**United States’ Interventions on the Suggested Chair’s Proposals**

**Article 12. Mutual Legal Assistance**

Regarding the inclusion of mutual legal assistance in the LBI, in general, we appreciate the Chair's efforts to streamline the text. The proposed LBI is geared towards effective remedy in a variety of contexts—administrative, civil, and criminal. Mutual legal assistance is used to support criminal investigations and prosecutions and is well covered in multilateral agreements as well as bilateral agreements between many countries. Even if the LBI were to impose an obligation on state parties to criminalize conduct, because the system of bilateral mutual legal assistance agreements is a sophisticated and well-functioning one, any attempt to bring mutual legal assistance into the LBI should be made only on the basis that it would address gaps that aren’t otherwise addressed in existing agreements, for instance, the Hague Judgements Convention. Absent further information about the scope of the provision and what gaps we are seeking to address, absent further understanding of the scope and what gaps exist, we propose deletion of Article 12.