

- a) the law of the Requested State would permit or require that person to decline to give evidence; or
- b) where the law of the Requesting State would permit or require that person to decline to give evidence.

4. If any person in the Requested State claims that there is a right or obligation to decline to give evidence under the law of the Requesting State, the Requesting State shall provide to the Requested State a certificate of a person designated by the central authority of the Requesting State with respect thereto. The certificate provides evidence of its contents.

#### ARTICLE X - AVAILABILITY OF CONSENTING PRISONERS TO GIVE EVIDENCE OR ASSIST INVESTIGATIONS

1. A person in custody in the Requested State whose presence is requested in the Requesting State for the purposes of this Treaty shall be transferred for that purpose, provided the person in custody consents and the Requested State has no reasonable basis to deny the request.

2. The Requesting State shall have the authority and duty to keep the person in custody at all times and return the person to the custody of the Requested State at the conclusion of the proceedings in relation to which the transfer to the Requesting State was sought or at such earlier time as the person's presence is no longer required.

3. Where the sentence imposed on a person transferred under this Article expires while the person is in the Requesting State, that person shall be released and thereafter treated as a person referred to in Article XI.

#### ARTICLE XI - AVAILABILITY OF OTHER CONSENTING PERSONS TO GIVE EVIDENCE OR ASSIST INVESTIGATIONS IN THE REQUESTING STATE

1. A request may be made for assistance in facilitating the availability of a person to assist in an investigation, or to appear as a witness in proceedings in relation to an offence in the Requesting State, except where that person is the subject of the investigation or the person charged with the offence.

2. The Requested State shall, if satisfied that appropriate arrangements for that person's safety will be made by the Requesting State, request the person to consent to assisting in the investigation or to appearing as a witness in proceedings and shall take all steps necessary to facilitate the request.

3. Where a person in the Requested State is requested to assist in an investigation or to appear as a witness in proceedings in the Requesting State, the Requesting State shall provide an adequate