

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2010 Nr. 328

A. TITEL

*Verdrag van de Raad van Europa inzake het witwassen, de opsporing, de inbeslagname en de confiscatie van opbrengsten van misdrijven en de financiering van terrorisme;
(met Bijlage)
Warschau, 16 mei 2005*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met Bijlage, zijn geplaatst in *Trb.* 2006, 104.

C. VERTALING

Zie *Trb.* 2006, 104.

D. PARLEMENT

Zie *Trb.* 2008, 182.

E. PARTIJGEGEVENS

Zie *Trb.* 2006, 104.

Partij	Onder-tekening	Ratificatie	Type [*]	In werking	Opzeg-ging	Buiten werking
Albanië	22-12-05	06-02-07	R	01-05-08		
Armenië	17-11-05	02-06-08	R	01-10-08		
België	16-05-05	17-09-09	R	01-01-10		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Bosnië en Herzegovina	19-01-06	11-01-08	R	01-05-08		
Bulgarije	22-11-06					
Cyprus	16-05-05	27-03-09	R	01-07-09		
EU (Europese Unie)	02-04-09					
Finland	16-12-05					
Griekenland	12-10-06					
Hongarije	14-04-09	14-04-09	R	01-08-09		
IJsland	16-05-05					
Italië	08-06-05					
Kroatië	29-04-08	10-10-08	R	01-02-09		
Letland	19-05-06	25-02-10	R	01-06-10		
Luxemburg	16-05-05					
Macedonië, Voormalige Joegoslavische Republiek	17-11-05	27-05-09	R	01-09-09		
Malta	16-05-05	30-01-08	R	01-05-08		
Moldavië	16-05-05	18-09-07	R	01-05-08		
Montenegro		20-10-08	R	01-02-09		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	17-11-05	13-08-08 28-09-10 28-09-10 28-09-10 – – –	R R R R	01-12-08 10-10-10 10-10-10 10-10-10 – – –		
Oekraïne	29-11-05					
Oostenrijk	16-05-05					
Polen	16-05-05	08-08-07	R	01-05-08		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Portugal	16-05-05	22-04-10	R	01-08-10		
Roemenië	16-05-05	21-02-07	R	01-05-08		
Russische Federatie	26-01-09					
San Marino	14-11-06	27-07-10	R	01-11-10		
Servië	16-05-05	14-04-09	R	01-08-09		
Slovenië	28-03-07	26-04-10	R	01-08-10		
Slowakije	12-11-07	16-09-08	R	01-01-09		
Spanje	20-02-09	26-03-10	R	01-07-10		
Turkije	28-03-07					
Zweden	16-05-05					

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, =Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Verklaringen, voorbehouden en bezwaren

Armenië, 2 juni 2008

1. In accordance with Article 3, paragraph 2 of the Convention, the Republic of Armenia will apply Article 3, paragraph 1 only to offences specified in the appendix to the Convention.
2. In accordance with Article 17, paragraph 5, of the Convention, the Republic of Armenia will apply Article 17 of the Convention only to the categories of offences specified in the list contained in the appendix to the Convention.
3. In accordance with the Article 24, paragraph 3, of the Convention, the Republic of Armenia will apply Article 24, paragraph 2 only subject to its constitutional principles and the basic concepts of its legal system.
4. In accordance with the Article 33, paragraph 1, of the Convention, the Financial Monitoring Center of the Central Bank of the Republic of Armenia is the central authority which shall be responsible for sending and answering requests made under this chapter, the execution of such requests or the transmission of them to the authorities competent for their execution.
5. In accordance with Article 35, paragraph 3, of the Convention, the requests made to the Republic of Armenia and the documents supporting such requests shall be accompanied by a translation into English.

6. In accordance with Article 42, paragraph 2, of the Convention, information or evidence provided by the Republic of Armenia, under Chapter 7, may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

België, 17 september 2009

Belgium declares that the central authority designated under Article 33, paragraph 2, of the Convention, is the Service Public Fédéral Justice, Direction générale Législation, Libertés et Droits fondamentaux, Service de coopération internationale pénale, Boulevard de Waterloo 115, B-1000 Bruxelles.

Belgium declares that the unit which acts as FIU, designated pursuant to Article 46, paragraph 13, of the Convention, is the Cellule de traitement de informations financières (Belgian Financial Intelligence Unit), Avenue de la Toison d'Or 55 (boîte 1), B-1060 Bruxelles.

