

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2005 Nr. 280**

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A. TITEL

*Overeenkomst, door de Raad vastgesteld overeenkomstig artikel 34 van het Verdrag betreffende de Europese Unie, betreffende de wederzijdse rechtshulp in strafzaken tussen de lidstaten van de Europese Unie,  
(met verklaringen);  
Brussel, 29 mei 2000*

B. TEKST

De Nederlandse, de Engelse en de Franse tekst van de Overeenkomst, met verklaringen, zijn geplaatst in *Trb.* 2000, 96.

Zie rubriek J van *Trb.* 2004, 211 voor de Nederlandse tekst van de Overeenkomst, met Bijlagen, tussen de Europese Unie en de Republiek IJsland en het Koninkrijk Noorwegen inzake de toepassing van een aantal bepalingen van de Overeenkomst van 29 mei 2000 betreffende wederzijdse rechtshulp in strafzaken tussen de lidstaten van de Europese Unie en het bijhorende Protocol van 2001.

D. PARLEMENT

Zie *Trb.* 2004, 211.

E. PARTIJGEGEVENS

Zie rubrieken E en F van *Trb.* 2004, 211.

Partij	Onder-tekening	Ratifi-catie	Type <sup>1)</sup>	In werking	Opzeg-ging	Buiten werking
België	29-05-00	25-05-05	R	23-08-05		
Cyprus		03-11-05	T	01-02-06		

Partij	Onder- tekening	Ratifi- catie	Type <sup>1)</sup>	In werking	Opzeg- ging	Buiten werking
Denemarken	29-05-00	24-12-02	R	23-08-05		
Duitsland	29-05-00					
Estland		28-07-04	T	23-08-05		
Finland	29-05-00	27-02-04	R	23-08-05		
Frankrijk	29-05-00	10-05-05	R	23-08-05		
Griekenland	29-05-00					
Hongarije		25-08-05	T	23-11-05		
Ierland	29-05-00					
Italië	29-05-00					
Letland		14-06-04	T	23-08-05		
Litouwen		28-05-04	T	23-08-05		
Luxemburg	29-05-00					
<b>Nederlanden, het Koninkrijk der</b> (voor Nederland)	29-05-00	02-04-04	R	23-08-05		
Oostenrijk	29-05-00	04-04-05	R	23-08-05		
Polen		28-07-05	T	26-10-05		
Portugal	29-05-00	05-11-01	R	23-08-05		
Slovenië		28-06-05	T	26-09-05		
Spanje	29-05-00	27-01-03	R	23-08-05		
Verenigd Koninkrijk, het	29-05-00	22-09-05	R	21-12-05		
Zweden	29-05-00	07-07-05	R	05-10-05		

<sup>1)</sup> DO=Definitieve ondertekening, R=Ratificatie, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid

### Verklaringen, voorbehouden en bezwaren

België, 25 mei 2005

In accordance with Article 24 of the Convention, the Kingdom of Belgium states that the competent authorities for the application of the Convention are the judicial authorities and, where the intervention of a cen-

tral authority is required, the Directorate-General of Legislation, Fundamental Freedoms and Rights at the Federal Department of Justice (Service public fédéral Justice, Direction générale de la Législation et des Libertés et Droits fondamentaux, Autorité centrale d'entraide pénale, Boulevard de Waterloo 115, 1000 Bruxelles).

As stated in the Declaration made in connection with the 1959 Convention on Mutual Assistance, the Kingdom of Belgium defines "judicial authorities" as "members of the judicial authority responsible for delivering rulings, examining magistrates and members of the Public Prosecutor's Office".

The Kingdom of Belgium does not designate any non-judicial authority for the application of the Convention.

