

MEMORANDUM

August 17, 1995

To: Jeremy Gunn
From: Phil Golrick
Subject: Mutual Assistance Treaties with Spain and U.K.

Eric has obtained copies of the above-referenced treaties.

The treaty with Spain was submitted to the U.S. Senate in 1991. Its restrictions on use are somewhat more straightforward than those in the comparable treaty with Switzerland. Article 7 provides: "The Central Authority of the Requested State may request that information or evidence furnished under this Treaty be kept confidential or be used only subject to terms and conditions it may specify. In that case, the Requesting State shall use its best efforts to comply with the conditions. Information or evidence which has been made public in the Requesting State in accordance with this Treaty may thereafter be used for any purpose."

The treaty with the United Kingdom has not yet taken effect. Its provisions are similar. Article 7.2 states: "The Requesting Party shall not use or disclose any information or evidence obtained under this Treaty for any purposes other than for the proceedings stated in the request without the prior consent of the Requested Party." Article 7.3 states: "Unless otherwise indicated by the Requested Party when executing the request, information or evidence, the contents of which have been disclosed in a public judicial or administrative hearing related to the request, may thereafter be used for any purpose."

Golrick e:\wp-docs\mutass2.wpd