Cyprus, 27 maart 2009

1. In accordance with Article 3, paragraph 2, of the Convention, the Republic of Cyprus declares that Article 3, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

2. In accordance with Article 9, paragraph 4, of the Convention, the Republic of Cyprus declares that Article 9, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

3. In accordance with Article 24, paragraph 3, of the Convention, the Republic of Cyprus declares that Article 24, paragraph 2, shall apply subject to Cyprus's constitutional principles and to the basic concepts of the Cyprus legal system.

4. In accordance with Article 33, paragraph 2, of the Convention, the Republic of Cyprus declares that the central authorities designated in pursuance of paragraph 1 are:

– The Ministry of Justice and Public Order

5. In accordance with Article 35, paragraph 3, of the Convention, the Government of Cyprus declares that requests and annexed documents should be addressed to it accompanied by a translation in English.

6. In accordance with Article 42, paragraph 2, of the Convention, the Government of Cyprus declares that information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the Requesting Party in investigations or proceedings other than those specified in the request.

7. In accordance with Article 46, paragraph 13, of the Convention, the Financial Intelligence Unit designated for the Republic of Cyprus is: Unit for Combating Money Laundering (MOKAS)

P.O. Box: 23768
1686 Nicosia

Cyprus

Email: mokas@mokas.law.gov.cy

Europese Unie, 30 november 2009

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community will enter into force on 1 December 2009.

As a consequence, as from that date, the European Union will replace and succeed the European Community (Article 1, third paragraph, of the Treaty on European Union as it results from the amendments introduced by the Treaty of Lisbon).

Therefore, as from that date, the European Union will exercise all rights and assume all obligations of the European Community, including its status in the Organisation, whilst continuing to exercise existing rights and assume obligations of the European Union.

In particular, as from that date, the European Union will succeed to all agreements concluded and all commitments made by the European Community with your Organisation and to all agreements or commitments adopted within your Organisation and binding on the European Community.

Hongarije, 14 april 2009

The Republic of Hungary reserves the right that Article 3, paragraph 2, of the Convention will apply only to offences specified in the Criminal Code of Hungary.

In accordance with Article 9, paragraph 4, of the Convention, the Republic of Hungary reserves the right that Article 9, paragraph 4 shall apply only in so far as the offence is punishable by deprivation of liberty.

The Republic of Hungary reserves the right not to apply the provisions of Article 9, paragraph 6, of the Convention.

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Hungary declares that the provisions of Article 24, paragraph 2, shall apply only subject to the constitutional principles and the basic concepts of the Hungarian legal system.

In accordance with Article 31, paragraph 2, of the Convention, the Republic of Hungary declares that judicial documents must be delivered through the Ministry of Justice and Law Enforcement as Central Authority.

In accordance with Article 35, paragraph 3, of the Convention, the Republic of Hungary reserves the right that the requests and the documents supporting such requests shall be in Hungarian or in one of the official languages of the Council of Europe or they shall be accompanied by a translation into one of these languages. Concerning those Member States which accept requests not solely in their own official languages or requests accompanied by a translation into one of these languages, the Republic of Hungary accepts the request in English, in French or in German or with a translation into one of these languages.

In accordance with Article 42, paragraph 2, of the Convention, the Republic of Hungary declares that the information and evidence provided under the provisions of Chapter IV of the Convention may not be used or transmitted for any purpose other than investigations or proceedings in the request by the authorities of the requesting Party without the prior consent of the authority which provided the information or evidence. In accordance with Article 33, paragraph 2, of the Convention, the Republic of Hungary informs the Secretary General of the Council of Europe that the Central Authorities designated are:

- Ministry of Justice and Law Enforcement (4 Kossuth Lajos Sqr., Budapest 1055, Hungary, 1363 Budapest, P.O. Box 54)
- Prosecutor General's Office of the Republic of Hungary (16 Markó Str., Budapest 1055, Hungary, 1372 Budapest, P.O. Box 438).

In accordance with Article 46, paragraph 13, of the Convention, the Republic of Hungary designates the Hungarian Customs and Finance Guard Central Criminal Investigation Bureau as domestic financial intelligence unit.

Kroatië, 10 oktober 2008

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Croatia declares that Article 24, paragraph 2 of the Convention, applies only subject to the constitutional principles and the basic concepts of the Republic of Croatia's legal system.

