



Mutual Legal Assistance: International Approach to Fight Crime and Terrorism

Criminal organization and terrorist groups are acting on the international stage, those actions require international solutions. Effective tools of international cooperation have been developed to investigate, prosecute, and suppress cross-border criminal activity. Extradition and Mutual Legal Assistance are two important mechanisms through which states assist agencies and prosecutors both formally and informally. This seminar tackles a practical approach to Mutual Legal Assistance (MLA) with case studies and exercises. The international legal framework of conventions from the United Nations (UN) and major national mechanisms will be presented to participants.

PRACTICAL OBJECTIVES

- ✓ **Understand** the principles and processes of mutual legal assistance in criminal matters.
- ✓ **Appreciate** the facts and meet the legal burden to MLA requests.
- ✓ **Be able** to transmit requests of different purposes using bilateral and multilateral tools.
- ✓ **Master** the thresholds and the legal requirements to MLA.

TARGET AUDIENCE:

- **Managers and Directors**
- **Coordinators**
- **Monitoring & Evaluation Officers**
- **Executives**

DURATION: 2 weeks

SEMINAR TOPICS

- **MLA tools and basic principles:** Rogatory letter. Informal assistance. Diplomatic channels. Treaties and multilateral conventions. Administrative Arrangement and Designation. Dual criminality. Confidentiality and Legal threshold.
- **Bilateral treaties:** Constitutional law and Internal mechanism to treaties and conventions. Central authorities and competent authorities. Request: summary of allegations, text of the offence, description of evidence sought, Time limits and Confidentiality requirements. Incoming and outgoing requests. Refusal of requests.
- **Multilateral Conventions:** Regional instruments and International Instruments. Requirements of the conventions to State. Harmonizing legal frameworks. Common law tradition vs. Civil law systems.
- **Scope of mutual legal assistance:** Taking evidence or statements or judicial documents. Executing searches and seizures. Freezing and examining objects and sites. Providing information. Proceeds of crime, etc.
- **Extradition, transfer of proceedings and other matters:** Dual criminality. Protection of nationals.

