legal assistance in criminal cases, the legal assistance may be provided on the basis of the principle of reciprocity. When submitting a request, the requesting state shall confirm the principle of reciprocity through a written obligation to provide similar legal assistance to the competent authority of a foreign state in the execution of selected legal proceedings.

### **Double criminality requirement**

If the legislation of the Kyrgyz Republic does not recognize the action which is the subject of a request as a crime, the execution of the request shall be refused.

### **Central Authority**

A request for procedural and judicial activities shall be filed through:

*The Supreme Court of the Kyrgyz Republic* – for requests concerning the judicial activities of the Supreme Court;

*The Court Department under the Supreme Court of the Kyrgyz Republic* – for requests concerning judicial activities of all courts, except for the Supreme Court;

*The General Prosecutor's Office of the Kyrgyz Republic* – for criminal cases handled by law enforcement agencies.

In the absence of intergovernmental or inter-agency agreements on direct communication, requests for legal assistance and related correspondence shall be submitted through diplomatic channels.

**Contact information:**

The General Prosecutor's Office of the Kyrgyz Republic  
The Department of International Legal Cooperation  
139 A. Toktonaliev St., Bishkek, Kyrgyz Republic, 720044  
Tel.: + 996 312 54-24-63, 54-28-18  
Fax: + 996 312 54-24-63  
E-mail: department16@prokuror.kg  
Webpage: www.prokuror.kg

The Supreme Court of the Kyrgyz Republic  
The Department of Public Relations, Communication with Media and International Relations  
205 Abdumomunov St., Bishkek, Kyrgyz Republic, 720040  
Tel.: +996 312 66-10-89  
E-mail: vskr@sot.kg  
Webpage: sot.kg

The Court Department under  
the Supreme Court of the Kyrgyz Republic  
171 Dzhunusaliev St., Bishkek, Kyrgyz Republic, 720021  
Tel.: +996 312 46 37 94  
Fax: +996 312 25-09-52  
E-mail: suddep@e-sot.kg  
Webpage: suddep.sot.kg

### **Preliminary Consultations**

As a general rule, no preliminary consultations with the Central Competent Authority are required for submitting requests for legal assistance in criminal matters. The reason for this is that the key requirements for the form and content of a request for legal assistance are established by international treaties, which the central competent authorities of the Kyrgyz Republic use to formulate their requirements for requests..

However, if the requesting party has any questions with regard to the content of a request, the necessary consultations shall be provided.

### **REQUIRED ACTIONS WHEN SUBMITTING A REQUEST**

In order to address to the Kyrgyz Republic a request for legal assistance, it is necessary to prepare an application to competent authorities of foreign states to perform procedural or judicial activities, and indicating the following required items based on the provisions of international treaties and the criminal procedure legislation of the Kyrgyz Republic:

#### **Grounds for Submitting a Request for Legal Assistance**

The request shall have a reference to the international treaty which constitutes the basis for such request. The form and the content of the request shall strictly comply with the provisions of the treaty. In the absence of a treaty between the two countries, legal assistance shall be provided on the basis of the principle of reciprocity. Therewith, the requesting party shall guarantee a provision of similar legal assistance to the requested party through a letter of obligation.

In execution of a request for performance of legal proceedings, the provisions of the Criminal Procedure Code of the Kyrgyz Republic shall be applied. Following the request from the requesting party, the provisions of the procedural legislation of this state may be applied if they do not contradict the legislation of the Kyrgyz Republic.

#### **Form and Content of Request for Legal Assistance:**

The request for legal assistance shall contain:

- name of the requesting authority (it is also advisable to include contact information (phone, fax, e-mail) of the initiator or the responsible person in order to promptly resolve issues that may arise during the request execution);
- name and location of the requested authority;
- title of the criminal case and the nature of the request;
- information about the persons concerned, including information on their date and place of birth, citizenship, occupation, place of residence or place of stay, and for legal entities – their name and location;
- statement of the circumstances to be clarified, as well as a list of the requested documents, and other evidence;

- information about factual circumstances of the committed crime, its legal qualification, the text of the relevant article of the criminal code (or another act), and, where necessary, the evidence on the extent of damage inflicted by this crime.

Annexes to a Request

A request for legal assistance shall be complemented by:

- extracts (text) from articles of the criminal code (or another act) which constitute the basis for initiating criminal proceedings, bringing charges, including applicable sanctions/punishments;
- extracts (text) from legislative acts related to the requested legal proceedings;
- extracts (text) from other legislative acts related to the investigated crime;
- originals or certified copies of reasoned decisions of competent authorities on the performance of legal proceedings requiring authorization of the prosecutor or court – if such actions are requested.
- other documents necessary for the execution of the request.

### **Document Form and Language**

The authenticity of a request and documents attached shall be verified by the official imprint of the coat of arms and the signature of a corresponding official of the requesting party.