In accordance with Article 35, paragraph 3, of the Convention, the Republic of Croatia declares that requests and documents supporting such requests should be accompanied by a translation into the Croatian language or, if this is not possible, into the English language.

In accordance with Article 42, paragraph 2, of the Convention, the Republic of Croatia declares that, without its prior consent, information or evidence may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

In accordance with Article 33, paragraph 2, of the Convention, the Republic of Croatia declares that the central authorities designated in pursuance of paragraph 1 of Article 33 of the Convention are the Ministry of the Interior, Police Directorate, Criminal Police Department, Ilica 335, Zagreb, and State Attorney's Office of the Republic of Croatia, Gajeva 30a, Zagreb.

Letland, 25 februari 2010

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Latvia declares that Article 24, paragraph 2, of the Convention, applies only subject to the constitutional principles and the basic concepts of the Republic of Latvia's legal system.

In accordance with Article 31, paragraph 2, of the Convention, the Republic of Latvia declares that in the pre-trial criminal proceedings the official serving of judicial documents is made by the Prosecutor Gener-

al's Office of the Republic of Latvia. In the adjudication of a case the official serving of judicial documents is made by the Ministry of Justice of the Republic of Latvia.

In accordance with Article 33, paragraph 2, of the Convention, the Republic of Latvia declares that the central authorities designated are as follows:

In the pre-trial criminal proceedings up to the commencement of criminal prosecution:

State Police

Ciekurkalna 1st line 1, k-4

Riga, LV-1026

Latvia

Phone: +371 67075212

Fax: +371 67371227

E-mail: kanc@vp.gov.lv

Website: www.vp.gov.lv

In the pre-trial criminal proceedings up to the transfer of a case to the court:

Prosecutor General's Office

Kalpaka Blvd. 6

Riga, LV-1801

Latvia

Phone: +371 67044400

Fax: +371 67044449

E-mail: webmaster@lrp.gov.lv

Website: www.lrp.gov.lv

In the adjudication of a case:

Ministry of Justice

Brivibas Blvd. 36

Riga, LV-1536

Latvia

Phone: +371 67036801

Fax: +371 67285575

E-mail: tm.kanceleja@tm.gov.lv

Website: www.tm.gov.lv

In accordance with Article 35, paragraph 3, of the Convention, the Republic of Latvia declares that requests made to the Republic of Latvia and documents supporting such requests shall be accompanied by a translation into Latvian or into English.

In accordance with Article 42, paragraph 2, of the Convention, the Republic of Latvia declares that, without its prior consent, information or evidence provided by it may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

Macedonië, Voormalige Joegoslavische Republiek, 27 mei 2009

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Macedonia declares that Article 24, paragraph 2, of the Convention, applies only subject to the constitutional principles and the basic concepts of the legal system of the Republic of Macedonia.

In accordance with Article 33, paragraph 2, of the Convention, the Republic of Macedonia has designated the Ministry of Justice and the Office for Prevention of Money Laundering and Financing of Terrorism at the Ministry of Finance of the Republic of Macedonia as the central authorities responsible for carrying out the functions foreseen by this Convention:

Ministry of Justice of the Republic of Macedonia

“Dimitrie Cuposki” N° 9

1000 Skopje

Tel. +389 (0)2 3117-277

Fax. +389 (0)2 3226-975

Office for Prevention of Money Laundering and Financing of Terrorism at the Ministry of Finance of the Republic of Macedonia

“Veljko Vlahovic” N° 11

1000 Skopje

Tel. +389 (0)2 3297-540

Fax. +389 (0)2 3224-824.

In accordance with Article 35, paragraph 3, of the Convention, the Republic of Macedonia declares that requests and annexed documents supporting such requests should be accompanied by a translation into the Macedonian language, or if this is not possible, they can be sent with a translation into the English language.

In accordance with Article 42, paragraph 2, of the Convention, the Government of the Republic of Macedonia declares that information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

Malta, 30 januari 2008

In accordance with Article 3, paragraph 2, of the Convention, Malta declares that Article 3, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

In accordance with Article 9, paragraph 4, of the Convention, Malta declares that Article 9, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

In accordance with Article 24, paragraph 3, of the Convention, Malta declares that Article 24, paragraph 2, shall apply subject to Malta's constitutional principles and to the basic concepts of the Maltese legal system.

