6. Mutual Legal Assistance

Prelims Level: **International Institutions- Summits, working, Organizations**

Mains Level: **GS-II Important International Institutions, Agencies and Fora-their Structure, Mandate**

Why in News?

- In furtherance to India's policy of Zero Tolerance for crime and in an endeavour to fast track the dispensation of justice, the Ministry of Home Affairs (MHA) has Issued Revised Guidelines for Mutual Legal Assistance in Criminal Matters.

Mutual Legal Assistance Guidelines:

- They aim to enhance and streamline the process of international mutual legal assistance in criminal matters.
- By Incorporating various legal and technological developments in the recent years, it aims to make the documentation in this regard more precise and focused as well as compliant with International requirements.
- The guidelines have also taken into account the concerns raised by various courts for prompt and timely responses in service of documents on persons residing abroad.
- As an Initiative, the revised guidelines have provision for service of documents on authorities of foreign country preferably within 10 days of receipt of request in respect of offences committed against women and children.

Why need Mutual Legal Assistance?

- The transnational nature of crime and digital explosion has blurred geographical boundaries for criminal activities.
- Availability of evidence and criminals outside the Sovereign Jurisdiction of countries has necessitated the transformation of scope and nature of conventional investigation.

MLA Treaties:

- India has entered into Mutual Legal Assistance Treaties/ Agreements with 42 countries and is signatory to Various International Conventions i.e. UNCAC, UNTOC etc.
- The Ministry of Home Affairs (MHA) is the designated 'Central Authority' for India. Generally, assistance is sought and received in the form of Mutual Legal Assistance Requests/Letters.