

No. 4679

DENMARK, NORWAY and SWEDEN

**Protocol (with annex) concerning mutual assistance in the
conduct of legal proceedings. Signed at Copenhagen,
on 26 June 1957**

Official texts: Danish, Norwegian and Swedish.

Registered by Denmark on 24 February 1959.

DANEMARK, NORVÈGE et SUÈDE

**Protocole (avec annexe) concernant l'entraide judiciaire.
Signé à Copenhague, le 26 juin 1957**

Textes officiels danois, norvégien et suédois.

Enregistré par le Danemark le 24 février 1959.

[TRANSLATION¹ — TRADUCTION²]

No. 4679. PROTOCOL³ BETWEEN DENMARK, NORWAY AND SWEDEN, CONCERNING MUTUAL ASSISTANCE IN THE CONDUCT OF LEGAL PROCEEDINGS. SIGNED AT COPENHAGEN, ON 26 JUNE 1957

The following Protocol has been concluded between the Danish, the Norwegian and the Swedish Governments, on mutual assistance in the conduct of legal proceedings :

Article 1

Requests for the service of documents and for the taking of evidence (to assist legal proceedings) can be submitted by the courts and the prosecuting authorities in the territory of one of the Contracting Parties, directly to the authority that is competent to execute the requested action in the territory of another Contracting Party. Each of the Contracting Parties shall inform the other Contracting Parties of the competent authorities in their respective countries.

If the requested action is desired to be executed within a definite time, this should be stated in the request. Documents transmitted for service should be accompanied by the necessary number of duplicate copies.

Article 2

If a request for assistance in legal proceedings is received by another authority than that competent to execute such action, the request shall be forwarded to the proper authority, unless otherwise requested.

Article 3

Costs of assistance in legal proceedings shall be defrayed by the country in which the requested action is executed, though refund can be claimed for the cost of certificates from experts other than certificates concerning blood tests.

¹ Translation provided by the Government of Denmark.

² Traduction transmise par le Gouvernement danois.

³ Came into force on 16 August 1958, in accordance with article 4, the instruments of ratification having been deposited with the Danish Ministry of Foreign Affairs as follows :

Denmark	5 November	1957
Norway	23 May	1958
Sweden	16 August	1958

Article 4

The Protocol shall be ratified and the instruments of ratification deposited in the archives of the Danish Ministry of Foreign Affairs.

The Protocol shall come into force as soon as all instruments of ratification have been lodged though not earlier than July 1, 1957.

Moreover, the assistance in the conduct of legal proceedings provided for in the following agreements shall stand :

The Hague Convention of July 17, 1905 concerning an international arrangement for certain matters in civil proceedings,¹

The Convention of February 21, 1907 between Norway and Sweden, on the reciprocal extradition of criminal suspects,²

The Convention of December 1, 1909 between Denmark and Norway, regarding the reciprocal extradition of criminal suspects,³

The Declaration of March 12, 1912 between Denmark and Sweden, concerning the right of diplomatic and consular officials to effect the service of documents,⁴

The Convention of June 17, 1913 between Denmark and Sweden, regarding the reciprocal extradition of criminal suspects,⁵

The Convention of February 10, 1931 between Denmark, Finland, Iceland, Norway and Sweden, regarding the collection of maintenance allowances,⁶ as amended by the agreement of April 1, 1953,⁷

The Convention of March 16, 1932 between Denmark, Finland, Iceland, Norway and Sweden, on the recognition and execution of court decisions,⁸

The Convention of November 19, 1934 between Denmark, Finland, Iceland, Norway and Sweden, on inheritances and the distribution of estates, and⁹

The Convention of March 8, 1948 between Denmark, Norway and Sweden, on the recognition and execution of sentences in criminal cases.¹⁰

¹ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome II, p. 243; League of Nations, *Treaty Series*, Vol. L, p. 180; Vol. LIV, p. 434; Vol. XCII, p. 420, and Vol. C, p. 265; and United Nations, *Treaty Series*, Vol. 216, p. 432, and Vol. 293, p. 388.

² De Martens, *Nouveau Recueil général de Traités*, troisième série, tome I, p. 732.

³ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome III, p. 819.

⁴ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome IX, p. 553.

⁵ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome VII, p. 677.

⁶ League of Nations, *Treaty Series*, Vol. CXXVI, p. 41.

⁷ United Nations, *Treaty Series*, Vol. 227, p. 169.

⁸ League of Nations, *Treaty Series*, Vol. CXXXIX, p. 165.

⁹ League of Nations, *Treaty Series*, Vol. CLXIV, p. 243.

¹⁰ United Nations, *Treaty Series*, Vol. 27, p. 117.

IN WITNESS WHEREOF, the Plenipotentiaries of the respective countries have signed the present Protocol and have affixed thereto their seals.

DONE at Copenhagen on June 26, 1957, in one single copy, in Danish, Norwegian and Swedish, of which the Danish Ministry of Foreign Affairs shall submit certified copies to the Governments of the other Contracting Parties.

(Signed) H. C. HANSEN
[L. S.]

(Signed) Paul KOHT
[L. S.]

(Signed) Stig SAHLIN
[L. S.]

ANNEX TO THE PROTOCOL

Upon signing the Protocol on mutual assistance in the conduct of legal proceedings dated this day,¹ we the undersigned, being duly authorized thereto, have agreed upon the following :

Through an exchange of notes, the Icelandic Government may, on a basis of reciprocity, accede to the Protocol dated this day, furthermore provided that texts worded in Icelandic shall be accompanied where necessary by a certified translation into Danish, Norwegian or Swedish.

IN WITNESS WHEREOF we, the undersigned, having full powers therefor, have signed this annex to the Protocol and have affixed thereto our seals.

DONE at Copenhagen on June 26, 1957, in one single copy, in Danish, Norwegian and Swedish, of which the Danish Ministry of Foreign Affairs shall submit certified copies to the Governments of the other Contracting Parties.

(Signed) H. C. HANSEN
[L. S.]

(Signed) Paul KOHT
[L. S.]

(Signed) Stig SAHLIN
[L. S.]

¹ See p. 104 of this volume.