In accordance with Article 33, paragraph 2, of the Convention, Malta declares that the central authority designated in pursuance of paragraph 1 is:

The Office of the Attorney General
Attorney General's Chambers
The Palace
Valletta
Malta

In accordance with Article 35, paragraph 3, of the Convention, the Government of Malta declares that requests and annexed documents should be addressed to it accompanied by a translation into English.

In accordance with Article 42, paragraph 2, of the Convention, the Government of Malta declares that information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

Moldavië, 18 september 2007

In accordance with Article 53, paragraph 4, of the Convention, the Republic of Moldova declares that the provisions of Article 3, paragraph 4, shall apply only partially, in conformity with the principles of the domestic law.

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Moldova declares that the provisions of Article 24, paragraph 2, shall apply only subject to the constitutional principles and the basic concepts of the Republic of Moldova's legal system.

In accordance with Article 35, paragraphs 1 and 3, of the Convention, the Republic of Moldova declares that acceptable languages for the requests for legal assistance and for the documents supporting such requests are : Moldavian, English or Russian.

In accordance with Article 42, paragraph 2, of the Convention, the Republic of Moldova declares that information and evidence provided under the provisions of Chapter IV of the Convention may not be used or transmitted without the Republic of Moldova's consent, by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

In accordance with Article 51, paragraph 1, of the Convention, the Republic of Moldova declares that, until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Convention shall be applied only on the territory effectively controlled by the authorities of the Republic of Moldova.

In accordance with Article 53 of the Convention, with reference to the provisions of Article 31, the Republic of Moldova declares that notification of judicial documents, as well as of those received by national authorities, shall effect through the:

a. Center for Combating Economic Crimes and Corruption - until the establishment of criminal prosecution;

- b. General Prosecutor's Office – during the criminal prosecution;
- c. Ministry of Justice – during the trial procedure and the execution of judgments.

Montenegro, 20 oktober 2008

In accordance with Article 33, paragraph 2, of the Convention, Montenegro designates the Ministry of Justice and the Directorate Against Money Laundering and Against the Financing of Terrorism as the central authorities responsible for carrying out the functions foreseen by this Convention:

Ministry of Justice

Vuka Karadzica 3

81 000 Podgorica

Tel. +382 20 407 501

Fax +382 20 407 515

Directorate Against Money Laundering and Against the Financing of Terrorism

Novaka Miloseva bb

81 000 Podgorica

Tel. +382 20 210 025

Fax +382 20 210 086

Nederlanden, het Koninkrijk der, 13 augustus 2008

In accordance with Article 3, paragraph 2, of the Convention, the Kingdom of the Netherlands declares that it reserves the right not to apply Article 3, paragraph 1, of the Convention with regard to the confiscation of the proceeds from offences punishable under legislation on taxation or on customs and excise.

In accordance with Article 9, paragraph 4, of the Convention, the Kingdom of the Netherlands declares that Article 9, paragraph 1, of the Convention will only be applied to predicate offences that qualify as “misdrijven” (crimes) under the domestic law of the Netherlands (the Kingdom in Europe).

In accordance with Article 35, paragraph 3, of the Convention, the Kingdom of the Netherlands declares that requests made to the Netherlands (the Kingdom in Europe) and documents supporting such requests in a language other than Dutch, French, English or German shall be accompanied by a translation into one of these languages.

In accordance with Article 33, paragraph 2, of the Convention, the central authority, referred to in Article 33, paragraph 1, designated for the Netherlands (the Kingdom in Europe) is:

Ministry of Justice

Afdeling Internationale Rechtshulp in Strafzaken

P.O. Box 20301

2500 EH The Hague

The Netherlands

In accordance with Article 46, paragraph 13, of the Convention, the Financial Intelligence Unit designated for the Netherlands (the Kingdom in Europe) is:

Financial Intelligence Unit Nederland
P.O. Box 3016
2700 KZ Zoetermeer
The Netherlands

Nederlanden, het Koninkrijk der, 28 september 2010

The Kingdom of the Netherlands currently consists of three parts: the Netherlands, the Netherlands Antilles and Aruba. The Netherlands Antilles consists of the islands of Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba.

With effect from 10 October 2010, the Netherlands Antilles will cease to exist as a part of the Kingdom of the Netherlands. From that date onwards, the Kingdom will consist of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten will enjoy internal self-government within the Kingdom, as Aruba and, up to 10 October 2010, the Netherlands Antilles do.

