

4. Before refusing to grant a request for assistance or before postponing the grant of such assistance, 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. Judges, prosecutors and counsel for the accused shall be permitted to participate in the proceedings in the Requested State.
3. The right to participate shall include the right of judges or officials of the Requesting State to propose questions and the right of counsel for the accused to pose questions directly. 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 certified true copies thereof, unless the Requesting State expressly requests the originals.
2. The original records or documents and objects transmitted to the Requesting State shall be returned to the Requested State as soon as possible, upon the latter's request.
3. Insofar as not prohibited by the law of the Requested State, documents, objects and records shall be transmitted in a form or accompanied by such certification as may be requested by the Requesting State in order to make them admissible according to the law of the Requesting State.