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**COPEN 215
COEST 327
JAIEX 75**

NOTE

from: Presidency

to: Working Party on Cooperation in Criminal Matters

No. prev. doc.: 11460/09 COPEN 122 EUROJUST 36
10248/12 JAIEX33 RELEX 456 COPEN 122 EUROJUST 48 COEST 163
13424/12 COPEN 189 COEST 293 JAIEX 63

Subject: EU-Russia cooperation in criminal matters

Delegations will find attached an overview of the replies received at 3 October 2012 to the questions set out in 13424/12 COPEN 189 COEST 293 JAIEX 63.

Annex I sets out the updated list of contact points for EU-Russia Judicial Cooperation in Criminal Matters.

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1. Updated information on legal or practical obstacles and best practices identified in the cooperation with the Russian authorities in relation to mutual legal assistance in criminal matters and extradition requests (please consider whether it would be necessary to update the information provided in 11460/09 COPEN 122 EUROJUST 36).

Member State	
 AT	
 BE	
 BG	
 CY	
 CZ	The situation remained unchanged.
 DK	Regarding the obstacles and best practices identified in the cooperation with Russia, it is not necessary from a Danish point of view to update the information set out in doc. 11460/09.
 DE	<p>Extradition arrangements with the Russian Federation are based on the European Convention on Extradition (1957) in conjunction with the second Additional Protocol (1978). In practice, cooperation has generally been constructive. In extradition proceedings, however, the Russian Federation requires that the Federal German Government provides not only what are in fact unnecessary assurances (in compliance with the provisions set out in Articles 14 and 15 of the European Convention on Extradition), but that it should now also cite verbatim the text of such provisions.</p> <p>It should be noted that in the case of extradition requests from Russia that are turned down by Germany, Russia has sometimes reacted with incomprehension to such decisions and continued to raise such issues even after the proceedings have been closed.</p> <p>In the case of extradition, there is often a need to ascertain the rule of law applied in prospective criminal</p>

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	<p>proceedings in Russia and that there is compliance with adequate minimum standards of detention. Russian judicial proceedings have been subject to criticism in the case of the reconviction of Khodorkovsky for economic offences and in the recent criminal proceedings against the members of the "Pussy Riot" rock band.</p> <p>Mutual legal assistance is based on the European Convention on Mutual Assistance in Criminal Matters (1959) in conjunction with the Additional Protocol (1978). In practice, cooperation has generally been constructive and wide-ranging. The Russian Federation does not, however, accede to requests to interview accused persons on the grounds of its national criminal procedure law.</p>
 EE	<p>There are no changes in the field of practical co-operation between Estonia and Russian Federation. RF still refuses to execute requests for the hearing of suspects. New explanation is that this measure is an “operative” measure. Second big problem is that Russian Federation does not execute requests of hearing by video-conferences.</p> <p>And the third big issue is, that Russian Federation does not take the final decision on extradition before the person wanted did not serve his/her sentence in the territory of RF and the issue of lapse of time arises in the requesting state.</p>
 ES	<p>The main obstacle identified concerning cooperation with Russian Authorities in MLA is that there is no informal communication (by e mail mainly) between both central authorities, so, specially when additional information is required the information is requested by letter so it takes a long time to arrive, to be requested to the judicial authority, and then to send the answer back to the requesting country. It would be very useful to get contact details of the people dealing with MLAs in the Russian central authority in order to be able to solve any problem in the execution of MLA in a much quicker way.</p> <p>In extradition matters, there is a fluid collaboration between both central authorities, even though most of the requests of extradition are from Russia to Spain (only 3 requests from Spain since 2006, two of them being denied by the Russian authorities because of Russian nationality of the requested person). In many cases, before handing over a person to the Russian authorities, the provision of guarantees is requested, i.e. that the death penalty or a penalty of life imprisonment shall not be applied or that the subject of the request shall be able to fully exercise his right to defence in the Russian Federation.</p>
 FI	<p>No specific problems with regard to MLA; more direct contacts should be desirable. As to extradition, occasional problematic cases linked with asylum.</p>
 FR	

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 EL	The most common obstacle is that the Russian authorities receive our MLA requests with a long delay.
 HU	
 IE	
 IT	
 LT	<p>There are no essential changes to information provided in doc. 11460/09, therefore we cannot provide any information which has changed.</p> <p>However, as the negative practice, we could point out the Prosecutor General's Office of the Russian Federation's refusal to execute the requests for legal assistance in criminal cases which are important for the Republic of Lithuania and which are related to Russia's aggression during the first years of independence of Lithuania. In such cases formal grounds and reasons are provided which contradict the international commitments assumed by the Russian Federation. A full description of these cases is attached (Annex A).</p>
 LU	
 LV	
 MT	
 NL	<p>The Netherlands is of the opinion that good cooperation with the Russian Federation is important. However, it is up to the individual member states to address their MLAT and extradition issues with the Russian Federation. MLAT and extradition relations are a matter of bilateral co-operation between the individual member states and the RF. There is no treaty relation for MLAT and extradition between the EU and the Russian Federation. Furthermore it does not fall within the competence of neither the EU nor Eurojust to act on behalf of all the Member States with regards to RF on essential bilateral matters.</p>
 PL	<p>The biggest problem observed in practice in relation to legal co-operation with the Russian Federation is the lack of decentralized legal assistance with the counterparty. Due to the fact that Russia has not ratified the Second Optional Protocol of 8 November 2001 to the European Convention on Cooperation in Criminal Matters, signed at Strasbourg on 20 April 1959, there is no possibility to use rapid means of communication such as fax or e-mail for the transmission of requests, which would facilitate and improve legal assistance and also would contribute to acceleration of the execution of the requests.</p> <p>This results in the need for transmission of requests by mail and through the central authorities, even if the case</p>

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	<p>has a cross-border dimension such as Kaliningrad. The prolonged execution of requests for mutual legal assistance by the Russian side remains to be a significant problem.</p> <p>As for extradition, the requests from the Russian Federation were usually refused because of a reasonable fear that the rights and freedoms of a surrendered person might be violated in the requesting state, and because this person might be exposed to a real risk of serious harm or torture, inhuman or degrading treatment or punishment within the meaning of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.</p>
 PT	The level of bilateral cooperation with Russia is small and due to that fact that PT hasn't experience in this field, obstacles can't be identified. However, from the exchange of experiences within the council of Europe, the difficulty of the Russian authorities in the execution of requests for the notification of its citizens as defendants.
 RO	
 SE	No new information available.
 SI	
 SK	<p>In case Slovak Republic requests for mutual legal assistance, judicial authorities of Russian Federation uses the person in procedural position of accused person to interview in procedural position of witness. Such interview is usable only as information and not as evidence in criminal proceedings respectively as in interview of the accused person. From bilateral negotiations and consultations results that providing of this kind of interviews is related only to the accused persons who are Russian nationals.</p> <p>Presence of defender on procedural acts on the territory of Russian Federation as subject of request for mutual legal assistance is from judicial authorities of Russian Federation automatically refused in case the defender mentioned in request for mutual legal assistance is not at the same time registered in the list of defenders of Russian Federation. For needs of our criminal proceedings is enough when the defender will be present on the interview in the position of participating person. In practice it means that Slovak defender will attend the interview in passive position without active possibility to ask questions. We will appreciate in respect of the right for defence, if Russian Federation will give to Slovak defender possibility to ask questions through Russian judicial authorities.</p>