These changes constitute a modification of the internal constitutional relations within the Kingdom of the Netherlands. The Kingdom of the Netherlands will accordingly remain the subject of international law with which agreements are concluded. The modification of the structure of the Kingdom will therefore not affect the validity of the international agreements ratified by the Kingdom for the Netherlands Antilles: these agreements, including any reservations made, will continue to apply to Curaçao and Sint Maarten.

The other islands that have until now formed part of the Netherlands Antilles – Bonaire, Sint Eustatius and Saba – will become parts of the Netherlands, thus constituting “the Caribbean part of the Netherlands”. The agreements that now apply to the Netherlands Antilles will also continue to apply to these islands; however, the Government of the Netherlands will now be responsible for implementing these agreements.

In addition, a number of the agreements that currently apply to the Netherlands are hereby declared applicable, from 10 October 2010, to this Caribbean part of the Netherlands.

Polen, 8 augustus 2007

1. In accordance with Article 53, paragraph 4b, of the Convention, the Republic of Poland declares that Article 3, paragraph 4, shall not be applied.

2. In accordance with Article 53, paragraph 2, of the Convention, the Republic of Poland declares that Article 9, paragraph 6, shall not be applied.

3. In accordance with Article 53, paragraph 1, of the Convention, the Republic of Poland declares that the methods of transmission referred to in Article 31, paragraph 2, of the Convention shall be applied on its ter-

ritory only in so far as they are provided for in appropriate international agreements relating to legal assistance between the Republic of Poland and the Party transmitting a judicial document.

4. In accordance with Article 33, paragraph 2, of the Convention, the Republic of Poland declares that the central authorities shall be:

- the Ministry of Justice of the Republic of Poland, Al. Ujazdowskie 11, 00-950 Warsaw, and
- the Ministry of Finance of the Republic of Poland, Swietokrzyska Street 12, 00-916 Warsaw.

5. In accordance with Article 35, paragraph 3, of the Convention, the Republic of Poland declares that all requests and documents transmitted to its authorities under Chapter IV of the Convention shall be accompanied by a translation in Polish or into one of the official languages of the Council of Europe.

6. In accordance with Article 42, paragraph 2, of the Convention, the Republic of Poland declares that information and evidence transmitted for the execution of a request filed pursuant to Chapter III of the Convention shall not, without its prior consent, be used for purposes other than those specified in the request.

Portugal, 22 april 2010

In accordance with Article 17 of the Convention, the Portuguese Republic declares that the referred disposition applies only to the categories of infractions contained in the Appendix to the Convention, as defined by its legislation.

In accordance with Article 31, paragraph 2, of the Convention, the Portuguese Republic declares that its application is subordinate to the existence of bilateral or multilateral conventions on judiciary mutual assistance between the Portuguese Republic and the Party of origin.

In accordance with Article 33 of the Convention, the Portuguese Republic declares that, for its purposes, the central authority is the Procuradoria-Geral da República, situated on the Rua Escola Politécnica, 140, 1269-269, Lisbon.

In accordance with Article 35 of the Convention, the Portuguese Republic declares that, for its purposes, the requirements and documents annexed which are addressed to it should be accompanied by the respective translation into Portuguese or into one of the Council of Europe's official languages.

In accordance with Article 42 of the Convention, the Portuguese Republic declares that the information or elements of proof rendered by the Portuguese State cannot, without its consent, be used or transmitted by the applicant authorities of the Party aimed at investigation or procedures different from those specified in the requirement.

In accordance with Article 46, paragraph 13, of the Convention, the Portuguese Republic declares that, for its purposes, the unit which is the FIU is the Unidade de Informação Financeira, situated on Rua Luciano Cordeiro, 77, 1150-213, Lisbon.