A request and attached documents shall be prepared or translated into the language stipulated by an international treaty that constitutes the basis for the request. In case a request is submitted on the basis of the principle of reciprocity, the request is in Kyrgyz or Russian.

### **Description of Requested Legal Assistance**

The requested legal assistance shall have a logical connection with the description of the offense and include the gist of the required legal proceedings.

Peculiarities of selected legal proceedings:

#### *a) obtaining testimony*

If it is necessary to interrogate persons to obtain testimony, complete identity information about the persons that are subject to interrogation is required (including date and place of birth, citizenship, occupation, place of residence, procedural status in the criminal case). In the absence of complete information, it shall be indicated that the requesting party has no other information. The questions to be asked to a person shall be formulated in a correct and understandable form.

#### *b) inspection*

If it is necessary to inspect an area, premises, a corpse, animals, an object or documents, the exact address of their location shall be indicated, as well as the information to be discovered or clarified. If indicated in the request, it is allowed to take measurements, photographs, film shots, video recording, preparing plans, diagrams, drawings, take casts and impressions of traces during the inspection is permitted.

*c) search and seizure*

If a seizure or a search is needed, a related decision adopted by the competent authority in accordance with the legislation of the requesting state is required. In this decision and request, it is necessary to clearly indicate the name and address of the individual or legal entity to be seized or searched, names of the items, and documents to be searched and seized.

Moreover, it is advisable to consider the following:

- the decision on search or seizure shall contain a justification for them, names of the requested documents and items, and their connection with the investigated crime;
- the requested state may send certified copies of the requested materials or documents if the need for originals is not indicated;
- the originals of the documents transferred in the course of the execution of the request are to be returned at the first request of the requested state. Once asked, the requesting state will ensure their return at the earliest opportunity.
- if the request requires a search, the requesting state shall clearly indicate the address of an individual or a legal entity, where the search shall be performed, and provide a list of documents to be seized.

*d) seizure of property*

The seizure of property may be performed to ensure enforcement of a sentence in terms of compensation for pecuniary damage and (or) moral damage, other pecuniary sanctions, or possible confiscation of property.

A decision of the competent authority, approved by the court, on seizure of the property of the suspect or the accused shall be made if there are sufficient grounds to believe that this property was obtained as a result of criminal actions. Certified copies of the case materials shall be attached to the decision to confirm its reasonableness.

When the funds and other valuables on an account, on a deposit, or in escrow with banks and other credit institutions, are seized from a suspected or an accused person, transactions from this account shall be fully or partially terminated within the limits of the funds and other valuables subject to seizure.



### **Participation of Representatives of Requesting Party**

If the execution of a request requires presence of representatives of the requesting state, the request shall indicate this, as well as indicate the aims of their presence, information about the officials (full name, position, phone number), their time of arrival and the period of stay.

### **Indication of Timeframe**

If time is limited, it is necessary to indicate the desired but reasonable timeframe for the execution of a request.

### **Indication of Necessity for Confidentiality Protection and Limitation of Use of Obtained Information**

It is advisable to indicate in a request whether confidential information protection is needed and reasons justifying it.

The information obtained during the execution of the request will only be used only for the purposes stated. It shall be prohibited to use the obtained data and materials for any purpose unless otherwise agreed with the requested state.

# **THE REPUBLIC OF TAJKISTAN**

The cooperation with competent authorities of foreign states on the issues of providing mutual legal assistance in criminal matters is based on bilateral, multilateral and international treaties, as well as on the principle of reciprocity.

Chapter 48 of the Criminal Procedure Code of the Republic of Tajikistan stipulates the main provisions on the procedure for cooperation of courts, prosecutors, investigators, and inquiry bodies with the competent authorities of foreign states.

### **Legal Framework**

The Republic of Tajikistan is a Party to a number of multilateral international treaties. In particular, these include the UN Convention against Corruption (New York, 31/10/2003), the UN Convention against Transnational Organized Crime (New York, 15/11/2000), the UN Convention for the Suppression of the Financing of Terrorism (New York, 09/12/1999), the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20/12/1988), the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (New York, 21/03/1950), the SCO Convention on Countering Extremism (Astana, 09/06/2017), the SCO Convention on Combating Terrorism (Yekaterinburg, 16/06/2009), CIS Conventions on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22 January 1993 and Kishinev, 07/10/2002), as well as other multilateral documents with provisions on mutual legal assistance in criminal cases.

The Republic of Tajikistan has concluded bilateral treaties on mutual legal assistance in criminal matters with several countries, including the UAE, India, Turkey, China, Pakistan, Latvia, Russia, Kazakhstan, Turkmenistan, Ukraine, Czech Republic, Uzbekistan, etc.

### **Non-Treaty requests**

In case of an absence of a treaty on legal assistance in criminal matters, the legal assistance may be provided based on the principle of reciprocity. When submitting a request, the competent authority of the requesting state will confirm the principle of reciprocity through a written obligation to provide similar legal assistance to a competent authority of a foreign state in the execution of selected legal proceedings.