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	Creating of the possibility of email communication from the side of Russian Federation should markedly contribute to improve international judicial cooperation.
 UK	Nothing further to add, the UK only makes a small number of outgoing requests to Russia.
 HR	

2. Updated information on applicable legal instruments between each Member State and the Russian Federation (please consider whether it would be necessary to update the information provided in 11460/09 COPEN 122 EUROJUST 36, Annex II).

Member State	
 AT	
 BE	
 BG	
 CY	
 CZ	There are no changes of the applicable legal instruments.
 DK	<p>Regarding the applicable legal instruments between the Member States and Russia (doc. 11460/09, Annex II), the information about Denmark should be updated since a bilateral agreement on cooperation in criminal matters between Russia and Denmark has now entered into force.</p> <p>Denmark~ European Convention on Mutual Assistance in Criminal Matters of 20th April 1959 ~ Additional Protocol to European Convention of 17th March 1978 ~ Bilateral agreement of 28 April 2010 on cooperation on the combat of transnational crime. ~ European Convention on the Transfer of Proceedings in Criminal Matters of 15th May 1972~ European Convention on Extradition of 13th December 1957 ~ Additional Protocols of 1975 and 1978~ Convention on the Transfer of Sentenced persons of 21st March 1983</p>

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	~ Additional Protocol to the of 17 th December 1997
 DE	<p>The legal basis for mutual legal assistance between Germany and the Russian Federation is as follows (status July 2012):</p> <p>I. Extradition</p> <p>I.1. Extradition arrangements are based on the European Convention on Extradition of 13 December 1957 (BGBl. 1964 II pp. 1369, 1371; 1976 II, p. 1778) in conjunction with the Second Additional Protocol of 17 March 1978 to the above Convention (BGBl. 1990 II pp. 118, 119; 1991 II, p. 874).</p> <p>In applying the Convention, the following should be observed:</p> <ul style="list-style-type: none">– the reservations and statements made by the Government of the Federal Republic of Germany as regards Articles 6, 21, 23 and 27 of the Convention (BGBl. 1976 II p. 1778),– the reservations and statements made by the Government of the Russian Federation as regards Articles 1, 2, 3, 6, 16, 18, 21 and 23 of the Convention (BGBl. 2001 II pp. 706 to 710) and Chapter V of the second Additional Protocol (BGBl. 2002 II p. 954). <p>Extradition for fiscal offences is possible.</p> <p>A State's own nationals are not extradited.</p> <p>I.2. Requests for extradition are served between the German Federal Office of Justice, and the Prosecutor General's Office of the Russian Federation.</p> <p>Requests for provisional detention pending extradition may be submitted directly or through Interpol.</p> <p>I.3. Translations into Russian should be included in the extradition documents.</p> <p>I.4. Provisional detention can be suspended, if the extradition request and the documents are not submitted to the Government of the Russian Federation within 18 days of the arrest. The deadline can be extended on request,</p>

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but shall not, in any event, exceed 40 days from the date of such arrest.

II. Law enforcement assistance

II.1. Law enforcement assistance is based on the Convention on the Transfer of Sentenced Persons of 23 March 1983 (BGBl. 1991 II pp. 1006, 1007; 1992 II p. 98; 2008 II p. 21) in conjunction with the Additional Protocol to the Convention on the Transfer of Sentenced Persons (BGBl. 2002 II p. 2866; 2008 II p. 45).

In applying the Convention, the following should be observed:

- the reservations and statements made by the Government of the Federal Republic of Germany as regards Articles 2, 3, 4, 5, 7, 8, 12, 16 and 17 of the Convention (BGBl. 1992 II p. 98),
- the reservations and statements made by the Government of the Russian Federation as regards Articles 3, 9, 16 and 17 of the Convention and Article 3 of the Additional Protocol (BGBl. 2008 II pp. 21, 45).

II.2. Law enforcement assistance requests are transmitted between the German Federal Office of Justice or the Ministries of Justice of the Länder (Land judicial administrations) on the one hand, and the Russian Ministry of Justice on the other.

II.3. Law enforcement assistance requests should be accompanied by translations into Russian.

III. Mutual legal assistance

III.1. Other mutual legal assistance is regulated by the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 (BGBl. 1964 II pp. 1369, 1386; 1976 II p. 1799; 2001 II p. 759), in conjunction with the Additional Protocol of 17 March 1978 to the aforementioned Convention (BGBl. 1990 II pp. 124, 125; 1991 II p. 909; 2001 II p. 759).

In applying the Convention, the following should be observed:

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– the reservations and statements made by the Government of the Federal Republic of Germany on Articles 5, 7, 11, 16, 24 and 25 of the Convention and Articles 2 and 8 of the Additional Protocol (BGBl. 1976 II p. 1799; 1991 II p. 909),

– the reservations and statements made by the Government of the Russian Federation on Articles 3, 5, 7, 11, 12, 13, 15, 16, 22, 23 and 24 of the Convention (BGBl. 2001 II p. 759).

Mutual legal assistance is also provided:

– in the case of fiscal offences,

– in proceedings for regulatory offences pursuant to German law, insofar as the judicial authorities are competent for the proceedings for regulatory offences at the time when mutual legal assistance is requested,

– for the service of documents concerning enforcement of a sentence, levying of a financial penalty or payment of procedural costs,

– for measures concerning the suspension of the requirement for, or enforcement of, a sentence, conditional release, postponement of the start of a sentence's enforcement, or interruption of its enforcement.

III.2. The letters rogatory mentioned in Articles 3, 4 and 5 of the Convention are transmitted between the German Federal Office of Justice on the one hand, and the Prosecutor General's Office of the Russian Federation on the other, and in urgent cases directly between the judicial authorities. In such cases the Prosecutor General's Office of the Russian Federation should be sent a copy of the request.

The requests mentioned in Articles 7 and 11 of the Convention are transmitted between the German Federal Office of Justice on the one hand, and the Russian Ministry of Justice on the other.