Roemenië, 16 april 2007

1. In accordance with Article 24, paragraph 3, of the Convention, the provisions of Article 24, paragraph 2 shall apply only subject to the constitutional principles and the basic concepts of the Romanian legal system.
2. In accordance with Article 31, paragraph 2, of the Convention:
 - a) the requests of judicial assistance formulated in the stage of criminal investigation and criminal pursuit shall be addressed to the Prosecutor's Office attached to the High Court of Cassation and Justice;
 - b) the requests of judicial assistance formulated during the trial stage and the execution of punishment stage shall be addressed to the Ministry of Justice.
3. In accordance with Article 33, paragraph 2, of the Convention, the Romanian central authorities designated for the application of the provisions of Chapter IV of the Convention are:
 - National Office for Prevention and Combating of Money Laundering
Str. Splaiul Independentei nr. 202A, sectorul 6
Bucuresti, România
 - Ministry of Justice
Str. Apolodor nr. 17, sectorul 5
Bucuresti, România
 - Prosecutor's Office attached to the High Court of Cassation and Justice
Bd. Libertatii nr. 14, sectorul 5
Bucuresti, România
 - Ministry of Administration and Interior
Piata Revolutiei nr. 1A, sectorul 1
Bucuresti, România
 - Ministry of Public Finance
Str. Apolodor nr. 17, sectorul 5
Bucuresti, România.
4. In accordance with Article 35, paragraphs 1 and 3, of the Convention, the requests and the documents supporting such requests addressed to Romanian authorities shall be accompanied by a translation in Romanian language or in one of the official languages of the Council of Europe.
5. In accordance with Article 42, paragraph 2, of the Convention, the information or evidence provided under the provisions of Chapter IV of the Convention may not be used or transmitted without its prior consent by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.
6. In accordance with Article 53, paragraph 4, of the Convention, the provisions of Article 3, paragraph 4 shall apply only partially, in conformity with the principles of the domestic law.

San Marino, 27 juli 2010

In accordance with Article 3, paragraph 2, of the Convention, the Republic of San Marino declares that Article 3, paragraph 1, applies only to offences specified in the Appendix to the Convention and to offences specified in Article 147 of the Criminal Code of the Republic of San Marino.

In accordance with Article 9, paragraph 4, of the Convention, the Republic of San Marino declares that Article 9, paragraph 1, applies only to offences committed intentionally.

In accordance with Article 24, paragraph 3, of the Convention, the Republic of San Marino declares that Article 24, paragraph 2, applies only subject to the constitutional principles and the basic concepts of the Republic of San Marino's legal system.

In accordance with Article 31, paragraph 2, of the Convention, the Republic of San Marino declares that judicial documents can be delivered only through its Central Authority, without prejudice to what is provided by bilateral agreements.

In accordance with Article 33, paragraph 2, of the Convention, the Republic of San Marino declares that the Central authority designated is: Segreteria di Stato per gli Affari Esteri (Palazzo Begni, Contrada Omerelli, n. 31, 47890 San Marino - Repubblica di San Marino), without prejudice of provisions specified by bilateral agreements allowing direct relations between judicial authorities.

In accordance with Article 35, paragraph 1, of the Convention, the Republic of San Marino declares that requests shall be transmitted by mail or fax only.

In accordance with Article 35, paragraph 3, of the Convention, the Republic of San Marino declares that requests and documents supporting such requests shall be accompanied by a translation into Italian or, if it is not possible, into English.

In accordance with Article 42, paragraph 2, of the Convention, the Republic of San Marino declares that information and evidence provided by it under the provisions of Chapter IV of the Convention may not, without the prior consent of San Marino's competent authority, be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

In accordance with Article 46, paragraph 13, of the Convention, the Republic of San Marino declares that Financial Intelligence Unit designated for the Republic of San Marino is: Agenzia di Informazione Finanziaria (Strada Paderna, n. 2, 47895 Domagnano, Repubblica di San Marino. Email: info@aif.sm, tel. +378 (0549) 888180, fax +378 (0549) 888181).

In accordance with Article 53, paragraph 2, of the Convention, the Republic of San Marino declares that it reserves the right not to apply in whole the provisions of Article 7, paragraph 2, sub-paragraph c.

In accordance with Article 53, paragraph 2, of the Convention, the Republic of San Marino declares that it reserves the right not to apply the provisions of Article 46, paragraph 5.

In accordance with Article 53, paragraph 2, of the Convention, the Republic of San Marino declares that it reserves the right not to apply the provisions of Article 47.

In accordance with Article 53, paragraph 3, of the Convention, the Republic of San Marino declares that it will apply Articles 17 and 19 by taking into account the European Convention on Mutual Assistance in Criminal Matters, done in Strasbourg, on 20 April 1959, and the declarations and reservations made in its respect by the Republic of San Marino.

In accordance with Article 53, paragraph 4a, of the Convention, the Republic of San Marino declares that it will not apply the provisions of Article 3, paragraph 4.