### **Double criminality requirement**

If the legislation of the Republic of Tajikistan does not recognize the action subject of a request as a crime, the execution of the request shall be refused.

### **Central Authority**

In case of available treaty on mutual legal assistance, a request shall be submitted to the corresponding authority of the Republic of Tajikistan designated as the Central Competent Authority.

An order to perform a separate investigative proceeding shall be sent through the General Prosecutor of the Republic of Tajikistan. One to perform a judicial proceeding is to be sent through

the Chairman of the Supreme Court of the Republic of Tajikistan or through their deputies, who, if necessary, resort to the mediation of the Ministry of Foreign Affairs of the Republic of Tajikistan.

Following Article 470 of the Criminal Procedure Code of the Republic of Tajikistan, requests for legal assistance in criminal cases shall be sent through:

- *The General Prosecutor's office of the Republic of Tajikistan*, for requests concerning investigative actions;
- *The Supreme Court of the Republic of Tajikistan*, for requests concerning judicial activities.

In the absence of intergovernmental or inter-agency agreements on direct communication, requests for legal assistance and related correspondence shall be submitted through the Ministry of Foreign Affairs of the Republic of Tajikistan.

**Contact information:**

The General Prosecutor's office of the Republic of Tajikistan  
The International Legal Department  
126 A. Sino St., Dushanbe, Republic of Tajikistan, 734043  
Tel.: +992 37 2367140  
Fax: +992 37 2352441  
E-mail: [prokuratura\\_gen@mail.ru](mailto:prokuratura_gen@mail.ru)  
Webpage: [www.prokuratura.tj](http://www.prokuratura.tj)

The Supreme Court of the Republic of Tajikistan  
The International Relations Department  
1 Nemat Karoboev St., Dushanbe, Republic of Tajikistan, 734043  
Tel.: +992 37 233 48 21  
Fax: +992 37 233 01 22  
E-mail: [info@sud.tj](mailto:info@sud.tj)  
Webpage: [www.sud.tj](http://www.sud.tj)

### **Preliminary Consultations**

As a general rule, no preliminary consultations with the Central Competent Authority are required for submitting requests for legal assistance in criminal matters. The reason for this is that the key requirements for the form and content of a request for legal assistance are established by international treaties which the central competent authorities of the Republic of Tajikistan use to formulate their requirements

However, if a requesting party has any questions concerning the content of a request, the necessary consultations shall be provided.

### **REQUIRED ACTIONS WHEN SUBMITTING A REQUEST**

In order to request to the Republic of Tajikistan for legal assistance, it is necessary to prepare a request in form of an order for conducting separate investigative or judicial proceedings, indicating the following required items, drawn from provisions in international treaties and the Republic of Tajikistan's criminal procedure legislation:

#### **Grounds for Submitting a Request for Legal Assistance**

The request shall have a reference to the international treaty which constitutes the basis for such request. The form and the content of the request shall strictly comply with the provisions of the treaty. In the absence of a treaty between the two countries, legal assistance shall be provided on the basis of the principle of reciprocity; the requesting party shall guarantee the provision of a similar legal assistance to the requested party through a letter of obligation.

In execution of a request for performance of legal proceedings, the provisions of the Criminal Procedure Code of the Republic of Tajikistan are applicable. Following the request from the requesting party, the provisions of the procedural legislation of this state may be applied if they do not contradict the legislation of the Republic of Tajikistan.

#### **Information about the Request Initiator**

The request shall contain the full and exact name of the authority that initiated such request, postal address and e-mail for sending the executed materials. It is also advisable to include contact information (phone, fax, e-mail) of an initiator or a responsible person to promptly resolve issues that may arise during the request execution.

#### **Form and Content of a Request**

A request for execution of any investigative and judicial proceedings shall contain:

- name of the requesting authority;
- name and address of the requested authority;
- title of the case and gist of the order;
- information about the persons subject of the order, their citizenship, occupation, place of residence or place of stay, and for legal entities – their name and location;
- statement of the circumstances to be clarified, as well as a list of the requested documents, physical and other evidence;

- information about factual circumstances of the committed crime, its legal qualification, and, where necessary, the evidence on the extent of damage inflicted by this crime.
- other data necessary for the execution of the request.

### **Annexes to a Request**

A request for legal assistance shall be complemented by:

- extracts (text) from articles of the criminal code (or another act) which constitute the basis for initiating criminal proceedings, bringing charges, including applicable sanctions/punishments;
- extracts (text) from legislative acts related to the requested legal proceedings;
- extracts (text) from other legislative acts related to the investigated crime;
- copies of decisions made in accordance with the legislation of the requesting state on the initiation of criminal prosecution, recognition as a suspect, accused, victim, civil plaintiff, declaring as wanted, applying a measure of restraint, a search, seizures, etc., if such decisions for the requested case exist and the requested action is related to them;
- copies of identity documents, if any exist, of individuals and legal entities, towards whom detection and/or legal proceedings are requested;
- other documents necessary for the execution of the request.

