

not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act, in cases where the law of the country of execution permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country of execution.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the Letter of Request has been executed from the Diplomatic or Consular Officer by whom it was transmitted when sending to him the documents establishing its execution as provided in Article 7 (h).

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—Provisions relating to Equality of Treatment in Judicial Matters.

##### ARTICLE 11.

###### *Legal Protection and Access to the Courts of Justice.*

(a) The nationals of one High Contracting Party shall enjoy in the territories of the other the same rights in respect of the legal protection of persons and property, and shall have free access to the courts of justice for the prosecution or defence of their rights under the same conditions (including the taxes and fees payable), as nationals of the latter High Contracting Party.

(b) This Article applies to criminal as well as to civil and commercial matters.

##### ARTICLE 12.

###### *Security for Costs.*

(a) The nationals of one High Contracting Party resident in a territory of the other, where the proceedings are brought, shall not be compelled to give security for costs or court fees in any case where a national of such other High Contracting Party would not be so compelled in similar circumstances.

(b) The nationals of one High Contracting Party, resident outside the territory of the other, where the proceedings are brought, shall not be obliged to give security for costs or court fees in any case where they possess in that territory "immoveable property" or other property not readily transferable which is sufficient to cover these costs and fees.

(c) It is understood that the interpretation of the expressions "immoveable property" and "property not readily transferable" is a matter within the exclusive competence of the respective courts of the High Contracting Parties.

##### ARTICLE 13.

###### *Free Legal Assistance.*

(a) The nationals of one High Contracting Party shall enjoy in the territories of the other High Contracting Party a perfect equality of treatment with nationals of the latter High Contracting Party as regards free legal assistance for poor persons.

(b) The provisions of this Article apply to criminal as well as to civil and commercial matters, but do not apply to artificial persons.