Servië, 16 juli 2009

In accordance with Article 33 of the Convention, Serbia designates as central authorities in charge of the implementation of the Convention:

Ministry of Interior of the Republic of Serbia

Directorate of Crime Police

Department for the fight against organized crime

Bulevar Mihajla Pupina 2

11070 Novi Beograd

Tel./Fax: +381 11 31 48 66

Ministry of Finances of the Republic of Serbia

Directorate for the prevention of money laundering

Masarikova 2

11000 Beograd

Tel.: +381 11 20 60 151

Fax: +381 11 20 60 150

Email: uprava@apml.org.rs

Internet: www.apml.org.rs

Slovenië, 26 april 2010

Pursuant to Article 33, paragraph 1, of the Convention, the Republic of Slovenia declares that the central authority, responsible for sending and answering requests made under the Chapter IV, the execution of such requests or the transmission of them to the authorities competent for their execution, is:

Ministry of Finance – Office for Money Laundering Prevention

Cankarjeva 5, 1001 Ljubljana

Phone: +386 (1) 200 18 00

Fax: +386 (1) 425 20 87

E-mail: mf.uppd@mf-rs.si

Pursuant to Article 35, paragraph 1, of the Convention, the Republic of Slovenia declares that it is ready to accept and execute requests received

electronically or by other means of communication under the condition that the request was sent by a secure e-mail, in an encrypted form (e.g.: PGP key – Pretty Good Privacy or other equivalent commonly accepted mode of encoding) or by a protected network, as are ESW (Egmont Secure Web) and FIU-net.

Pursuant to Article 35, paragraph 3, of the Convention, the Republic of Slovenia declares that it reserves the right to require that the requests and documents supporting such requests, addressed to the central authority of the Republic of Slovenia are accompanied by a translation into Slovenian or English language.

Pursuant to Article 42, paragraph 2, of the Convention, the Republic of Slovenia declares that, without its prior consent, information or evidence provided by it under the Chapter IV, may not be used or transmitted by the authorities of the requesting Party in investigations or proceedings other than those specified in the request.

Pursuant to Article 53, paragraph 4a, of the Convention, the Republic of Slovenia declares that it reserves the right not to apply Article 3, paragraph 4, of the Convention.

Slovakije, 16 september 2008

In accordance with Article 53, paragraph 1, and Article 24, paragraph 3, the Slovak Republic declares that Article 24, paragraph 2, shall be only subject to its constitutional principles and the basic concepts of its legal system.

In accordance with Article 53, paragraph 1, and Article 31, paragraph 2, the Slovak Republic declares that it does not accept the procedure of serving the judicial documents mentioned in Article 31, paragraph 2, sub paragraphs a) and b).

In accordance with Article 33, paragraph 1, the Slovak Republic informs that the competent authorities are:

Ministry of Justice of the Slovak Republic

Zupné námestie 13

813 11 Bratislava

Slovakia

and

General Prosecutor's Office of the Slovak Republic

Stúrova 2

812 85 Bratislava

Slovakia

In accordance with Article 53, paragraph 1, and Article 35, paragraph 1, the Slovak Republic declares that the competent authorities will start to proceed upon the request of the foreign authority delivered to them by fax or in electronic form, provided they do not doubt its authenticity and the case is of urgent character. Subsequently, the original copy of the request has to be delivered within the period laid down by the requested authority unless it drops the requirement of submitting such original copy.

In accordance with Article 53, paragraph 1, and Article 35, paragraph 3, the Slovak Republic declares that it reserves the right that requests made to it and documents supporting such requests be accompanied by a translation into the Slovak language. In urgent cases they can be sent with a translation into the English language.

In accordance with Article 53, paragraph 1, and Article 42, paragraph 2, the Slovak Republic declares that without its prior consent the information or evidence provided under Chapter IV of this Convention may not be used or forwarded by the authorities of the requesting Party in investigations or criminal proceedings other than those specified in the request.

In accordance with Article 53, paragraph 4, and Article 3, paragraph 4, the Slovak Republic declares that it does not apply the right to require that, in respect of a serious offence or offences as defined by the national law, an offender demonstrates the origin of alleged proceeds or other property liable to confiscation.

