

(4) To advertise or make known by any means whatsoever, in view of assisting in the said punishable circulation or traffic, that a person is engaged in any of the above punishable acts, or to advertise or to make known how or from whom the said obscene matters or things can be procured either directly or indirectly.

## ARTICLE 2

Persons who have committed an offence falling under Article 1 shall be amenable to the Courts of the Contracting Party in whose territories the offence, or any of the constitutive elements of the offence, was committed. They shall also be amenable, when the laws of the country shall permit it, to the Courts of the Contracting Party whose nationals they are, if they are found in its territories, even if the constitutive elements of the offence were committed outside such territories.

Each Contracting Party shall, however, have the right to apply the maxim *non bis in idem* in accordance with the rules laid down in its legislation.

## ARTICLE 3

The transmission of rogatory commissions relating to offences falling under the present Convention shall be effected either :

(1) By direct communication between the judicial authorities ; or

(2) Through the diplomatic or the consular representative of the country making the request in the country to which the request is made ; this representative shall send the rogatory commission direct to the competent judicial authority or to the authority appointed by the Government of the country to which the request is made, and shall receive direct from such authority the papers showing the execution of the rogatory commission.

In each of the above cases a copy of the rogatory commission shall always be sent to the supreme authority of the country to which application is made.

(3) Or through diplomatic channels.

Each Contracting Party shall notify to each of the other Contracting Parties the method or methods of transmission mentioned above which it will recognize for rogatory commissions of such Party.

Any difficulties which may arise in connection with transmission by methods (1) and (2) of the present Article shall be settled through diplomatic channels.

Unless otherwise agreed, the rogatory commission shall be drawn up in the language of the authority to which request is made, or in a language agreed upon by the two countries concerned, or shall be accompanied by a translation in one of these two languages certified by a diplomatic or consular agent of the country making the request or certified on his oath by a translator of the country to which request is made.

Execution of rogatory commissions shall not be subject to payment of taxes or expenses of any nature whatsoever.

Nothing in this Article shall be construed as an undertaking on the part of the Contracting Parties to adopt in their Courts of Law any form or methods of proof contrary to their laws.

## ARTICLE 4

Those of the Contracting Parties whose legislation is not at present adequate to give effect to the present Convention undertake to take, or to propose to their respective legislatures, the measures necessary for this purpose.