Denemarken, 24 december 2002

In connection with its accession to the Convention, Denmark declares as follows:

1. In relation to Article 24 Denmark states that:

a) The "judicial authorities" in Denmark include the courts and prosecution authorities, which under the Danish Administration of Justice Act include the Ministry of Justice, the Director of Public Prosecutions, the District Public Prosecutors, the Commissioner of the Copenhagen Police and the chief constables.

b) The "central authority" in Denmark is the Ministry of Justice, International office, Slotsholmsgade 10, DK-1216 København K, tel + 45 33 92 33 40, fax + 45 33 93 35 10, e-mail: jmjm.dk

c) The Ministry of Justice can provide information about which "judicial authority" in Denmark has territorial competence to receive and process requests for mutual judicial assistance.

d) In cases of doubt, the authorities in other Member States may contact the Ministry of Justice to discover which judicial authority in Denmark is competent to transmit a request for a particular form of mutual judicial assistance.

e) The police (the Commissioner of the Copenhagen Police and the chief constables) are competent as regards the application of Articles 18, 19 and 20.

2. In relation to Article 6(7), Denmark declares that requests for mutual judicial assistance covered by Article 6(5) and (6) must be transmitted via the central authority in the requested Member State. Thus requests for mutual judicial assistance may not be forwarded directly between the judicial authorities on one side and the customs or (other) administrative authorities on the other side; see Article 6(7).

3. In relation to Article 9(6), Denmark declares that it will require the consent referred to in Article 9(3) before agreement is reached on the temporary transfer of a person held in custody under Article 9(1).

4. In relation to Article 10(9), Denmark declares that it will not agree to requests for the hearing of an accused person by videoconferencing.
5. In relation to Article 14(4), Denmark declares that it is not bound by Article 14 on covert investigations.

Estonia, 28 juli 2004

1. Pursuant to Article 24 paragraph 1 of the Convention, the Republic of Estonia declares that:

(1) the central authority for mutual assistance in criminal matters referred to in Article 6 paragraph 8 of this Convention is the Ministry of Justice;

(2) for the purposes of the application of Article 6 paragraph 5, Articles 18 and 19 and Article 20 paragraphs 1–5 of the Convention, the competent authorities are the National Police Board, police prefectures, Security Police Board, Central Criminal Police, Estonian Tax and Customs Board and Estonian Board of Border Guard;

(3) the contact point on duty twenty-four hours a day referred to in Article 20 paragraph 4 subparagraph d of the Convention is the Central Criminal Police;

2. pursuant to Article 9 paragraph 6 of the Convention: before an agreement is reached under Article 9 paragraph 1 concerning temporary transfer of the person held in custody, the written consent referred to in Article 9 paragraph 3 to the transfer of the person concerned is required in all cases;

3. pursuant to Article 14 paragraph 4 of the Convention Estonia is not bound by Article 14.

Finland, 27 februari 2004

Article 9(6) of the Convention Before an agreement is reached under paragraph 1 of this Article, the consent referred to in paragraph 3 will be required if the person to be transferred is a Finnish national. Article 24 of the Convention For the application of Article 6 of the Convention, including Article 6(8), the central authority is the Ministry of Justice. For the purposes of Article 6(5) of the Convention, the competent police and customs authorities are the police authorities, the customs authorities and border guard officials when acting as preliminary investigating authorities in criminal matters under the law on preliminary investigations. The competent authorities for the purposes of Articles 18, 19 and 20 are the police authorities and, within their own sphere of competence, the customs authorities when acting as preliminary investigating authorities in criminal matters under the law on preliminary investigations. As regards police authorities, requests in accordance with Articles 18, 19 and 20 are received and forwarded via the National Bureau of Investigation. The National Bureau of Investigation also acts as the contact point in accordance with Article 20(4)(d). Article 27(5) of the Conven-

tion Before the Convention enters into force between States, Finland will apply the Convention in its relations with Member States which have made the same declaration.

Frankrijk, 10 mei 2005

Article 6(7):

Pursuant to Article 6(7), France declares that it is not bound by the first sentence of Article 6(5), or by Article 6(6). Article 10(9): France declares that it will not apply the first subparagraph of Article 10(9), to accused persons when appearing before the trial court.