The requests outlined in Article 13 of the aforementioned Convention are transmitted between the German Federal Office of Justice on the one hand, and the Russian Ministry of Justice or the Prosecutor General's Office

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	<p>of the Russian Federation on the other.</p> <p>Information laid with a view to proceedings is transmitted between the German Federal Office of Justice on the one hand, and the Russian Ministry of Justice on the other.</p> <p>III.3. Letters rogatory and supporting documents or information laid with a view to proceedings, including the statement of the offences, should be accompanied by translations into Russian.</p> <p>Information laid with a view to proceedings should also be accompanied by translations into Russian of the investigation files, or of the relevant parts as applicable.</p>
 EE	/
 ES	It is not necessary to update the information.
 FI	Information up-to-date in 11460/09 COPEN 122 EUROJUST 36.
 FR	
 EL	Greece cooperates mostly on the basis of the " European Convention on Mutual Assistance in Criminal Matters of 1959" and the " European Convention on Extradition of 1957" . There is also a bilateral agreement between Greece and the Former USSR signed in 1981.
 HU	
 IE	
 IT	
 LT	<p>New agreements with the Russian Federation have not been concluded; new legal measures have not been applied.</p> <p>The information regarding Lithuania could be slightly modified in Annex II in the last section "In relation to recognition and execution of judicial decisions":</p> <p>- Treaty on Mutual Assistance and Legal Relations in Criminal Matters between the two States of 1992 (recognition and execution of judgements possible as regards indemnification of damages as a result of criminal acts only);</p>

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	- Treaty on Transfer of Convicted Persons for Serving a Sentence between the two States of 2001.
 LU	
 LV	
 MT	
 NL	<p>The Netherlands is of the opinion that the MLA-relation with the Russian Federation is governed by the Convention of the Council of Europe on mutual legal assistance in criminal matters and its protocols. In the Annex mentioned in this questionnaire can be seen that all EU member States are a party to the conventions of the Council of Europe concerning MLA and extradition. These conventions are a good and sufficient tool for the cooperation between the individual member states and the RF.</p> <p>Within the Council of Europe a standing committee of experts deals on the operation of convention, which provides an excellent forum to discuss with the RF any practical problems Member States have in common.</p> <p>The Netherlands provides the following update:</p> <ul style="list-style-type: none">• Single Convention on Narcotic Drugs, 30 March 1961, New York.• Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, 8 November 1990, Strasbourg.• Council of Europe Convention on the Prevention of Terrorism, 16 May 2005, Warsaw.• International Convention for the Suppression of Acts of Nuclear Terrorism, 13 April 2005, New York. <p>Convention on combating bribery of foreign public officials in international business transactions, 17 December 1997, Paris.</p>
 PL	<p><input type="checkbox"/> In relation to legal assistance in criminal matters:</p> <ul style="list-style-type: none">- European Convention on Cooperation in Criminal Matters, signed at Strasbourg on 20 April 1959, together with the Additional Protocol of 17 March 1978,- Agreement between the Republic of Poland and the Russian Federation on legal assistance and legal

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	<p>relations in civil and criminal matters of 16 September 1996,</p> <p><input type="checkbox"/> In relation to the transfer of enforcement:</p> <p style="padding-left: 20px;">- Agreement between the Republic of Poland and the Russian Federation on legal assistance and legal relations in civil and criminal matters of 16 September 1996,</p> <p><input type="checkbox"/> In relation to extradition:</p> <p style="padding-left: 20px;">- European Convention on Extradition of 13 December 1957, together with the Additional Protocols of 15 October 1975 and 17 March 1978.</p>		
	<p>In the few cases of judicial cooperation the legal instruments applied are:</p> <p style="padding-left: 20px;">- European Convention on Cooperation in Criminal Matters, signed at Strasbourg on 20 April 1959, together with the Additional Protocol of 17 March 1978,</p> <p style="padding-left: 20px;">- European Convention on Extradition of 13 December 1957, together with the Additional Protocols of 15 October 1975 and 17 March 1978.</p>		
			
	No new information available.		
			
			
In relation with MLA	In relation to transfer of criminal proceedings	In relation to extradition	In relation to recognition and execution of judicial decisions
European Convention on Mutual Assistance in Criminal Matters of 20 April 1959	European Convention on the Transfer of Proceedings in Criminal Matters of 15 May 1972	European Convention on Extradition of 13 December 1957	Convention on Transfer of Sentenced Persons of 21 March 1983
Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters of 17 March 1978	Article 21 of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959	Additional Protocol to the European Convention on Extradition of 15 October 1975	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime of

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			8 November 1990
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime of 8 November 1990	Bilateral Treaty between The Czechoslovak Socialist Republic and the Union of Soviet Socialist Republics on legal assistance and legal relations in criminal matters of 12 August 1982 (as to the language regime and the channels of communication)	Second Additional Protocol to the European Convention on Extradition of 17 March 1978	
Criminal Law Convention on Corruption of 27 January 1999		Criminal Law Convention on Corruption of 27 January 1999	
Council of Europe Convention on the Prevention of Terrorism of 16 May 2005		European Convention on the Suppression of Terrorism of 27 January 1977	
Bilateral Treaty between The Czechoslovak Socialist Republic and the Union of Soviet Socialist Republic on legal assistance and legal relations in criminal matters of 12 August 1982 (as to the language regime and the channels of communication)		Bilateral Treaty between The Czechoslovak Socialist Republic and the Union of Soviet Socialist Republic on legal assistance and legal relations in criminal matters of 12 August 1982 (as to the language regime and the channels of communication)	
Other applicable treaties (in particular the UN treaties, by which the Slovak Republic and the Russian Federation are bound by			

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The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988		The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988	
The United Nations Convention against Transnational Organized Crime of 15 November 2000		The United Nations Convention against Transnational Organized Crime of 15 November 2000	
The Criminal Law Convention on Corruption of 27 January 1999		The International Convention for the Suppression of terrorist Bombings of 15 December 1997	
The United Nations Convention against Corruption of 31 October 2003		The International Convention of the Suppression of the Financing of Terrorism of 9 December 1999	

