（右条約の英文）

AGREEMENT BETWEEN JAPAN AND THE EUROPEAN UNION ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

Japan and the European Union,

Desiring to establish more effective cooperation between Japan and the European Union Member States in the area of mutual legal assistance in criminal matters,

Desiring that such cooperation will contribute to combating crime,

Reaffirming their commitment to respect for justice, principles of the rule of law and democracy, and judicial independence,

Have agreed as follows:

Article 1
Object and purpose

1. The requested State shall, upon request by the requesting State, provide mutual legal assistance (hereinafter referred to as "assistance") in connection with investigations, prosecutions and other proceedings, including judicial proceedings, in criminal matters in accordance with the provisions of this Agreement.

2. This Agreement does not apply to extradition, transfer of proceedings in criminal matters and enforcement of sentences other than confiscation provided for under Article 25.

Article 2
Definitions

For the purpose of this Agreement:

(a) the term "Contracting Parties" means Japan and the European Union;

(b) the term "Member State" means a Member State of the European Union;

(c) the term "State" means Japan or a Member State;

(d) the term "items" means documents, records and other articles of evidence;

(e) the term "property" means assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets;

(f) the term "instrumentalities" means any property used or intended to be used, in any manner, wholly or in part, to commit a criminal offence;

(g) the term "proceeds" means any property derived from or obtained, directly or indirectly, through the commission of a criminal offence;

(h) the term "freezing or seizure" means temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority; and

(i) the term "confiscation", which includes forfeiture where applicable, means a penalty or a measure, ordered by a court or other judicial authority following proceedings in relation to a criminal offence or criminal offences resulting in the final deprivation of property.

Article 3
Scope of assistance

Assistance shall include the following:

(a) taking testimony or statements;

(b) enabling the hearing by videoconference;

(c) obtaining items, including through the execution of search and seizure;

(d) obtaining records, documents or reports of bank accounts;

(e) examining persons, items or places;

(f) locating or identifying persons, items or places;

(g) providing items in the possession of the legislative, administrative or judicial authorities of the requested State as well as the local authorities thereof;