Article 24(1):

France declares that, in addition to those judicial authorities which the French Government previously indicated when it signed the European Mutual Assistance Convention, its competent authorities are as follows:

- for the application of Article 6(2) and (8)(a): the Ministry of Justice, Directorate for Criminal Matters and Pardons,
- for the application of Article 6(8)(b): the Ministry of Justice, Directorate for Criminal Matters and Pardons, National Criminal Records Department,
- for the application of Articles 18 and 19: the examining magistrate having territorial competence,
- for the application of Article 20(1) to (5): the Ministry of Justice, Directorate for Criminal Matters and Pardons.

France declares that, for the purposes of the European Convention on Mutual Assistance in Criminal Matters, enforcement judges and regional parole courts must also be considered to be French judicial authorities.

Article 27(5):

France declares that, pursuant to Article 27(5), it will apply this Convention in its relations with Member States which have made the same declaration.

Hongarije, 25 augustus 2005

The Republic of Hungary makes the following declaration in accordance with Article 24 of the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union.

With regard to Article 3(1) of the Convention: the Chief Prosecutor receives and presents requests in accordance with this Article.

With regard to Article 6(5) and (6) of the Convention: the central authorities receive and present requests in accordance with this Article. The Chief Prosecutor and the Ministry of Justice are the central authorities.

With regard to Article 6(8) of the Convention: The Ministry of Justice receives and presents requests for the temporary transfer of persons held in custody. The Chief Prosecutor receives and presents requests for information concerning convictions.

With regard to Article 10(9): The hearing of an accused person may be conducted by videoconference only if consent is given in writing.

With regard to Articles 18, 19 and 20: The Chief Prosecutor shall receive and present requests in accordance with these Articles. The contact point on duty twenty-four hours a day in accordance with Article 20(4) is the NEBEK (International Centre for Cooperation in Criminal Matters).

Letland, 14 juni 2004

In accordance with paragraph 6 of Article 9 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union, Council Declaration on Article 10(9), Declaration by the United Kingdom on Article 20, the Republic of Latvia declares that, before an agreement is reached for temporarily transfer of person referred in paragraph 1 of Article 9, the consent to the transfer from the person concerned shall be requested in all cases;

In accordance with Article 24 of the Convention the Republic of Latvia declares that the designated central authorities competent for application of said Convention and application between the Member States of the provisions on mutual assistance in criminal matters are the same that are designated by declaration of the Republic of Latvia pursuant to the Convention on Mutual Assistance in Criminal Matters;

In accordance with part (e) of paragraph 1 Article 24 of the Convention the Republic of Latvia declares that the designated competent authority for purposes of the application of Article 18, 19 and 20(1) to (5) is:

Central Criminal Police  
Brivibas Boulevard 61  
Riga, LV-1010  
Latvia  
Phone: +371 7075031  
Fax: +371 7075053  
E-mail: kancvp.gov.lv.

Litouwen, 28 mei 2004

And whereas, pursuant to paragraph 7 of Article 6 of the Convention, the Seimas of the Republic of Lithuania declares that the Republic of Lithuania does not consider itself bound by the provisions of the first sentence of paragraph 5 and paragraph 6 of Article 6 of the Convention; And whereas, pursuant to Article 24 of the Convention, the Seimas of the Republic of Lithuania declares that:

1) the Ministry of Justice and the Prosecutor General's Office are designated as the central authorities to exercise the functions provided for in the Convention;

2) the Territorial Regional Prosecutor's Offices, the Court of Appeals of Lithuania, Regional and District courts are the judicial authorities to exercise the functions provided for in the Convention. Ministry of Justice and the Prosecutor General's Office in every concrete case shall help to determine which judicial authority has territorial competence to provide mutual assistance;

3) the Prosecutor's Office of the Republic of Lithuania has the competence to provide mutual assistance under Articles 12, 13, 14, 18, 19 and paragraphs 1 to 5 of Article 20 with the exception of subparagraph d of paragraph 4 of Article 20;

4) the Police Department under the Ministry of Interior is designated as the competent authority to exercise the functions provided for in subparagraph d of paragraph 4 of Article 20 of the Convention.

