



Mutual Legal Assistance Treaty: India- Poland

For Prelims: Mutual Legal Assistance Treaties (MLATs), Nodal Agency in India for MLATs and its legal basis, Location of Poland

For Mains: The utility of Mutual Legal Assistance Treaties (MLATs) in dealing with Transnational Crime and Terrorism, Significance of India-Poland relations.

Why in News

Recently, the Union Cabinet has approved the **Treaty on Mutual Legal Assistance in Criminal Matters** between the Government of [India and Poland](#).



Key Points

- **About:**

- **Mutual Legal Assistance Treaties (MLATs):**
 - The MLATs in criminal matters are the bilateral treaties entered between the countries **for providing international cooperation and assistance.**
 - These agreements **allow for the exchange of evidence and information in criminal and related matters** between the signing countries.
- **Benefits of Treaty:**
 - **Investigation and Prosecution of Crime:** It will **enhance effectiveness** of both the countries in **investigation and prosecution of crime**, through cooperation and mutual legal assistance in criminal matters.
 - **Transnational Crime and its Linkages to Terrorism:** It will provide a **broad legal framework for bilateral cooperation** with Poland in investigation and prosecution of crime as well as in tracing, restrain and confiscation of proceeds and instruments of crime as well as the funds meant to finance terrorist acts.
 - **Gaining Better Inputs:** It will be instrumental in gaining better inputs and insights in the modus operandi of organized criminals and terrorists.
 - These in turn can be used to fine tune policy decisions in the field of internal security.
- **Nodal Agency in India:**
 - The **Ministry of Home Affairs is the nodal Ministry** and the Central authority for seeking and providing mutual legal assistance in criminal law matters.
 - The **Ministry of External Affairs** may be involved in this process when such requests are routed through diplomatic channels by these Ministries.
- **Legal Basis:**
 - **Section 105** of the **Criminal Procedure Code (CrPC)** speaks of reciprocal arrangements to be made by the Central Government with the Foreign Governments with regard to the service of summons/warrants/judicial processes.
 - India has entered into **Mutual Legal Assistance Treaties/Agreements with 42 countries** (November 2019).

India-Poland Relations

- **Historical Background:**
 - India and Poland **diplomatic relations** were **established in 1954**, leading to the opening of the **Indian Embassy in Warsaw in 1957.**
 - The two countries shared common ideological perceptions, based on their opposition to colonialism, imperialism and racism.
 - During the **Communist era of Poland (1944 to 1989), bilateral relations were close and cordial**, with regular high level visits, coupled with planned trade and economic interactions by state trading organizations, underpinned by the rupee clearing arrangements.
 - The **relationship continued to remain close after Poland chose the democratic path in 1989.**
 - A cordial political relationship has emerged in the current century, particularly after Poland joined the **European Union** in 2004, and became one of India's key economic partners in Central Europe.
- **Economic & Commercial Relations:**
 - **Export:**
 - Poland is **India's largest trade partner and export destination in the Central European region**, with bilateral trade growing almost seven-fold over the last ten years.
 - As per Indian statistics, the overall value of **bilateral trade in 2019 was USD 2.36 billion.**
 - **Investment:**
 - Indian investments in Poland are valued at over **USD 3 billion .**
 - Total Polish investment in India is estimated at **USD 672 million.**
 - **Foreign Direct Investment (FDI):**
 - From April 2000 to March 2019, India recorded over **USD 672 million of FDI from Poland**, 0.16% of its total FDI inflows in that period.
- **Cultural and Educational Relations:**

- There is a strong tradition of Indology studies in Poland, with **Polish scholars having translated Sanskrit into Polish as early as in the 19th Century.**
 - **Indology** is the academic study of the history and cultures, languages, and literature of India and as such is a subset of Asian studies.
- The Polish Mission organised the **150th anniversary of Mahatma Gandhi** in 2019.
 - Polish Post (Poczta Polska) **issued a Commemorative Stamp on the 150th Birth Anniversary of Mahatma Gandhi** which was released on the occasion.
- On the occasion of 550th Prakash Purab of **Guru Nanak Dev ji**, Mission and Gurudwara Sahib of Poland **jointly organised functions at Gurudwara Sahib, Poland.**
- The first **International Day of Yoga** was organized in 21 cities in Poland on June 21, 2015. An estimated 11000 people participated in public events.
- **Indian Community:**
 - Estimated at approximately **10,000, the Indian community in Poland consists of traders (textiles, garments and electronics)** who came after the collapse of communism, and professionals with multinational or Indian companies and software/IT experts, including a rising number of Indian students.

Way Forward

- Poland was acclaimed one of 50 most innovative countries by Bloomberg in 2017 and it is **important that India continues to see it as the technology hub** in Central Europe and the friendly place to do business.
- Poland has a **lot to offer in terms of green technologies, smart cities, cybersecurity, fintech and water management.**
- Poland also **offers excellent opportunities to Indian investors** and exporters in the automotive sector. Given Poland's strategic location, shortages in healthcare personnel and 25% growth in the pharma market in the last 5 years, there are **good opportunities for Indian exporters and investors.**
- The relationship between India and Poland has always been very good. But trade between us has suffered due to Covid.
- A new factor that has strengthened ties between the two countries is the **increasing Indian diaspora in Poland, including about 6,000 students.**
 - Poland has become more attractive for students ever since it **introduced English as a medium of instruction in medicine and engineering at major universities**
- Before Covid, there used to be a direct flight to Warsaw from Delhi. The **restoration of direct flight will enhance trade relations between two countries.**

Source: PIB

PDF Refernece URL: <https://www.drishtias.com/printpdf/mutual-legal-assistance-treaty-india-poland>