

2. In general the provisions of article 6 of this Treaty shall likewise apply to letters rogatory.

Article 9

The papers served or the letters rogatory executed in accordance with articles 6 and 8 of this Treaty shall have the same legal effect as those served or executed on the territory of the requesting Contracting Party.

Article 10

1. A witness or expert of whatever citizenship, who appears before a court of the requested Party upon a summons served on him by a court of the requesting Party, may not be prosecuted or punished nor be arrested for a punishable act committed by him prior to his entering the territory of the requesting Party, nor may he be punished for a previous court sentence.

2. A witness or expert loses the protection stipulated in par. (1) of this article if he has not left the territory of the requesting Contracting Party within 15 days from the day of his being notified that his presence is no longer necessary despite the availability of the means of leaving that territory.

3. A person who is in custody on the territory of the requested Contracting Party and is summoned by a court of the other Contracting Party as a witness or expert, may, if no other reasons prevent this, be temporarily transferred for this purpose with the proviso of immediate re-transfer as soon as his presence is no longer required. A person temporarily transferred enjoys the protection granted in pars. (1) and (2) of this article.

Chapter III

Recognition and Execution of Judgements

Article 11

The Contracting Parties shall recognise and execute, in accordance with the provisions laid down in this Treaty, on their respective territories final and executory judgements and settlements in civil or commercial matters or matters of personal status concerning financial claims as well as judgements in criminal matters deciding indemnity which have been pronounced on the territory of the other Contracting Party after this Treaty has come into force.

Article 12

Recognition and execution of judgements may be refused if

- a) the court of the Contracting Party, on whose territory the judgement has been issued, had no jurisdiction to hear the case according to the laws of the Contracting Party on whose territory the recognition and execution is requested;
- b) the losing Party, that has not participated in the proceedings has, according to the laws of the Contracting Party, on whose territory the judgement was issued, not been summoned according to the laws in time and, in case of its incapacity to plead, was not legally represented;
- c) a court has previously pronounced a final judgement in the same litigation between the same litigants on the territory of the Contracting Party, to which application for execution is made, or, if

a litigation had been initiated previously in this matter before the court of this Contracting Party;

- d) recognition and execution of the judgement contravenes the basic principles of the legislation or public order of the Contracting Party to which application for recognition and execution is made.

Article 13

1. An application for the execution of judgement may be filed with the competent court of the Contracting Party to which application for execution is made, or with the court which pronounced judgement in first instance with the proviso that such an application is transmitted to the competent court of the other Contracting Party in the manner provided for in article (3) par. (7) of this Treaty.

2. The application must be accompanied by

- a) the original or legalised copy of the judgement with the confirmation of its finality and enforceability, unless this is evident from the judgement itself;
- b) a note that the losing Party, which failed to take part in the proceedings, was summoned according to the law and in time, and in case of incapacity to plead, was legally represented;
- c) the legalised translation of the documents referred to in sub-paragraphs (a) and (b) in the language of the Contracting Party to which application for recognition and execution is made, or in English.

3. The documents mentioned in paragraph 2 of this article must be sealed by the court and legalised only by the Ministry of Justice.

Article 14

1. The court of the Contracting Party to which application for execution is made shall effect execution in accordance with the laws of its State.

2. The court which decides on the application for execution shall confine itself exclusively to ascertaining whether the conditions stipulated in articles 12 and 13 of this Treaty are met.

3. The judgement debtor may raise any objection against the judgement provided by the laws of the Contracting Party to which application for execution is made.

Chapter IV

Settlement of Estate Matters

Article 15

In estate matters including inheritance litigations, the diplomatic or consular agent of either Contracting Party is authorized to represent, without special power of attorney, his citizens, unless they are present in person or have appointed authorized representatives before the courts or other competent authorities of the other Contracting Party.

Article 16

1. If a citizen of either Contracting Party dies on the territory of the other Contracting Party the relevant authority shall directly and without delay notify this fact to the diplomatic or consular mission of the other Contracting Party.