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 UK	<p>Update:</p> <table border="0"> <thead> <tr> <th></th> <th>In relation with MLA</th> <th>In relation to transfer of criminal proceedings</th> <th>In relation to extradition</th> <th>In relation to recognition and execution of judicial decisions</th> </tr> </thead> <tbody> <tr> <td>United Kingdom</td> <td> ~ European Convention on Mutual Assistance in Criminal Matters of 20th April 1959 ~ Additional Protocol to European Convention of 17th March 1978 </td> <td> ~ European Convention on Mutual Assistance in Criminal Matters of 20th April 1959 (<i>note UK reservation regarding Article 21</i>) </td> <td> ~ European Convention on Extradition of 13th December 1957 ~ Additional Protocol to European Convention on Extradition of 17th March 1978 </td> <td></td> </tr> </tbody> </table>		In relation with MLA	In relation to transfer of criminal proceedings	In relation to extradition	In relation to recognition and execution of judicial decisions	United Kingdom	~ European Convention on Mutual Assistance in Criminal Matters of 20 th April 1959 ~ Additional Protocol to European Convention of 17 th March 1978	~ European Convention on Mutual Assistance in Criminal Matters of 20 th April 1959 (<i>note UK reservation regarding Article 21</i>)	~ European Convention on Extradition of 13 th December 1957 ~ Additional Protocol to European Convention on Extradition of 17 th March 1978	
	In relation with MLA	In relation to transfer of criminal proceedings	In relation to extradition	In relation to recognition and execution of judicial decisions							
United Kingdom	~ European Convention on Mutual Assistance in Criminal Matters of 20 th April 1959 ~ Additional Protocol to European Convention of 17 th March 1978	~ European Convention on Mutual Assistance in Criminal Matters of 20 th April 1959 (<i>note UK reservation regarding Article 21</i>)	~ European Convention on Extradition of 13 th December 1957 ~ Additional Protocol to European Convention on Extradition of 17 th March 1978								
 HR											

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3. The number of requests issued to and received from the Russian Federation from 1 January 2009 until 31 August 2012 in relation to:
- Mutual legal assistance in criminal matters.
 - Extradition.

Member State											
 AT											
 BE											
 BG											
 CY											
 CZ	<ul style="list-style-type: none">o Mutual legal assistance in criminal matters: 77 issued requests, 53 received requestso Extradition: 5 issued requests, 10 received requests										
 DK	<p>From 1 January 2009 until 31 August 2012, Denmark has received 15 requests for mutual legal assistance in criminal matters from Russia. In the same period, Denmark has issued 4 requests to Russia.</p> <p>From 1 January 2009 until 31 August 2012, Denmark has received 1 request for extradition from Russia. In the same period, Denmark has not issued any requests to Russia.</p>										
 DE	<p>In the time available it was not possible to identify how many requests were issued and how many received. The following overview therefore only gives the total number of requests transmitted in both directions between Germany and the Russian Federation in relation to mutual legal assistance and extradition.</p> <table><thead><tr><th>Mutual legal assistance</th><th>Extradition</th></tr></thead><tbody><tr><td>2009 – 137 requests</td><td>2009 – 18 requests</td></tr><tr><td>2010 – 134 requests</td><td>2010 – 18 requests</td></tr><tr><td>2011 – 164 requests</td><td>2011 – 15 requests</td></tr><tr><td>2012 – 97 requests*</td><td>2012 – 12 requests*</td></tr></tbody></table> <p>*up to 24 September 2012</p>	Mutual legal assistance	Extradition	2009 – 137 requests	2009 – 18 requests	2010 – 134 requests	2010 – 18 requests	2011 – 164 requests	2011 – 15 requests	2012 – 97 requests*	2012 – 12 requests*
Mutual legal assistance	Extradition										
2009 – 137 requests	2009 – 18 requests										
2010 – 134 requests	2010 – 18 requests										
2011 – 164 requests	2011 – 15 requests										
2012 – 97 requests*	2012 – 12 requests*										

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 EE	<ul style="list-style-type: none">○ <u>Mutual legal assistance in criminal matters:</u> <i>2009 To Russia -7</i> <i>From Russia – 36</i> <i>2010 to Russia – 8</i> <i>From Russia – 47</i> <i>2011 to Russia – 18</i> <i>From Russia – 38</i> <i>Until 31.08.2012 to Russia – 13</i> <i>From Russia 21</i>○ <u>Extradition.</u> <i>2009 to Russia – 0</i> <i>From Russia – 1</i> <i>2010 to Russia – 4</i> <i>From Russia – 2</i> <i>2011 to Russia – 0</i> <i>From Russia – 1</i> <i>Until 31.08.2012 to Russia – 1</i> <i>From Russia 0</i>
 ES	<ul style="list-style-type: none">○ Mutual legal assistance in criminal matters. 143 (86 requested by Spain and 57 requested by the Russian Federation).○ Extradition. On the requested period of time, Spain has issued 2 requests to the Russian authorities (one of the has been denied because of Russian nationality of the person and the other one has been filed since the person has not been located), and the Russian Federation has issued 37 requests (24 have already been agreed by Spanish government).

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 FI	Number of requests (1.1.2009-31.8.2012) from Russia to Finland: MLA 121, extradition 7. From Finland to Russia: MLA 205, extradition 4.
 FR	
 EL	19 MLA requests in criminal matters and 2 requests in extradition were issued from Russia from 1 January 2009 to 31 August 2012. 22 MLA requests in criminal matters and 3 requests in extradition were issued from Greece at the same period.
 HU	
 IE	
 IT	
 LT	<p><i>Statistics from the Prosecutor General's Office (MLA requests received and sent in pre-trial stage; extradition requests sent in pre-trial/trial stage; all extradition requests received):</i></p> <p>The Prosecutor General's Office has sent to the Prosecutor General's Office of the Russian Federation the following requests for legal assistance: in 2009 -88; in 2010 -67; in 2011 -98; during 8 months of 2012 -66; in total -319.</p> <p>The requests for legal assistance received by the Prosecutor General's Office of the Republic of Lithuania from the Prosecutor General's Office of the Russian Federation: in 2009 -49; in 2010 -61; in 2011 -55; during 8 months of 2012 -15; in total 180.</p> <p>Extradition requests sent by the Prosecutor General's Office of the Republic of Lithuania to the Prosecutor General's Office of the Russian Federation: in 2009 -6; in 2010 -2; 2011 -2; during 8 months of 2012 -4; in total -14.</p> <p>Extradition requests sent by the Prosecutor General's Office of the Russian Federation to the Prosecutor General's Office of the Republic of Lithuania: in 2009 -6; in 2010 -3; in 2011 -3; in total 10. In 2012 no extradition requests from the Russian Federation were received.</p> <p><i>Statistics from the Ministry of Justice (MLA requests sent and received in trial stage; extradition requests on enforcement of the sentence sent):</i></p> <p>Information on received and sent MLA requests in relation to the Russian Federation is not accumulated in the</p>