Pursuant to paragraph 5 of Article 27 of the Convention the Seimas of the Republic of Lithuania declares that if the Convention is not yet in force by the accession of the Republic of Lithuania to the European Union the Convention shall apply to the relations between the Republic of Lithuania and the other Member States of the European Union that have made the same declaration.

Luxemburg, 29 mei 2000

In accordance with the provisions of Article 23 of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union, signed in Brussels on 29 May 2000, (hereinafter "the Convention"), the Government of the Grand-Duchy of Luxembourg hereby declares that, where personal data are communicated by the Grand-Duchy of Luxembourg under this Convention to another Member State, the Grand-Duchy of Luxembourg may, subject to the provisions of Article 23(1)(c) of the Convention, in the circumstances of a particular case, require that, unless the Member State concerned has obtained the consent of the data subject, the personal data may only be used for the purposes referred to in Article 23(1)(a) and (b) of the Convention with the prior consent of the Grand-Duchy of Luxembourg in respect of proceedings for which the Grand-Duchy of Luxembourg could have refused or limited the transmission or use of the personal data in accordance with the provisions of this Convention or the instruments referred to in Article 1 of the Convention. If in the circumstances of a particular case the Grand-Duchy of Luxembourg refuses to give its consent following a request by a Member State in application of the provisions of paragraph 1, it will indicate the reasons for its decision in writing. Done at Brussels on 29 May 2000 on the occasion of the signing of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union.

Nederlanden, het Koninkrijk der, 2 april 2004

Het Koninkrijk der Nederlanden verklaart overeenkomstig artikel 10, negende lid, dat de eerste alinea van het negende lid, van artikel 10, niet zal worden toegepast.

Het Koninkrijk der Nederlanden verklaart overeenkomstig artikel 24, eerste lid, dat de autoriteiten, welke al zijn aangegeven in het Europees

Rechtshulpverdrag en het Beneluxverdrag, bevoegd zijn tot toepassing van deze Overeenkomst en het bijbehorende Protocol en dat voorts worden aangewezen als:

- bestuurlijke autoriteiten in de zin van artikel 3, eerste lid: de officier van justitie en het Centraal Justitieel Incassobureau;
- bevoegde centrale autoriteit in de zin van artikel 6, tweede en achtste lid: het Bureau Internationale Rechtshulp van het Ministerie van Justitie te 's-Gravenhage;
- bevoegde autoriteiten in de zin van artikel 6, vijfde lid: de officier van justitie voor inkomende en uitgaande verzoeken en voor de aangifte van een lidstaat tot het instellen van strafvervolging voor de rechter in een andere lidstaat en de rechtercommissaris voor uitgaande verzoeken;
- bestuurlijke autoriteiten in de zin van artikel 6, zesde lid: het Centraal Justitieel Incassobureau te Leeuwarden;
- bevoegde autoriteiten in de zin van de artikelen 18, 19 en 20, eerste tot en met vijfde lid: de officier van justitie, en
- bevoegde autoriteit om de kennisgeving te ontvangen, bedoeld in artikel 20, tweede lid: het Bureau Sirene van Nederland.

Het Koninkrijk der Nederlanden verklaart overeenkomstig artikel 27, vijfde lid, dat de Overeenkomst tot haar inwerkingtreding zal worden toegepast in zijn betrekkingen met de lidstaten die eenzelfde verklaring hebben afgelegd.

Oostenrijk, 4 april 2005

Re Article 24(1) of the Convention:

Austria declares in accordance with Article 24(1) that the authorities competent for the application of the Convention are those already indicated in the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, and names the district administrations and federal police authorities as the competent administrative authorities within the meaning of Article 3(1);

the Federal Ministry of Justice as the competent central authority within the meaning of Article 6(2) and (8);

the public prosecutor's office in whose jurisdiction the border is expected to be crossed or from whose jurisdiction the controlled delivery is to start as the competent authorities within the meaning of Article 6(5) and for requests under Article 12;

the examining magistrate of the regional Court of First Instance for requests under Article 13;

the Court of First Instance from whose jurisdiction the operation is expected to be launched for requests under Article 14;

the district administrations and federal police authorities as the competent authorities within the meaning of Article 6(6);

the examining magistrate of the regional Court of First Instance as the competent authority within the meaning of Articles 18, 19 and 20(1) to (5);

SIRENE Austria as the competent authority for the notification under Article 20(2).