### **Document Form and Language**

The authenticity of a request and attached documents shall be verified by the official imprint of the coat of arms and the signature of a corresponding official of the requesting party.

A request and attached documents shall be prepared or translated into the language stipulated by the international treaty that constitutes the basis for the request. In case a request is submitted on the basis of the principle of reciprocity, the request is to be in Tajik or Russian.

### **Description of Requested Legal Assistance**

The requested legal assistance shall have a logical connection with the description of the offense and include the gist of the required legal proceedings.

Peculiarities of some legal proceedings:

#### *a) obtaining testimony*

If it is necessary to interrogate persons to obtain testimony, complete identity information about those subject to interrogation shall be provided (including date and place of birth, citizenship, occupation, place of residence, procedural status in the criminal case). In the absence of the complete information, it shall be indicated that the requesting party has no other information. The questions to be asked to a person shall be formulated in a correct and understandable form.

#### *b) inspection*

If it is necessary to inspect an area, premises, a corpse, animals, an object, or documents, the exact address of their location shall be indicated, as well as the information to be discovered or

clarified. If indicated in the request, taking measurements, photographs, film shots, video recordings, preparing plans, diagrams, drawings, take casts and impressions of traces during the inspection is permitted.

*c) search and seizure*

If a seizure or a search is needed, a relate decision from the competent authority following the legislation of the requesting state is required. In this decision and request, it is necessary to clearly indicate the name and address of the individual or legal entity subject to seizure or search, names of the items and documents to be searched and seized.

If seizure of information or documents that constitute bank secrecy is necessary, a relevant court decision is required. In this case, it is necessary to indicate the location of the bank or financial organization, which may possess the needed information and documents.

Moreover, it is advisable to consider the following:

- the decision on search or seizure shall contain justification for the need of their performance, titles of the requested documents and items, their connection with the investigated crime;
- the requested state may send certified copies of the requested materials or documents if the requesting state does not indicate the need for originals;
- the originals of the documents transferred in the course of request execution shall be returned at the first request of the requested state. Upon request to return original documents, the requesting state shall ensure their return at the earliest opportunity.
- if the request requires a search, the requesting state shall clearly indicate the address of an individual or a legal entity, where the search shall be performed, and provide a list of documents to be seized.

*d) seizure of property*

If property needs to be seized a relevant decision adopted by the competent authority following the legislation of the requesting state is needed.

Seizure of property is applied to secure a civil claim, enforce a fine and collect other pecuniary payments, and perform possible confiscation of property.

The property that constitutes the essential commodities stipulated in the legislation of the Republic of Tajikistan may not be seized.

**Participation of Representatives of Requesting Party**

If the execution of a request requires the presence of representatives from the requesting state, the request shall indicate this, as well as the aim of their presence, information about the officials (full name, position, phone number), their time of arrival and the period of stay.

**Indication of Timeframe**

If the time is limited, it is necessary to indicate the desired but reasonable timeframe for the execution of a request.

**Indication of Necessity for Confidentiality Protection and Limitation of Use of Obtained Information**

It is advisable to indicate the necessity for confidential information protection and the reasons, therefore.

The information obtained during the execution of the request is to be used only for the stated purposes. It is prohibited to use the obtained data and materials for any other purpose unless otherwise agreed with the requested state.



# **TURKMENISTAN**

International cooperation with the competent authorities of foreign states on the issues of providing legal assistance in criminal matters shall be performed subject to availability of concluded international treaties on legal assistance provision, or on the basis of mutual agreement.

Chapter 52 of the Criminal Procedure Code of Turkmenistan stipulates the main provisions on the procedure for cooperation of courts, prosecutors, investigators and inquiry bodies with the competent authorities of foreign states.

Turkmenistan can perform legal assistance, provided for by its Criminal Procedure Code or within international treaties, to investigative bodies and courts of foreign states with whom there is a mutual agreement or if the requesting state is party to the relevant treaty.

### **Legal Framework**

Turkmenistan is a Party to a number of multilateral international treaties. In particular, these include the UN Convention for the Suppression of the Financing of Terrorism (New York, 09/12/1999), the UN Convention against Transnational Organized Crime (New York, 15/11/2000), the UN Convention against Corruption (New York, 31/10/2003), the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22/01/1993), as well as other multilateral documents with provisions on mutual legal assistance in criminal matters.

Turkmenistan has concluded bilateral agreements on mutual legal assistance in criminal matters with several countries, including Georgia, the Islamic Republic of Iran, the Republic of Turkey, the Republic of Uzbekistan, etc.

### **Non-Treaty requests**

In case of absence of a treaty on legal assistance in criminal matters, legal assistance may be provided on the basis of an agreement (the principle of reciprocity).