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	<p>Ministry of Justice. Therefore, the precise data cannot be given. However, it should be noted that the judicial cooperation in criminal matters between the Republic of Lithuania and the Russian Federation is quite intensive. During the period of twelve months the Ministry of Justice of the Republic of Lithuania receives approximately 80 letters, regarding requests for mutual legal assistance in criminal cases from the Russian Federation. The similar number of letters from the Ministry of Justice of the Republic of Lithuania is being forwarded to the legal authorities of the Russian Federation.</p> <p>Extradition requests sent by the Ministry of Justice of the Republic of Lithuania to the Russian Federation: in 2009 -1; in 2010 -1; in 2011 -2.</p>			
 LU				
 LV				
 + MT				
 NL	Year	Legal assistance/extradition	Incoming/outgoing	Number
	2009	Legal assistance	Incoming	136
	2009	Legal assistance	Outgoing	33
	2009	Extradition	Incoming	8
	2009	Extradition	Outgoing	1
	2010	Legal assistance	Incoming	202
	2010	Legal assistance	Outgoing	59
	2010	Extradition	Incoming	3
	2010	Extradition	Outgoing	2
	2011	Legal assistance	Incoming	189

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	2011	Legal assistance	Outgoing	42
	2011	Extradition	Incoming	2
	2011	Extradition	Outgoing	1
	2012	Legal assistance	Incoming	111
	2012	Legal assistance	Outgoing	32
	2012	Extradition	Incoming	7
	2012	Extradition	Outgoing	1
	o Mutual legal assistance in criminal matters. The number of requests issued to and received from the Russian Federation from 1 January 2009 until 31 August 2012: <ul style="list-style-type: none">• 2009 - 160• 2010 – 133• 2011 – 194• 2012 – 100			
	o Extradition. The number of requests issues to the Russian Federation from 1 January 2009 until 31 August 2012: <ul style="list-style-type: none">• 2009 – 1• 2010 – 2• 2011 – 1• 2012 – 1 The number of requests received from the Russian Federation from 1 January 2009 until 31 August 2012: <ul style="list-style-type: none">• 2009 – 7• 2010 – 5• 2011 – 2• 2012 - 1			

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 PT	No requests for extradition occur. No letters rogatory receives from Russian. Portugal issued 7 letters rogatory.
 RO	
 SE	From 1 January 2009 until 31 August 2012 Sweden has sent 10 requests for MLA to the Russian Federation and received 29 requests for mutual legal assistance) MLA from the Russian Federation. During the same period Sweden has received 11 requests from the Russian Federation for extradition. No requests for extradition have been sent to the Russian Federation.
 SI	
 SK	78 (from Russian Federation: 43, to Russian Federation: 36) 3 (2 active, 1 passive)
 UK	- Mutual legal assistance in criminal matters. 110 incoming evidential requests were accepted by the UK Central Authority (for England, Wales and Northern Ireland) in this time period; 11 outgoing evidential requests were issued by the UK Central Authority to Russia in this time period. - Extradition. 31 extradition requests were made by Russia to the UK during this time period 0 extradition requests were issued by the UK to Russia during this time period.
 HR	

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4. The contact details of the members of the Informal Network of Contact Points between the EU and the Russian Federation for those Member States which have not provided the information yet (please see Annex I).

Member State	
 AT	
 BE	
 BG	
 CY	
 CZ	The Czech Republic wishes to add the following contact person: Irena Státníková , Ministry of Justice, International Department for Criminal Matters, Vyšehradská 16,128 10 Praha 2, Tel: + 420 221 997 909, Fax + 420 2 21 997 560 (986), e- mail: mot@msp. justice.cz, English, German, Russian.
 DK	The contact details of the Danish member of the Informal Network of Contact Points (doc. 13424/12) should be updated Mr Anders Herping Nielsen Ministry of Justice, Criminal Enforcement Division Slotsholmsgade 10, 1216 Copenhagen K, 7226 8400, e-mail ahn@jm.dk All National Danish, English
 DE	The contact details relating to the German member of the informal network of contact points laid down in Annex I of document 13424/12 COPEN 189) are still correct.
 EE	/
 ES	/
 FI	Information up-to-date in Annex I except for the phone, which is +358 2951 50590.

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 FR	
 EL	Ms Argyro Eleftheriadou, Ministry of Justice, Transparency and Human Rights, Extradition MLA in criminal matters, European Judicial Network 96, rue Messogion 11527 Athens tel.: +302107767311 e-mail: aeleftheriadou@justice.gov.gr Languages: Greek, English
 HU	
 IE	
 IT	
 LT	Data about Lithuanian contact person needs to be updated: Ms Rasa Tunkevičienė, Lithuanian Prosecutor General's Office, e-mail: rasa.tunkeviciene@prokuraturos.lt phone: +37052662452; address: Rinktinės str. 5A, LT-01515 Vilnius, Lithuania. Language: Lithuanian, Russian, English.
 LU	
 LV	
 MT	
 NL	The Netherlands have never been invited to a meeting of the Working Group European Union - Russian Federation. The contact details on this list are provided without our knowledge. We understand that the working group will focus on organizing conferences. If this is the case, the Netherlands are willing to provide a contact point to join these conferences. However, much is unclear on the aim and scope of the working group. Before we can provide you this contact point, we would like to have more information.
 PL	Anna Wiśniewska, Prosecutor in the Department of International Cooperation, General's Office, e-mail: awisniewska@ms.gov.pl; phone: +48 22 318 94 62; as far as the pre-trial phase (Extradition, MLA); Miłosz Augustyniak, Chief Expert, Department of International Cooperation and Human Rights, Ministry of

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	<p>Justice, e-mail: Augustyniak@ms.gov.pl, phone: +48 22 239 04 91, as far as the stage of judicial proceedings (MLA, transfer of sentenced persons);</p> <p>Tomasz Chalański, Prosecutor in the Department of International Cooperation and Human Rights, Ministry of Justice, e-mail: chalanski@ms.gov.pl; phone: +48 22 239 04 90, as far as the stage of judicial proceedings (Extradition);</p> <p>European Policy Coordination Division, e-mail: Koordynacja.ms@ms.gov.pl, its role is to coordinate the implementation of the above mentioned tasks, all correspondence should be sent to it's information.</p>
 PT	<p>Joana Gomes Ferreira, Public Prosecutor Head of the International Cooperation Department (Central Authority for international judicial cooperation in criminal matters). Attorneys General Office Rua Vale do Pereiro n°2, 1200-069 Lisboa. Telephone: 00351213820357/00; Fax: 00351213820301. email: joana.ferreira@pgr.pt</p>
 RO	
 SE	<p>Mr Per Hedvall, Director Division for Criminal Cases and International Judicial Co-operation Ministry of Justice, Sweden Telephone: +46 8 4055048 Fax: +46 8 4054676 Email: per.hedvall@justice.ministry.se</p>
 SI	
 SK	Will be added
 UK	<p>Louise Selby UK Central Authority, Judicial Co-operation Unit, Home Office 5th Floor, Fry Building, 2 Marsham Street, London SW1P 4DF,</p>

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	Tel: +44 20 7035 1275 Fax: +44 20 7035 6985 e-mail: louse.selby2@homeoffice.gsi.gov.uk MLA England, Wales, and Northern Ireland Language: English
 HR	

5. Comments on the possibility to use a slightly amended version of the model fact sheet for the EU-Japan MLA Agreement (10878/11 COPEN 133 EJM 71 EUROJUST 87 COASI 96) for the MLA relations with Russia.