In accordance with Article 46, paragraph 13, the Slovak Republic declares that the financial intelligence unit shall be:

Police Force Presidium

Bureau of Combating Organized Crime

Financial Intelligence Unit

Racianska 45

812 72 Bratislava

Slovakia

In accordance with Article 53, paragraph 2, the Slovak Republic reserves the right not to apply in whole the procedure under Article 7, paragraph 2, sub-paragraph c).

In accordance with Article 53, paragraph 2, and Article 9, paragraph 6, the Slovak Republic reserves the right, while sentencing the person for money laundering, to exactly specify a predicate criminal offence that gave rise to property subject to Article 9, paragraph 1, sub-paragraphs a) or b).

Spanje, 26 maart 2010

If this Convention were to be extended by the United Kingdom to Gibraltar, Spain would like to make the following declaration:

1. Gibraltar is a non-autonomous territory whose international relations come under the responsibility of the United Kingdom and which is subject to a decolonisation process in accordance with the relevant decisions and resolutions of the General Assembly of the United Nations.

2. The authorities of Gibraltar have a local character and exercise exclusively internal competences which have their origin and their foundation in a distribution and attribution of competences performed by the United Kingdom in compliance with its internal legislation, in its capacity as sovereign State on which the mentioned non-autonomous territory depends.

3. As a result, the eventual participation of the Gibraltarian authorities in the application of this Convention will be understood as carried out

exclusively as part of the internal competences of Gibraltar and cannot be considered to modify in any way what was established in the two previous paragraphs.

In accordance with Article 33, paragraph 2, of the Convention, Spain declares that the central authority designated is the “Subdirección General de Cooperación Jurídica Internacional” of the Ministry of Justice.

Turkije, 28 maart 2007

In accordance with Article 53, paragraph 1, the Republic of Turkey declares that Article 3, paragraph 1, shall apply only to offences punishable by deprivation of liberty or a detention order for a maximum of more than one year as defined in its domestic law and without prejudice to minimum limits of sentences.

In accordance with Article 53, paragraph 1, the Republic of Turkey declares that Article 9, paragraph 1, shall apply only to offences punishable by deprivation of liberty or a detention order for a maximum of more than one year as defined in its domestic law and without prejudice to minimum limits of sentences.

In accordance with Article 53, paragraph 2, the Republic of Turkey declares that Article 9, paragraph 6, shall apply only to offences defined in its domestic law.

In accordance with Article 53, paragraph 2, the Republic of Turkey declares that Article 46, paragraph 5, shall apply only to cases which are in competence of the Ministry of Finance, Financial Crimes Investigation Board (MASAK), in accordance with its domestic law.

In accordance with Article 33, paragraph 1, the Republic of Turkey declares that the Ministry of Finance, Financial Crimes Investigation Board (MASAK), is designated as central authority within the meaning of this Article :

Ministry of Finance
Financial Crimes Investigation Board
Dikmen Caddesi (N) Blok
06100 Dikmen-Ankara/Turkey
Phone: (+90) 312 415 37 11
Fax: (+90) 312 415 25 35

In accordance with Article 46, paragraph 13, the Republic of Turkey declares that the Ministry of Finance, Financial Crimes Investigation Board (MASAK), is the Turkish FIU within the meaning of this article.

In accordance with Article 53, paragraph 2, the Republic of Turkey declares that Financial Crimes Investigation Board (MASAK) shall adopt the measures defined in Article 47 as far as its domestic law permits.

G. INWERKINGTREDING

Zie *Trb.* 2008, 182.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, met Bijlage, dat vanaf 1 december 2008 alleen voor het Europese deel van Nederland gold, vanaf 10 oktober 2010 ook voor het Caribische deel van Nederland.

J. VERWIJZINGEN

Zie *Trb.* 2006, 104 en *Trb.* 2008, 182.

- Titel : Internationaal Verdrag ter bestrijding van de financiering van terrorisme;
New York, 9 december 1999
- Laatste *Trb.* : *Trb.* 2010, 151
- Titel : Verdrag betreffende de werking van de Europese Unie¹⁾;
Rome, 25 maart 1957
- Laatste *Trb.* : *Trb.* 2010, 246
- Titel : Verdrag betreffende de Europese Unie;
Maastricht, 7 februari 1992
- Laatste *Trb.* : *Trb.* 2010, 248

Uitgegeven de zeventiende december 2010.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL

¹⁾ De titel van het Verdrag luidde vóór 1 december 2009: Verdrag tot oprichting van de Europese Gemeenschap.