#### **Central Authority**

In accordance with Article 544 of the Criminal Procedure Code of Turkmenistan, requests (orders) for provision of legal assistance or for performance of an investigative proceeding in criminal cases shall be sent to the respective states by the General Prosecutor of Turkmenistan.

An order for a judicial proceeding execution is to be sent to the Chairman of the Supreme Court of Turkmenistan through the Minister of Adalat (Justice) of Turkmenistan.

### **Contact information:**

The General Prosecutor's Office of Turkmenistan

The International Relations Department

4 2005 St., Ashgabat, Turkmenistan, 744000

Tel.: +99312 92-44-72

Fax: +99312 92-38-31

E-mail: bp@online.tm

The Supreme Court of Turkmenistan  
86 2022 (A. Navoi) St., Ashgabat, Turkmenistan, 744013.  
Tel.: +99312 39-09-32  
Fax: +99312 92-02-01  
E-mail: yokarykazyyet@online.tm

The Ministry of Adalat (Justice) of Turkmenistan  
150 Archabil Ave., Ashgabat, Turkmenistan, 744013  
Tel.: +99312 39-19-21  
Fax: +99312 39-19-71  
E-mail: info@minjust.gov.tm

### **REQUIRED ACTIONS WHEN SUBMITTING A REQUEST**

A body of inquiry shall execute the orders, submitted to them in accordance with the established procedure, of relevant institutions and officials of foreign states for performance of investigative or judicial proceedings according to the rules of the criminal procedure legislation of Turkmenistan.

#### **Grounds for Submitting a Request for Legal Assistance**

The request shall have a reference to the international treaty which constitutes the basis for such request. The form and the content of the request shall strictly comply with the provisions of such treaty. In the absence of a treaty between the two countries, legal assistance shall be provided on the basis of an agreement (the principle of reciprocity). In this case, the requesting party shall guarantee provision of similar legal assistance to the requested party through a letter of obligation.

In execution of a request for performance of investigative or judicial proceedings, the provisions of the Criminal Procedure Code of Turkmenistan are applicable. Following the request, the provisions of the procedural legislation of the requesting party state may be applied if they do not contradict the legislation of Turkmenistan.

#### **Form and Content of a Request**

An order for performance of investigative or judicial proceedings shall contain:

- name of the requesting authority;
- name and address of the requested authority;
- title of the case and the nature of the order;
- information about the persons subject of the order, the date and the place of their birth, their citizenship, occupation, place of residence or place of stay, and for legal entities – their name and location;
- statement of the circumstances to be clarified, as well as a list of the requested documents, physical and other evidence;

- information about factual circumstances of the committed crime, its legal qualification, the text of the relevant article of the Criminal Code (or another law), and, where necessary, the evidence on the extent of damage inflicted by this crime;
- other data necessary for the execution of the order.

### **Annexes to Requests**

A request for legal assistance shall be complemented by:

- extracts (text) from articles of the criminal code (or another act) which constitutes the basis for initiating the criminal proceedings, bringing charges, including applicable sanctions/punishments;
- extracts (text) from legislative acts related to the requested legal proceedings;
- extracts (text) from other legislative acts related to the investigated crime;
- copies of decisions made in accordance with the legislation of the requesting state on the initiation of criminal prosecution, recognition as a suspect, accused, victim, civil plaintiff, declaring as wanted, applying a measure of restraint, a search, seizures, etc., if such decisions for the requested case exist and the requested action is related to them;
- copies of identity (identification) documents, if any, of individuals and legal entities, towards whom detection and/or legal proceedings are requested;
- other documents necessary for the execution of the request.

### **Document Form and Language**

When preparing an order for a foreign state, its language English shall be used, unless otherwise is provided for by an international treaty to which Turkmenistan in party.

An inquiry officer, an investigator, a prosecutor, or a court shall prepare an order for provision of legal assistance in executing procedural and other actions in the territory of another state in writing. It shall use the relevant template form, sign it, and verify it by the official imprint of the coat of arms of a body conducting the criminal process.

Upon the application of a requesting state, the legal procedures of the foreign state may be applied in the execution of the order, if this is provided for by a bilateral? international treaty of Turkmenistan. In these circumstances, documents may be prepared in the state language of Turkmenistan, and, if necessary, in English or Russian, or in the language stipulated by the international treaty.

## **Description of Requested Legal Assistance**

The requested legal assistance shall have a logical connection with the descriptive part of the request and include the gist of the required legal proceedings.

Peculiarities of some legal proceedings:

### *a) obtaining testimony*

If it is necessary to interrogate persons to obtain testimony, complete identity information about those subject to interrogation is required (including date and place of birth, citizenship, occupation, place of residence, procedural status in the criminal case). In the absence of the complete information, it shall be indicated that the requesting party has no other information. The questions to be asked a person shall be formulated in a correct and understandable form.

