(7) serving documents related to criminal proceedings other than those provided for in sub-paragraph (5);

(8) assisting in proceedings related to confiscation and immobilization of proceeds or instrumentalities of criminal offences; and

(9) any other assistance that is not contrary to the laws of the requested Party and agreed upon between the Central Authorities of the Parties.

3. The term "items" as used in this Treaty means documents, records and other articles of evidence.

4. Nothing in this Treaty shall be construed so as to entitle the competent authorities of either Party to undertake in the territory of the other Party functions which exclusively fall within the authorities of that other Party under the laws of the other Party.

5. This Treaty is intended solely for assistance between the Parties. The provisions of this Treaty shall not give rise to any rights or affect the pre-existing rights on the part of any natural or legal person to obtain evidence or to have evidence excluded, or to impede the execution of a request for assistance.

Article 2

1. Each Party shall designate the Central Authorities that are to perform the functions provided for in this Treaty. For Japan, the Central Authorities shall be the Minister of Justice and the National Public Safety Commission and persons designated by them. For the Russian Federation, the Central Authorities shall be the Ministry of Justice of the Russian Federation and the General Prosecutor's Office of the Russian Federation. The Parties shall notify each other of the functions of their Central Authorities in writing through diplomatic channels.

2. In case of changes of the Central Authorities or their functions of either Party, the other Party shall promptly be notified thereof through diplomatic channels.

3. Requests for assistance under this Treaty shall be made by the Central Authority of the requesting Party to the Central Authority of the requested Party. If a received request comes within the functions of another Central Authority of the requested Party, the said request shall promptly be forwarded to that Central Authority, and the Central Authority of the requesting Party shall be notified thereof.

4. The Central Authorities of the Parties shall communicate directly with one another for the purposes of this Treaty.

Article 3

1. The Central Authority of the requested Party may refuse assistance if the requested Party considers that:

(1) the request relates to a political offence. For the purposes of this Treaty, none of the offences set forth in international agreements in force in the Parties shall be considered as political offences when such international agreements provide that the offences shall not be regarded as political offences;

(2) the execution of the request would impair its security or other essential interests;

(3) the request does not conform to the requirements of this Treaty;

(4) there are well-founded reasons to suppose that the request for assistance has been made with a view to prosecuting or punishing a person by reason of race, religion, nationality, ethnic origin, political opinions or sex, or that such person's position may be prejudiced for any of those reasons; or

(5) the conduct that is the subject of the investigation, prosecution or other proceeding in the requesting Party would not constitute a criminal offence under the laws of the requested Party.

2. Before refusing assistance pursuant to paragraph 1, the Central Authority of the requested Party shall consult with the Central Authority of the requesting Party to consider whether assistance can be provided subject to such conditions as the requested Party may deem necessary. If the requesting Party accepts such conditions, the requesting Party shall comply with them.