Member State	
 AT	
 BE	
 BG	
 CY	
 CZ	The Czech Republic finds useful to introduce fact sheet for the MLA procedure between the EU Member States and the Russian Federation, but it does not seem practical to follow the model fact sheet for the EU-Japan MLA Agreement. Mutual legal assistance with the Russian Federation is governed by the European Convention on Mutual Assistance in Criminal Matters, Strasbourg, 20 April 1959, and its Additional Protocol. Within the Council of Europe, the Committee of Experts on the Operation of European Conventions in the Penal Field (PC-OC), has already disseminated facts – sheets „ National procedures for mutual legal assistance in criminal matters“ elaborated by the Parties to the European Convention on Mutual Assistance in Criminal Matters, Strasbourg, 20 April 1959 (published on www.coe.int/tcj ; mutual legal assistance – country information). This version of fact sheet might be considered as a model for the MLA relations with Russia rather than the EU-Japan model fact sheet.

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 DK	Denmark has no objections to using a slightly amended version of the model fact sheet made for the EU-Japan MLA agreement (doc. 10878/11) for the MLA relations with Russia.
 DE	Germany has no substantial experience in using the model fact sheet for the EU-Japan MLA Agreement. Therefore, no recommendation can be made so far to use (or not to use) an amended version of the fact sheet in relation to the Russian Federation.
 EE	/
 ES	Such possibility would reveal very useful.
 FI	Not necessary.
 FR	
 EL	/
 HU	
 IE	
 IT	
 LT	It is not entirely clear what the purpose and task of the suggested fact sheet is. Nevertheless, we are ready to discuss this possibility once a more precise description of this measure is received.
 LU	
 LV	
 + MT	
 NL	It is up to the individual member states to address their MLA and extradition issues with Russia. MLA and extradition relations are a matter of bilateral co-operation between the individual member states and the RF. There is no treaty relation for MLA and extradition between the EU and the RF. Furthermore it does not fall within the competence of either the EU nor Eurojust to act on behalf of all the Member States with regards to the RF on essential bilateral matters.

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 PL	The model fact sheet for the EU-Japan MLA Agreement can also be used for the MLA relations with Russia, after the necessary changes will be made.
 PT	Taking into consideration that the experience with Russia is almost insignificant, no other comments are provided.
 RO	
 SE	Sweden is of the opinion that a fact sheet will provide little added value to the EU-Russia cooperation.
 SI	
 SK	Cooperation with Russian Federation has legal basis in the Council of Europe for all EU Member States. It is completely different situation from the cooperation with Japan when only several EU Member States have bilateral agreements and legal system of Japan is diverse for European states. EU Member States have long discussions and a lot of work in this field with Russian Federation in the Council of Europe behind. From this reason we see as a good base for discussion and further development and improvement of cooperation with Russian Federation in the European Union instruments already set up in the Council of Europe (Country Information of Russian Federation). Finally we do not support preparing model fact sheet with Russian Federation because it has not added value and it already exists in other form.
 UK	Depending on amendments this could be useful.
 HR	

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ANNEX I

COUNTRY	NAME	INSTITUTION MoJ/GPO/OTHER JUDICIAL AUTHORITY	CONTACT DETAILS, E-MAIL, TEL, ADDRESS	RESPONSIBILITY / EXTRADITION / MLA / TRANSFER OF PROCEEDINGS / RECOGNITION OF JUD. DECISIONS	GEOGRA PHICAL COMPET ENCE	LANGUAGE
Austria	Barbara Göth-Flemmich	Federal Ministry of Justice Dept IV 4	Museumstrasse 7, 1070 Wien, phone: +43/1/52152-2226, fax: +43/1/52152-2500 mail: barbara.goeth@bmj.gv.at	all mentioned matters	whole territory of Austria	GE, EN, FR
Belgium	Erik Verbert	Attaché; Federal Public Service for Justice; Central Authority; International Cooperation in Criminal matters; Waterloolaan 115, 1000 Brussel;	Tel +32 2 210 56 87; Fax +32 2 210 57 98; E-mail: erik.verbert@just.fgov.be			
Bulgaria	Ms Velichka Smilianova		e-mail: vsmilianova@prb.bg; Tel: +359 2 93 70 338; Fax:+359 2 988 58 95	dealing with EAW and MLA cases at the Supreme cassation PO- MLA Department	National	Russian and English
Cyprus	Ms Eleni Loizidou	Attorney Head of the EAW and Extradition Section at the Office of the Attorney General Address: Apelli 1, 1403, Nicosia, Cyprus	Tel: 0035799644781/ 0035722889156 Fax: 0022665080 Email: e.loizidou@gmail.com			Greek and English

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	JUDr Drahomíra Lojdová	Supreme Public Prosecutor's Office - International Affairs Department	Jezuitská 4, 660 55 Brno, CZ, tel.: ++420 542 512 301, e-mail.: lojdova@nsz.brn.justice.cz	mutual legal assistance including transfer of criminal proceedings	Russian federation	Russian
Czech Republic	Irena Státníková	Ministry of Justice, International Department for Criminal Matters	Vyšehradská 16, 128 10 Praha 2, Tel: +420 221 997 909, Fax: + 420 2 21 997 560 (986) e-mail: mot@msp.justice.cz .			English, German, Russian
Denmark	Mr Anders Herping Nielsen	Ministry of Justice, Criminal Enforcement Division	Slotsholmsgade 10, 1216 Copenhagen K, 7226 8400, e-mail ahn@jm.dk	All	National	Danish, English
Estonia	Ms Eve Olesk	Office of the Prosecutor General	Tel 372 6 139 456 Wismari 7, 15188 Tallinn ESTONIA eve.olesk@prokuratuur.ee	Extradition / MLA / Transfer of proceedings/Recognition of Jud. Decisions	Estonia	Estonian English Russian
Finland	Ms Merja NORROS	Ministry of Justice; Unit for International Affairs	POB 25, 00023 GOVERNMENT, FINLAND; tel + 358 2951 50590, fax + 358 9 1606 7524	All above mentioned.	Russian Federation	English, Finnish
France	Mr Elie- Victor RENARD Magistrat	Chef du bureau de l'entraide pénale internationale; Direction des affaires criminelles et des grâces; Ministère de la Justice	Tel: 00 33 1 44 86 14 00 elie-victor.renard@justice.gouv.fr	All	National	French, German & English
Germany	Dr Holger Karitzky	Federal Office of Justice	Federal Office of Justice Adenauerallee 99 - 103 53113 Bonn Phone +49 (0)228 410 - 5310 Fax +49 (0)228 410 - 5591 E-Mail: Holger.Karitzky@bfj.bund.de	Extradition, Transfer of Prisoners, Mutual Legal Assistance in Criminal Matters, European Judicial Network in Criminal Matters	worldwide	German, English