### *b) inspection*

If it is necessary to inspect an area, premises, a corpse, animals, an object, or documents, the exact address of their location shall be indicated, as well as the information to be discovered or clarified. If indicated in the request, it shall be allowed to make measurements, photographs, film shots, video recording, prepare plans, diagrams, drawings, take casts and impressions of traces during the inspection.

### *c) search and seizure*

If a seizure or search is needed, a reasoned decision thereof, adopted by the competent authority following the legislation of the requesting state shall be provided. In this decision and request, it is necessary to indicate the name and address of the individual or legal entity subject to seizure or search, names of the items, and documents to be searched and seized.

Moreover, it is advisable to consider the following:

- the decision on search or seizure shall be justified, titles of the requested documents and items, their connection with the investigated crime;
- the requested state may send certified copies of the requested materials or documents if the requesting state does not indicate the need for originals;
- the originals of the documents transferred during the execution of the request shall be returned at the first demand of the requested state. Upon request to return original documents, the requesting state shall ensure their return at the earliest opportunity.
- if the request requires a search, the requesting state shall clearly indicate the address of an individual or a legal entity, where the search shall be performed, and provide a list of documents to be seized.

### *d) seizure of property*

If seizure of property is needed, a reasoned decision adopted by the competent authority per the legislation of the requesting state is required.

Property may be seized from the accused or the suspect or other persons who possess illegally obtained property.

The property that constitutes the essential commodities stipulated in domestic legislation for the accused or the persons depending on him/her shall not be seized.

#### Participation of Representatives of Requesting Party

If the execution of a request requires presence of representatives from the requesting state, the request shall indicate this, as well as the aim of their presence, information about the officials (full name, position, phone number), their time of arrival and the period of stay. With the permission of the General Prosecutor of Turkmenistan, the Chairman of the Supreme Court of Turkmenistan, a representative of an authorized body of the corresponding state may be present during execution of an order in cases stipulated by an international treaty.

#### **Indication of Timeframe**

If the time is limited, it is necessary to indicate the desired but reasonable timeframe for the execution of a request.

#### **Indication of Necessity for Confidentiality Protection and Limitation of Use of Obtained Information**

It is advisable to indicate in a request whether the necessity for confidential information protection is needed and the reasons, therefore.

The information obtained in course of the request execution shall be used only for the stated purposes. It shall be prohibited to use the obtained data and materials for any other purpose unless otherwise agreed with the requested state.

# **THE REPUBLIC OF UZBEKISTAN**

The cooperation with competent authorities of foreign states on the issues of providing mutual legal assistance in criminal matters shall be based on bilateral, multilateral and international treaties, as well as on the principle of reciprocity.

Chapter 64 of the Criminal Procedure Code of the Republic of Uzbekistan stipulates the main provisions on the procedure for cooperation of courts, prosecutors, investigators and inquiry bodies with the competent authorities of foreign states.

### **Legal Framework**

The Republic of Uzbekistan is Party to a number of multilateral international treaties. In particular, these include the UN Convention against Corruption (New York, 31/10/2003), the UN Convention against Transnational Organized Crime (New York, 15/11/2000), the UN Convention for the Suppression of the Financing of Terrorism (New York, 09/12/1999), the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20/12/1988), the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (New York, 21/03/1950), the SCO Convention on Countering Extremism (Astana, 09/06/2017), the SCO Convention on Combating Terrorism (Yekaterinburg, 16/06/2009), CIS Conventions on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22 January 1993 and Kishinev, 07/10/2002), as well as other multilateral documents with provisions on mutual legal assistance in criminal matters.

The Republic of Uzbekistan has concluded bilateral treaties on mutual legal assistance in criminal matters with 20 states, including Azerbaijan, Afghanistan, Bulgaria, Georgia, Kazakhstan, Latvia, Lithuania, etc.

### **Non-Treaty requests**

In case of an absence of a treaty on legal assistance in criminal matters, legal assistance may be provided on the basis of the principle of reciprocity. When submitting a request, the requesting authority confirms the principle of reciprocity through a written obligation to provide similar legal assistance to a competent authority of a foreign state in the execution of selected legal proceedings.

### **Double criminality requirement**

If the legislation of the Republic of Uzbekistan does not recognize the action subject of a request as a crime, the execution of the request shall be refused.

### **Central Authority**

In case of available treaty on mutual legal assistance, a request shall be submitted to the corresponding authority of the Republic of Uzbekistan designated as the Central Competent Authority under a multilateral or bilateral treaty.

In case of absence of a treaty, and per Article 592 of the Criminal Procedure Code of the Republic of Uzbekistan, requests for legal assistance in criminal matters shall be sent to:



*The Supreme Court of the Republic of Uzbekistan*, for requests concerning criminal proceedings conducted by courts of general jurisdiction;

*The Ministry of Internal Affairs of the Republic of Uzbekistan, the State Security Service of the Republic of Uzbekistan*, for requests concerning legal proceedings that do not require a court decision or consent (authorization) of the prosecutor;

*The General Prosecutor's Office of the Republic of Uzbekistan* in other cases.

