

Treaty
between the German Democratic Republic
and the People's Democratic Republic of Yemen
on Judicial Relations in Civil, Family
and Criminal Matters

The German Democratic Republic and the People's Democratic Republic of Yemen

Proceeding from the common aims of both States in the struggle for social progress and against imperialism.

Guided by the desire to strengthen the close and friendly relations existing between their respective States;

Considering that law has to play an important role in the development of society in their respective States, Endeavouring to facilitate judicial relations and judicial cooperation in civil, family and criminal matters between their respective States,

Have resolved to conclude a Treaty and have to this end appointed as their Plenipotentiaries:

The Chairman of the Council of State of the German Democratic Republic

Dr. Kurt Wuensche,
 Deputy Chairman of the Council of Ministers and Minister of Justice,

The Chairman of the Presidential Council of the People's Democratic Republic of Yemen

Mr. Adel Mahfood Khalifa,
 Minister of Justice and Waqf

Who, after exchanging their full powers, found to be in good and due form, have agreed as follows:

Part I
LEGAL PROTECTION

Section 1

Extent of Legal Protection

(1) Citizens of one Contracting Party shall enjoy, regarding their persons and their property, the same legal protection on the territory of the other Contracting Party as enjoyed by her own citizens. Accordingly, they shall have free access to the courts and other institutions competent in civil, family and criminal matters. Moreover, they shall have the right to institute, before such bodies, proceedings for the protection of their personal and property rights.

(2) The provisions of para. (1) of this Section shall analogously apply to juridical persons, which were founded according to the laws of one of the Contracting Parties.

Section 2

Exemption from Payment of Security

(1) No payment of security for court-fees shall be imposed on citizens of one Contracting Party appearing before the courts of the other Contracting Party on the sole ground that they are foreigners or that they neither have domicile nor abode in that country when they are staying on the territory of that party.

(2) The provisions of para. (1) of this Section shall analogously apply to juridical persons, which were founded according to the laws of one of the Contracting Parties.

Exemption from Payment of Costs of Proceedings

Section 3

Citizens of each Contracting Party shall be granted by the courts of the other Contracting Party exemption from payment of costs of proceedings on the same conditions and to the same extent as its own citizens.

Section 4

(1) The certificate on personal and property conditions which, according to Section 3 of this Treaty, is required for the granting of an exemption from the payment of costs shall be issued by the competent body of the Contracting Party on whose territory the petitioner has his domicile or regular abode.

(2) Should the petitioner have his domicile or regular abode neither on the territory of the one nor of the other Contracting Party, a certificate issued by the diplomatic or consular representation of the Contracting Party of which he is a citizen shall be considered sufficient.

(3) The court which decides on the application for exemption from the payment of the costs of a procedure may, within the framework of its jurisdiction, examine the certificates and data submitted as to their correctness and, if need be, request the body of the other Contracting Party to supply further details.

Section 5

(1) The application for exemption from the payment of the costs of a procedure may also be submitted through that competent court of the Contracting Party whose citizen the petitioner is. That court shall transmit the application for exemption from the payment of costs together with the certificate required under Section 4 and the other documents submitted by the applicant for a procedure to the court of the other Contracting Party according to the provisions of Section 9 of this Treaty.

(2) Simultaneously with the application for exemption from the payment of the costs of a procedure, the application for instituting proceedings in the matter to which the exemption from the costs refers as well as the application for appointing counsel, or other suitable applications may be filed.

Section 6

An exemption from the payment of costs granted by the competent court of a Contracting Party in a certain matter shall apply to all procedural acts which are carried out in these proceedings before the court of the other Contracting Party.

Part II

Judicial Assistance in Civil and Family Matters

Section 7

Granting of Judicial Assistance

(1) The Contracting Parties undertake to grant each other judicial assistance by the courts in civil and family matters on the conditions laid down in this Treaty.

(2) Courts within the meaning of this Part of the Treaty shall also be other bodies of the Contracting Parties which have jurisdiction, in accordance with the laws of their State, in civil and family matters.