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Greece	Mrs Argyro Eleftheriadou	Ministry of Justice, Transparency and Human Rights	96, rue Messogion, 11527 Athens, tel.: +302107767311	Extradition, MLA in criminal matters, European Judicial Network	National	Greek, English
Hungary						
Ireland	Dave Fennell	Ministry of Justice	djfennell@justice.ie	MLA	National	English
	Eileen McGovern	Ministry of Justice	<EPMcGovern@justice.ie	Extradition	National	English
Italy	Romina Incutti	Ministry of Justice Italy	romina.incutti@giustizia.it; tel. 0039-06 - 68853103	Magistrate attached to the judicial cooperation office - National Correspondent of Eurojust	National	english
Latvia	Ms Leva Paeglīte	Prosecutor General's Office, International Cooperation Division	Tel: +371 67044525, e-mail: leva.Paeglite@lrp.gov.lv	MLA		Latvian, Russian, English
Lithuania	Ms Rasa Tunkevičienė	Lithuanian Prosecutor General's Office	Lithuania, Rinktinės str. 5A, LT-01515 Vilnius Phone: +37052662452 rasa.tunkeviciene@prokuraturos.lt		X	Lithuanian, Russian, English
Luxembourg						

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Malta	Dr Francois Dalli	Attorney General's Office; The Palace, Valletta, Malta	e-mail: francois.dalli@gov.mt; e-mail: agmla.mjha@gov.mt; Tel: +356 25683226; Fax: +356 21240738	Mutual Legal Assistance in Criminal Matters and Extradition		English, Italian
	Dr Donatella Frendo Dimech LL.D., Mag.Jur(Int. Law) Head	Attorney General's Office; The Palace, Valletta, Malta	Tel: +356 21237 281/ 2568 3144, Fax:+356 21237281, e-mail: agmla.mjha@gov.mt	Mutual Legal Assistance in Criminal Matters and Extradition		English, Italian
Netherlands	Ms Wietske Dijkstra	Ministry of Justice, Department for International MLA,	Tel: +3170 3704824	all types of judicial cooperation aspects regarding the RF	National	English and French
Poland	Anna Wiśniewska	Prosecutor in the Department of International Cooperation, General's Office	e-mail: awisniewska@ms.gov.pl; phone: +48 22 318 94 62	as far as the pre-trial phase (Extradition, MLA)		
	Miłosz Augustyniak	Chief Expert, Department of International Cooperation and Human Rights, Ministry of Justice	e-mail: Augustyniak@ms.gov.pl, phone: +48 22 239 04 91	as far as the stage of judicial proceedings (MLA, transfer of sentenced persons)		
	Tomasz Chałański	Prosecutor in the Department of International Cooperation and Human Rights, Ministry of Justice	e-mail: chalanski@ms.gov.pl; phone: +48 22 239 04 90	as far as the stage of judicial proceedings (Extradition)		
	European Policy Coordination Division		e-mail: Koordynacja.ms@ms.gov.pl	coordinate the implementation of the above tasks, all correspondence should be sent to it for information		

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Portugal	Joana Gomes Ferreira	Public Prosecutor Head of the International Cooperation Department (Central Authority for international judicial cooperation in criminal matters). Attorneys General Office	Telephone: 00351213820357/00; Fax: 00351213820301. email: joana.ferreira@pgr.pt			
Romania	NEAGU Gabriela Catalina	Ministry of Justice of Romania	email: catalina.neagu@just.ro phone 0372041082, fax 0372041079	extradition, transfer of sentenced persons, EAW, recognition of foreign judgements	Europe, USA, Canada	English
	Mariana Cimpean - Prosecutor	Prosecutor 's Office of the High Court of Cassation and Justice	cimpean_mariana@mpublic.ro ; Phone: 004021.319.39.11, 0040722.559.421, fax: 004021.319.39.24/004021.319.39.33	competent in dealing with requests for the rogatory letters, the transfer of proceedings in criminal matters, as well as handing / communications acts / documents	Contacts Points EU-Russian Federation.	English, French, Greek, Spanish
Slovakia						
Slovenia	Ms Ana Bucar	Ministry of Justice	ana.bucar@gov.si	Head of the Sector of International Legal Assistance		English
Spain	Mr Jorge Espina Ramos	Sala de Cooperación Penal Internacional	Tel. +34914230817, email: jorge.espina@fiscal.es , Address: c/José Ortega y Gasset 57, 1ª planta 28006 España, Fax: +34914230821			

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Sweden	Mr Per Hedvall	Director Division for Criminal Cases and International Judicial Co-operation Ministry of Justice, Sweden	Telephone: +46 8 4055048 Fax: +46 8 4054676 Email: per.hedvall@justice.ministry.se			
United Kingdom	Ms Louise Selby	UK Central Authority Judicial Co-operation Unit, Home Office	5 th Floor, Fry Building, 2 Marsham Street, London SW1P 4DF Tel: +44 20 7035 1275 Fax: +44 20 7035 6985 louise.selby2@homeoffice.gsi.gov.uk	MLA	England, Wales, and Northern Ireland EN	English

CONTRIBUTION FROM THE LITHUANIAN DELEGATION**January aggression and the Medininkai crime cases (1991)**

January aggression was a series of events that occurred from January 8–13, 1991 in Vilnius, Lithuania. Seeking to enforce the Lithuanian Government to obey the pressure from the USSR, Soviet Government delivered an ultimatum and required to revoke the restoration of independence. The Soviet Army started actions corresponding to this ultimatum and coordinated its activity with the self-proclaimed National Rescue Committee. On January 13, 1991 when the Soviet Army units attacked the buildings of National Radio and Television 14 people were killed and more than 700 injured. The use of Soviet military force was de-escalated because of the peaceful resistance and international condemnation, including that by Russia.