Re Article 27(5) of the Convention:

Austria declares in accordance with Article 27(5) that it will apply this Convention in its relations with Member States which have made the same declaration until the entry into force of the Convention.

Polen, 28 juli 2005

Declarations

1. Pursuant to Article 24(1)(b),(c),(e) of the Convention, Poland declares that:

– the central authority, for the purposes specified in Article 6(2) and (8), shall be the Ministry of Justice, Al. Ujazdowskie 11, 00-950 Warsaw, Poland;

– the authorities competent for the purposes specified in Article 6(5) shall be: in the scope covered by Articles 12 and 14 – the Chief Police Commander (“Komendant Główny Policji”), while in the scope covered by Article 12, in respect of serious fiscal offences – also the Minister of Finance, and in the scope covered by Article 13 – the Attorney-General;

– the authorities competent for the purposes of the application of Articles 18, 19, 20(1) to (3) and (5) shall be the Circuit Prosecutors (“Prokurator Okręgowy”) having territorial jurisdiction; while the role of contact points, pursuant to Article 20(4), shall be fulfilled by the Voivodeship Police Commanders (“Komendant Wojewódzki Policji”) having territorial jurisdiction.

2. Pursuant to Article 27(5) of the Convention, Poland declares that it shall apply this Convention before its entry into force, in the relations with other Member States which have made the same declaration.

Reservations

1. Pursuant to Article 9(6) of the Convention, Poland declares that before an agreement referred to in Article 9(1) is reached, it will – as the requested state – require the prior consent from the person to be temporarily transferred.

2. Pursuant to Article 10(9) of the Convention, Poland declares that it shall neither request hearings of the accused persons by videoconference, nor shall it execute such requests.

Portugal, 5 november 2001

In accordance with Article 24(1) of the Convention referred to in the preceding paragraph, the Portuguese Republic declares that “competent authorities” should be taken to mean:

(a) for the purposes of Article 3(1) of the Convention, all administrative authorities whose powers are determined by Portuguese law;

(b) for the purposes of applying Article 6 of the Convention, including paragraph 8 thereof, the Procuradoria Geral da República (Office of the

Chief Public Prosecutor of the Republic) as central office, or the Policia Judiciária (Criminal Police) for transmission of requests under Articles 12, 13 and 14 of the Convention;

(c) for the purposes of applying Article 12 of the Convention, the Ministério Público (Public Prosecutor's Office).

In accordance with Article 20(4)(d) of the Convention, the Portuguese Republic designates the Policia Judiciária (Criminal Police), via its Departamento Central de Cooperaço Internacional (DCCI – Central Department for International Cooperation), as contact point for the purposes of Articles 18, 19 and 20 of the Convention.

In accordance with Article 6(7) of the Convention, the Portuguese Republic declares that requests under paragraphs 5 and 6 of the same Article are to be forwarded to the Procuradoria Geral da República (Office of the Chief Public Prosecutor of the Republic) whenever the Portuguese Republic is the requested State; in accordance with the same provisions, it declares that, whenever the Portuguese Republic is the requesting State, requests may be made by the Portuguese administrative authorities which have powers conferred by Portuguese law.

In accordance with Article 18(7) of the Convention, the Portuguese Republic is bound by paragraph 6 of the same Article only when the Portuguese authorities are unable to provide immediate transmission.

In accordance with, and for the purposes of, Article 27(5) of the Convention, the Portuguese Republic applies this Convention in its relations with other Member States which have made the same declaration.