In the absence of intergovernmental or inter-agency agreements on direct communication, requests for legal assistance and related correspondence shall be submitted through the Ministry of Foreign Affairs of the Republic of Uzbekistan.

### **Requires attention**

In some bilateral treaties, for example in the Treaty between the Republic of Uzbekistan and the People's Republic of China on legal assistance in civil and criminal matters, it is not only the General Prosecutor's Office that is designated as the Central Authority, but also the Ministry of Justice.

Similarly, the Ministry of Justice and the General Prosecutor's Office of the Republic of Uzbekistan have been identified as the Central Authorities responsible for the implementation of the CIS Conventions on Legal Assistance and Legal Relations in Civil, Family, and Criminal Matters.

Therewith, the Ministry of Justice deals with civil matters, including the civil aspects of criminal cases, while the General Prosecutor's Office shall be responsible for matters of a criminal nature.

### **Contact information:**

The General Prosecutor's Office of the Republic of Uzbekistan  
The International Legal Department  
66 Ya. Gulyamov St., Tashkent, Republic of Uzbekistan, 100047  
Tel.: +99871 202-04-89  
Fax: +99871 233-48-35  
E-mail: mpo@prokuratura.uz  
Webpage: www.prokuratura.uz

The Ministry of Justice of the Republic of Uzbekistan  
The International Legal Department  
5 Sayilgoh St., Tashkent, Republic of Uzbekistan, 100047  
Tel.: 99871 207-04-43  
Fax: +99871 207-04-43  
E-mail: info@minjust.gov.uz  
Web-page: www.minjust.uz  
The Supreme Court of the Republic of Uzbekistan  
The International Department  
1 A. Qadiri St., Tashkent, Republic of Uzbekistan, 100186

Tel.: +99871 239-02-13  
E-mail: info@supcourt.uz  
Webpage: www.sud.uz

The Ministry of Internal Affairs of the Republic of Uzbekistan  
The International Cooperation Office  
1 Yu. Rajabiy St., Tashkent, Republic of Uzbekistan, 100029  
Tel.: +998971 231-33-36  
Fax: +99871 233-38-82  
E-mail: info@iiv.uz  
Webpage: www.iiv.uz

### **Preliminary Consultations**

As a general rule, no mandatory preliminary consultations with the Central Competent Authority are required for submitting requests for legal assistance in criminal matters. The reason for this is that the key requirements for the form and content of a request for legal assistance are established by international treaties which the central competent authorities of the Republic of Uzbekistan use to formulate their requirements for requests.

However, if a requesting party has any questions concerning the content of a request and some explanations are needed, the necessary consultations shall be provided.

### **REQUIRED ACTIONS WHEN SUBMITTING A REQUEST**

In order to request the Republic of Uzbekistan for legal assistance, it is necessary to prepare a request in form of an order for conducting separate legal proceedings, indicating the following required items based on the applicable legislation =:

#### **Grounds for Submitting a Request for Legal Assistance**

The request shall have a reference to the international treaty which constitutes the basis for such request. The form and the content of the request shall strictly comply with the provisions of the treaty. In the absence of a treaty between the two countries, legal assistance shall be provided on the basis of the principle of reciprocity. Thus, the requesting party shall guarantee provision of similar legal assistance to the requested party through a letter of obligation.

In execution of a request for performance of legal proceedings, the provisions of the Criminal Procedure Code of the Republic of Uzbekistan shall be applied. Following the request, the provisions of the procedural legislation of this state may be applied if they do not contradict the legislation of the Republic of Uzbekistan.

#### **Information on the Request Initiator**

The request shall contain the full and exact name of the authority that initiated such request, postal address and e-mail for sending the executed materials. It is also advisable to include contact

information (phone, fax, e-mail) of an initiator or the responsible person in order to promptly resolve issues that may arise during the request execution.

### **Form and Content of a Request**

A request for execution of legal proceedings shall contain:

- name of the requesting authority);
- name and location of the requested authority;
- title of the criminal case and the gist of the request;
- information about a person subject of the request, including information on the date and the place of their birth, citizenship, occupation, place of residence or place of stay, their procedural status, and for legal entities – their name and location;
- statement of the circumstances to be clarified, as well as a list of the requested documents, physical and other evidence;
- information about factual circumstances of the committed crime, its qualification, the text of the relevant article of the criminal code (or another act), which forms the basis for recognition of the action as a crime;
- evidence on the extent of damage if it was inflicted by this crime.
- other data necessary for the execution of the request.

