(b) The Consular Officer may request individuals named by the court of the (b) The Consular Officer may request individual to the attendance and country of origin to appear before him to give evidence. The attendance and no measure country of origin to appear before him to give voluntary and no measures of giving of evidence before him shall be entirely voluntary and no measures of compulsion shall be employed. oulsion shall be employed.

(c) Requests to appear issued by a Consular Officer shall, unless the Contracting Party for whose judicial authorities.

(c) Requests to appear issued by a Charty for whose judicial authority recipient is a subject of the High Contracting Party for whose judicial authority recipient is a subject of the High Contracting I are the country of executive the evidence is required, be drawn up in the language of the country of executive execution into such language.

tion or be accompanied by a translation into such language. or be accompanied by a translation into be secondaried with the procedure recognized (d) The evidence may be taken in accordance with the procedure recognized (d) The evidence may be taken in accordance will have the right to be the law of the country of origin, and the parties will have the right to be be taken in accordance will have the right to be the law of the country of origin, and the parties or solicitors of that country be taken in accordance with the right to be the right to be taken in accordance with the right to be the right to be taken in accordance with the right to be taken in accor by the law of the country of origin, and the patrice or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country present in person or to be represented by barristers or solicitors of that country presented by barristers or solicitors of the country presented by barristers or solicitor present in person or to be represented by barries of the country of execution. of the country of origin or of the country of execution.

ARTICLE 10.

The fact that an attempt to take evidence by the method laid down in The fact that an attempt to take evidences to appear or to give evidence Article 9 failed owing to the refusal of any witness to appear or to give evidence with Article 9 failed owing to the refusal of any witness to appear or to give evidence are to give evidence and the refusal of any witness to appear or to give evidence are to give evidence and the refusal of Article 9 failed owing to the refusal of any made in accordance with Article 8 does not preclude a request being subsequently made in accordance with Article 8

ARTICLE 11.

(a) Where evidence is taken in the manner provided in Article 8 the (a) Where evidence is taken in the chart the Letter of Request the High Contracting Party, by whose judicial authority the Letter of Request was High Contracting Party, by whose judicular Contracting Party any expenses incurred addressed, shall repay to the other High Contracting Party any expenses incurred addressed, shall repay to the other high contracting the execution of the request in by the competent authority of the latter in the execution of the request in by the competent authority of the latter in respect of any charges and expenses payable to witnesses, experts, interpreters, or respect of any charges and expenses payable to witnesses, experts, interpreters, or respect of any charges and expenses payable to witnesses, experts, interpreters, or respect to the latter and the charges and expenses payable to witnesses, experts, interpreters, or respect to the latter and the charges and expenses payable to witnesses, experts, interpreters, or respect to the latter and the charges and expenses payable to witnesses, experts, interpreters, or respect to fine the charges and expenses payable to witnesses, experts, interpreters, or respect to fine the charges and expenses payable to witnesses, experts, interpreters, or respect to fine the charges and expenses payable to witnesses, experts, interpreters, or respect to fine the charges and expenses payable to witnesses, experts, interpreters, or respect to the charges and expenses payable to witnesses who have the charges are charged and the respect of any charges and expenses payable to any person mother translators, the costs of obtaining the attendance of witnesses who have not the charges and expenses payable to any person mother translators. translators, the costs of optaining the attended to any person whom appeared voluntarily, and the charges and expenses payable to any person whom appeared voluntarily, and the that so act, in cases where the law of the country such authority may have deputed to act, in cases where the law of the country such authority may have deputed to act, in cases where the law of the country such authority may have deputed any charges and expenses in such authority may have deputed to act, in the such authority may have a of execution permits this to be done, and followed. These expenses by reason of a special procedure being requested and followed. These expenses by reason of a special procedure being similar cases in the courts of the country 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 a Letter of Request has been executed from the Consular Officer by whom it was transmitted when sending to him the documents estab.

lishing its execution as provided in Article 8 (h).

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

IV.—Judicial Assistance for Poor Persons and Security for Costs

ARTICLE 12.

The subjects of one High Contracting Party resident in the territory of the other High Contracting Party shall not be compelled to give security for costs in other High Contracting Party Shan no such other High Contracting Party would not be so compelled.

ARTICLE 13.

(1) The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of the other High Contracting Party as regards free legal assistances for poor the latter High Contracting Party as regards free legal assistances for poor persons.

(2) The provisions of this Article apply to criminal as well as to civil and

commercial matters.

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