Slovenië, 28 juni 2005

In accordance with Article 24 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union, the Republic of Slovenia declares the following:

1. With reference to Article 24(1)(a) of the Convention, the Republic of Slovenia declares that the authorities competent for the purposes of Article 6(6) of the Convention shall be the authorities that, in accordance with the national legislation of the Republic of Slovenia, carry out supervisory tasks over the implementation of regulations and are in this regard competent to make decisions about minor offences.

2. With reference to Article 24(1)(b) of the Convention, the Republic of Slovenia declares that the competent judicial authorities in the Republic of Slovenia pursuant to Article 6(1) of the Convention shall be the courts with territorial competence and district state prosecutor's offices.

3. With reference to Article 24(1)(c) of the Convention, the Republic of Slovenia declares that the central authority in the Republic of Slovenia for the purposes of applying Article 6(8) of the Convention shall be the Ministry of Justice, the Directorate for international cooperation and international legal assistance. The Ministry of Justice of the Republic of

Slovenia also gives explanations on judicial authorities with territorial competence for receiving requests and providing international legal assistance.

4. With reference to Article 24(1)(e) of the Convention, the Republic of Slovenia declares that the authority competent for the purposes of the application of Articles 18 and 19 and Article 20(1) to (5) of the Convention shall be The Ministry of the Interior of the Republic of Slovenia – the Police; interception of telecommunications on the territory of the Republic of Slovenia shall be ordered by the competent court.

Spanje, 27 januari 2003

Under Article 24(1)(b), Spain designates as central authority, in accordance with Article 6(2), the Ministry of Justice (Directorate-General for Legislative Policy and International Judicial Cooperation).

Under Article 24(1)(e) and for the purposes of Articles 18 and 20, the competent authority is the “Audiencia Nacional” (National High Court), when Spain is the requested State. With reference to paragraph 4 of Article 20 on the designation of contact points to be on duty twenty-four hours a day, Spain’s contact points will be the “Juzgados de Instrucción”

(magistrates courts) and the “Juzgados Centrales de Instrucción de Guardia” (central duty magistrates’ courts).

In accordance with Article 27(5) of the Convention, the Kingdom of Spain applies this Convention in its relations with other Member States which have made the same declaration.

Verenigd Koninkrijk, het, 22 september 2005

Article 6

As provided for by Article 6(3), the United Kingdom declares that requests for mutual assistance must be sent to one of the three authorities designated as central authorities by virtue of its declaration under Article 24(1)(b). In limitation of this declaration, requests for mutual assistance in revenue and customs matters (including direct and indirect tax offences and import and export offences) may alternatively be sent to HM Revenue and Customs. Communications relating to requests, including return of evidence, may subsequently be made directly between the requesting and executing authority.

Article 9

As provided for by Article 9(6), the United Kingdom requires the written consent of a person in custody in order to authorise temporary transfer.

Article 10

As provided for by Article 10(9), the United Kingdom will not apply the provisions of article 10 to hearings by videoconference involving an accused person.

**Article 18**

As provided for by Article 18(7), the United Kingdom will be bound by paragraph 6 only when it is unable to provide immediate transmission.

**Article 20**

The United Kingdom reaffirms the declaration it made upon signature of the Convention, which forms an agreed, integral part of the Convention, and which reads as follows: "In the United Kingdom, Article 20 will apply in respect of interception warrants issued by the Secretary of State to the police service or HM Customs and Excise where, in accordance with national law on the interception of communications, the stated purpose of the warrant is the detection of serious crime. It will also apply to such warrants issued to the Security Service where, in accordance with national law, it is acting in support of an investigation presenting the characteristics described in Article 20(1)." The reference to HM Customs and Excise should now be read as the Commissioners for HM Revenue and Customs, as a result of changes made by the Commissioners of Revenue and Customs Act 2005.