### **Annexes to a Request**

A request for legal assistance shall be complemented by:

- extracts (text) from articles of the criminal code (or another act) which constitutes the basis for initiating criminal proceedings, bringing charges, including applicable sanctions/punishments;
- extracts (text) from legislative acts related to the requested legal proceedings;
- extracts (text) from other legislative acts related to the investigated crime;
- copies of decisions made by the requesting state on the initiation of criminal prosecution or other,;
- copies of identity documents, if any, of individuals and legal entities, towards whom detection and/or legal proceedings are requested;
- other documents necessary for the execution of the request.

### **Document Form and Language**

The authenticity of a request and documents attached shall be verified by the official imprint of the coat of arms and the signature of a corresponding official of the requesting party.

A request and attached documents shall be prepared or translated into the language stipulated by the international treaty constituting the basis for the request. In case a request is submitted based on the principle of reciprocity, the request is in Uzbek or Russian..

## Description of Requested Legal Assistance

The requested legal assistance shall have a logical connection with the descriptive part of the request and include the gist of the required legal proceedings.

Peculiarities of some legal proceedings:

### *a) obtaining testimony*

If it is necessary to interrogate persons to obtain testimony, complete identity information about those subject to interrogation is necessary (including date and place of birth, citizenship, occupation, place of residence, procedural status in the criminal case). In the absence of the complete information, it shall be indicated that the requesting party has no other information. The questions to be asked to a person shall be formulated in a correct and understandable form.

### *b) inspection*

If it is necessary to inspect an area, premises, a corpse, animals, an object or documents, the exact address of their location shall be indicated, as well as the information to be discovered or clarified. If indicated in the request, taking measurements, photographs, film shots, video recordings, preparing plans, diagrams, drawings, take casts and impressions of traces during the inspection is permitted.

### *c) search and seizure*

If a seizure or a search is needed, the pertaining decision adopted by the competent authority per the legislation of the requesting state shall be provided. In this decision and request, it is necessary to clearly indicate the name and address of the individual or legal entity subject to seizure or search, names of the items, and documents to be searched and seized.

It is necessary to have a relevant court decision if information or documents constituting bank secrecy need to be seized. In this case, the location of the relevant bank or financial organization is required.

Moreover, it is advisable to consider the following:

- the decision on search or seizure shall contain justification for the need to perform these actions, names of the requested documents and items, their connection with the investigated crime;
- the requested state may send certified copies of the requested materials or documents if the requesting state does not indicate the need for originals;
- the originals of the documents transferred during the execution of the request shall be returned at the first demand. Upon request to return original documents, the requesting state shall ensure their return at the earliest opportunity.
- if the request requires a search, the requesting state shall clearly indicate the address of an individual or a legal entity, where the search shall be performed, and provide a list of documents to be seized.

#### *d) seizure of property*

A decision adopted by the competent authority in line with the requesting state is necessary for seizure of property.

Property may be seized from the accused, the suspect, the defendant or the civil defendant, as well as any property recognized as evidence. Dwelling houses, apartments, domestic utensils, clothing and other items necessary for the normal life of the family of the suspect, shall not be seized.

The decision on the seizure shall contain information about the purpose of the seizure and the person subject to it, and the amount to be seized if relevant.

#### *e) investigative proceedings by videoconference*

Investigative proceedings with participation of witnesses, victims, suspects and accused may be conducted in form of a videoconference using technical aids, with these participants having been summoned to a law enforcement agency or court of that province or district or city, on the territory of which they stay or live.

### **Participation of Representatives of Requesting Party**

If the execution of a request requires presence of representatives of the requesting state, the request shall indicate this, as well as the aim of their presence, information about the officials (full name, position, phone number), their time of arrival and the period of stay.

The requested persons may arrive only after the Competent Authority of the Republic of Uzbekistan considers the request and provides its written confirmation.

### **Indication of Timeframe**

If the time is limited, it is necessary to indicate the desired but reasonable timeframe for the execution of a request.

### **Indication of Necessity for Confidentiality Protection and Limitation of Use of Obtained Information**

It is advisable to indicate whether confidential information protection is necessary and the reasons, therefore.

The information obtained in course of the request execution shall be used only for the stated purposes. It shall be prohibited to use the obtained data and materials for any other purpose unless otherwise agreed with the requested state.

### **Asset Recovery**

The General Prosecutor's Office of the Republic of Uzbekistan is the Secretariat of the ARIN-WCA (*Asset Recovery Inter-Agency Network West and Central Asia*), which includes Afghanistan, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan.

The ARIN-WCA Secretariat assists in consultations on mutual legal assistance matters related to the search and recovery of assets, as well as in finding the contacts of the responsible contact persons of the members of this network.

The ARIN-WCA Secretariat contact information:

42 Shakhrisabz St., Tashkent, Republic of Uzbekistan, 100047

Tel.: +998971 202-07-13

Mob.: +99897 7759776

Fax: +99871 233-38-82

E-mail: [arin-wca@prokuratura.uz](mailto:arin-wca@prokuratura.uz)

Webpage: [www.arin-wca.org](http://www.arin-wca.org)