On January 15, 1994 the leaders of Lithuanian Communist Party and some members of National Rescue Committee were arrested and later convicted for the conspiracy seeking to overturn the legitimate Lithuanian Government. Some other conspirators that had been identified by Lithuanian prosecutors as suspects in a criminal case with regard to the January aggression fled the country and found refuge in the Russian Federation.

In the investigation currently is 23 suspects, who were the officers of the former Soviet Ministry of Defense, Ministry of the Interior, State Security Committee (KGB) and military units acting under those authorities, and former activists of the Lithuanian Communist Party.

During the period of time from 27 April 2006 till 26 July 2011 the Prosecutor General's Office of the Republic of Lithuania addressed the Prosecutor General's Office of the Russian Federation with 66 requests for legal assistance requesting establishment of the exact residence addresses, service of either the summons for interviewing the persons in Lithuania or notifications of suspicions in the commission of crimes and interviewing them in the

Russian Federation on the criminal acts specified in the notifications of suspicion, and requesting to interview as a witness the former President of USSR and his assistant. No reply has been received regarding 20 requests for legal assistance. The remaining requests for legal assistance were not satisfied on the grounds that the Republic of Lithuania is conducting criminal prosecution against the citizens of the Russian Federation and one request, which has been received in November 2011 was rejected on the grounds that the implementation of such request may prejudice Russian Federation's interests.

During the period of time from 26 July 2011 till 19 January 2012 the Prosecutor General's Office of the Republic of Lithuania addressed 3 more requests for legal assistance requesting to confirm the facts of the death of the suspects and witness, to provide the personal data's of the members of the special forces of USSR and to provide the Supreme Court's of the Russian Federation decisions in the cases against people, who had taken the actions in the Putsch in 19 – 21 August 1991. No reply has been received regarding all 3 additional requests for legal assistance.

During the period of time from 27 April 2006 till 26 July 2011, 22 persons have been announced into the international search by issuing the European Arrest Warrants, during the period of time from 26 July 2011 till 19 January 2012 one more person have been announced into the international search.

The Medininkai crime case refers to the case of Soviet OMON (special forces) assault on Lithuanian customs post at the Medininkai border crossing point near the Vilnius-Minsk highway on early hours of July 31, 1991. Seven Lithuanian officers - Mindaugas Balavakas and Algimantas Juozakas (officers of the Special Division Aras), Juozas Janonis and Algirdas Kazlauskas (Highway Police officers), Antanas Musteikis, Stanislovas Orlavičius and Ričardas Rabavičius (Customs Officers) - were killed by shots in execution style. Customs Officer Tomas Šernas was severely wounded and disabled. **The Lithuanian officers were disarmed and soon after killed.**

The massacre at the Medininkai border post was the most brutal and reverberating in a series of violent assaults against Lithuanian customs which continued throughout 1991. Soviet troops attacked and burned border posts in Medininkai and Lavoriškės on January 27, 1991. The Krakūnai Incident happened on May 19, 1991 at the Krakūnai border post, where the Border Guard officer Gintaras Žagunis was killed. In total, more than thirty Lithuanian officers were attacked and injured in January-August 1991.

Three persons suspected by the Lithuanian authorities as being responsible for these incidents now reside, according to intelligence information, in the Russian Federation. These are Česlav Mlynik, Andrei Laktionov and Aleksandr Ryžov. The fourth suspect Konstantins on Konstantins Michailovs. **The case regarding the criminal acts committed by Konstantins Mikhailovs was transferred to the court on 17 April 2009. On 11 May 2011 Konstantins Mikhailovs by the first – instance court verdict was found guilty of homicide for killing the Lithuanian officers at the Medininkai border crossing point.**

In the course of the investigation conducted against Česlav Mlynik, Andrei Laktionov and Aleksandr Ryžov, the Prosecutor General's Office of the Republic of Lithuania has repeatedly addressed the Prosecutor General's Office of the Russian Federation with requests for legal assistance, but they were not satisfied. For example, a request for legal assistance to extradite the abovementioned three persons, dated 11 January 2008, was rejected. The requests for legal assistance, dated 3 June 2008 and 28 June 2008, requested either service of the summons for interviewing the abovementioned three persons in Lithuania, or service of notifications of suspicion in the commission of crimes and interviewing them in the Russian Federation on the criminal acts specified in the notifications of suspicion, and taking of the comparative samples for the purpose of conducting the dactiloscopic examination. The said requests were not satisfied.

A request for legal assistance, dated 12 November 2009, requested interviewing 8 persons as witnesses. The request was not satisfied by specifying the reason that the Republic of Lithuania is conducting criminal prosecution against the citizens of the Russian Federation. The same reason was repeated in refusing to satisfy other requests for legal assistance as well. Two requests for legal assistance, dated 12 November 2009, requested establishment of the exact residence addresses of Aleksandr Ryžov and Andrei Laktionov and taking of the comparative samples for the purpose of conducting the dactiloscopic examination. Three requests for legal assistance, dated 29 April 2010, were related with Česlav Mlynik, Andrei Laktionov and Aleksandr Ryžov and requested provision of the data on their previous convictions, pre-trial investigations conducted against them in the Russian Federation and provision of copies of their personal identity documents. The requests were not satisfied. Three requests for legal assistance, dated 25 August 2011, were sent to the Prosecutor General's Office of the Russian Federation. They requested to establish the exact residence addresses of Česlav Mlynik, Andrei Laktionov and Aleksandr Ryžov in the Russian Federation, to serve them the orders of the court by which they were declared as suspects, interpret the rights of suspects, offer them to testify over asserted allegations, offer to participate in the trial process. These requests were not satisfied.

By a communication dated 24 December 1991, the President of the Russian Federation notified the Secretary-General of the United Nations that the membership of the Soviet Union in the United Nations, including the Security Council and all other United Nations organs was being continued by the Russian Federation. In the same communication the Russian Federation also stated that the Russian Federation maintained full responsibility for all the rights and obligations of the USSR under the Charter of the United Nations.

Accordingly, Lithuania continuously addressed the Russian Federation for legal assistance in the cases of January aggression and Medininkai criminal case for investigation and just trial if necessary. The Russian Federation has been declining Lithuania's appeals since. The last extradition request was made on 11 January 2008. Having collected evidences, Lithuanian authorities issued European arrest warrants against suspects (in 2006 concerning January aggression case and in 2007 concerning Medininkai case).

Lithuania considers this act of continued non-cooperation to be Russia's failure to comply with its own obligations and commitments as a member state of the Council of Europe (Article 10 vi of the opinion of the Parliamentary Assembly of the Council of Europe No. 193(1996)1 – namely “to sign and ratify and meanwhile to apply the basic principles of other Council of Europe conventions – notably those on extradition; on mutual assistance in criminal matters; on the transfer of sentenced persons...”).