**Article 24**

In accordance with Article 24(1), the United Kingdom declares that the authorities competent for the application of the Convention are those already indicated in the European Mutual Assistance Convention and:

In accordance with Article 24(1)(b), the following authorities are central authorities for the purposes of applying Article 6 and for requests referred to in Article 6(8):

The Home Office for England and Wales  
The Crown Office for Scotland  
The Northern Ireland Office for Northern Ireland

In accordance with Article 24(1)(c), and in addition to the authorities already listed, the following authorities are also competent for the purpose of article 6(5):

Scottish Drugs Enforcement Agency (SDEA)  
Chief Officers of Police in England and Wales and the Chief Constable of the Police Service of Northern Ireland  
In accordance with Article 6(4), the United Kingdom reaffirms that these requests may be transmitted via the National Central Bureau of Interpol.

In accordance with Article 24(1)(e), for the purpose of the application of Articles 18, 19 and 20, the competent authority for England and Wales is the Secretary of State for the Home Department, for Northern Ireland is the Secretary of State for Northern Ireland and for Scotland is the Scottish Ministers. The contact point on duty twenty-four hours a day for the purposes of Article 20(4)(d) is the National Central Bureau of Interpol.

Zweden, 7 juli 2005

Statements:

a. The authorities (public prosecutors and courts) designated by Sweden as competent judicial authorities under Article 24 of the 1959 European

Convention on Mutual Assistance in Criminal Matters are competent for the application of the EU Convention of 29 May 2000 on Mutual Assistance in Criminal Matters and the Protocol of 16 October 2001 to that Convention.

b. In addition:

(1) under Article 24(1)(b) of the Convention, the Ministry of Justice is the competent central authority;

(2) under Article 24(1)(c) of the Convention, the following police and customs authorities are competent:

(i) the National Police Board, the police authorities, the Customs Board and the Coast Guard for controlled deliveries (Articles 12);

(ii) the National Police Boards, the police authorities, the Customs Board and the Coast Guard for joint investigation teams (Article 13), and

(iii) the National Police Board and the police authorities for covert investigations (Article 14);

(3) under Article 24(1)(e) of the Convention, public prosecutors are competent.

#### F. VOORLOPIGE TOEPASSING

Zie rubriek G van *Trb.* 2004, 211

De Overeenkomst werd ingevolge artikel 27, derde lid, toegepast tussen:

Portugal en Spanje ... vanaf 6 oktober 2003<sup>1)</sup>

bovengenoemde staten en Finland vanaf 27 mei 2004

bovengenoemde staten en het Koninkrijk der Nederlanden ... vanaf 1 juli 2004

bovengenoemde staten en Litouwen vanaf 26 augustus 2004

bovengenoemde staten en Oostenrijk vanaf 4 april 2005

bovengenoemde staten en Frankrijk vanaf 8 augustus 2005.

#### G. INWERKINGTREDING

Zie *Trb.* 2004, 211.

De bepalingen van de Overeenkomst zijn ingevolge artikel 27, derde lid, op 23 augustus 2005 in werking getreden.

Voor de staten die na 23 augustus 2005 een kennisgeving als bedoeld in artikel 27, tweede lid, hebben gedaan, treedt de Overeenkomst ingevolge artikel 27, vierde lid, in werking 90 dagen na de datum van kennisgeving.

De Overeenkomst is ingevolge artikel 27, derde lid, voor het *Koninkrijk der Nederlanden* op 23 augustus 2005 in werking getreden.

<sup>1)</sup> In *Trb.* 2004, 211, staat ten onrechte de datum van 6 oktober 2004 vermeld.

Wat betreft het Koninkrijk der Nederlanden, geldt de Overeenkomst alleen voor Nederland.

J. VERWIJZINGEN

Zie *Trb.* 2000, 96 en *Trb.* 2004, 211.

**Verwijzingen**

Titel : Overeenkomst ter uitvoering van het tussen de Regeringen van de Staten van de Benelux Economische Unie, de Bondsrepubliek Duitsland en de Franse Republiek op 14 juni 1985 te Schengen gesloten Akkoord betreffende de geleidelijke afschaffing van de controles aan de gemeenschappelijke grenzen;  
Schengen, 19 juni 1990  
Laatste *Trb.* : *Trb.* 2004, 228

Uitgegeven de *elfde* november 2005.

*De Minister van Buitenlandse Zaken,*

B. R. BOT