

interest, prejudice the safety of any person or be unreasonable on other grounds.

2. Assistance may be postponed by the Requested State if the execution of the request would interfere with an ongoing investigation or prosecution in the Requested State.

3. The Requested State shall promptly inform the Requesting State of a decision of the Requested State not to comply in whole or in part with a request for assistance, or to postpone execution and shall be given reasons for that decision.

4. Before refusing to grant a request for assistance or before postponing its execution, the Requested State shall consider whether assistance may be granted subject to such conditions as it deems necessary. If the Requesting State accepts assistance subject to these conditions, it shall comply with them.

## **PART II SPECIFIC PROVISIONS**

### **ARTICLE 4**

#### **PRESENCE OF PERSONS INVOLVED IN THE PROCEEDINGS IN THE REQUESTED STATE**

1. The Requested State shall, upon request, inform the Requesting State of the time and place of execution of the request for assistance.

2. To the extent not prohibited by the law of the Requested State, judges or officials of the Requesting State and other persons concerned in the investigation or proceedings shall be permitted to be present at the execution of the request and to participate in the proceedings in the Requested State.

3. The right to participate in the proceedings shall include the right of any person present to pose questions. The persons present at the execution of a request shall be permitted to make a verbatim transcript of the proceedings. The use of technical means to make such a verbatim transcript shall be permitted.

### **ARTICLE 5**

#### **TRANSMISSION OF DOCUMENTS AND OBJECTS**

1. When the request for assistance concerns the transmission of records and documents, the Requested State may transmit