



# Mutual *Legal* Assistance Treaty

*M*LATs are a process that officers must go through to obtain evidence of criminal activity from countries outside of the U.S.

A Mutual Legal Assistance Treaty (MLAT) is an international agreement between two or more countries that facilitates cooperation and collaboration in legal matters, particularly when it comes to the investigation and prosecution of transnational crimes. MLATs are essential for law enforcement agencies when dealing with issues that cross borders, such as cybercrimes, money laundering, and terrorism. In the context of cryptocurrency exchanges, MLATs play a critical role in addressing criminal activities involving cryptocurrencies.



CRYPTO TRACK

# How MLATs Work for Cryptocurrency Exchanges

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## **Understanding the Need for MLATs in Cryptocurrency:**

Cryptocurrencies are borderless and can be used for various illicit activities, including money laundering, fraud, and cybercrimes. Given the global nature of these digital assets, it's often necessary for law enforcement agencies from multiple countries to cooperate when investigating and prosecuting individuals or organizations involved in cryptocurrency-related crimes.

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## **Negotiation and Signing of MLATs**

Countries interested in cooperating on legal matters related to cryptocurrencies negotiate and sign MLATs. These treaties establish a framework for sharing information, evidence, and other forms of legal assistance.

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## **Central Authorities:**

MLATs typically designate a central authority within each participating country responsible for receiving and processing these requests. In the United States, the Office of International Affairs serves as the central authority.

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## **Request for Legal Assistance:**

State and federal prosecutors can make a formal request through the Office of International Affairs to initiate the MLAT process. Law enforcement officers play a vital role in the process. They must supply critical details of the investigative information and/or evidence sought, and the probability that the evidence has been preserved.

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## **Information Sharing:**

Once a request is received, the central authority in the requesting country sends it to the central authority in the requested country. The request specifies the nature of the investigation, the specific information or assistance needed, and the relevant legal provisions.





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**Compliance by Cryptocurrency Exchange:**

If the investigation involves a cryptocurrency exchange, the requested country may issue a legal order or request to the exchange, asking for specific information or cooperation. This could include transaction records, user identification data, seizure of funds, and other relevant information.

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**Review and Compliance by the Requested Country:**

The central authority in the requested country reviews the request and ensures that it complies with its legal and procedural requirements. If approved, the requested country's law enforcement agencies work with the cryptocurrency exchange to obtain and share the requested information.

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**Confidentiality and Data Protection:**

MLATs include provisions to safeguard sensitive information and ensure that data protection and privacy laws are respected. The receiving country typically agrees to handle shared information confidentially and only use it for the purposes specified in the request.

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**Resolution and Prosecution:**

The information obtained through the MLAT process is used in the investigation and prosecution of cryptocurrency-related crimes. This may lead to arrests, legal actions, and the recovery of assets obtained through illegal means.

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**Compliance and Enforcement:**

Cryptocurrency exchanges operating in countries that have signed MLATs must comply with requests for information and assistance as stipulated by these treaties. Non-compliance can lead to legal consequences for the exchange.

MLATs are an essential tool in the fight against cryptocurrency-related crimes, as they enable international cooperation and information sharing, helping law enforcement agencies pursue criminal actors who exploit the global nature of cryptocurrencies. These treaties promote a coordinated effort to maintain the integrity of financial systems and protect against illegal activities involving digital assets.

# CRYPTOTRACK.US/LE-PORTAL

At Crypto Track on the LE Portal there are links to LE guides, Templates and other resources, with MLAT Templates coming very soon!

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## Legal Templates



Exchange Account Look Up -  
Dept Letterhead/Subpoena

Exchange Seizure - Search  
Warrant Affidavit

Seized Funds Transfer to LE  
Controlled Wallet

Additional Templates Coming  
Soon

Residential - Search Warrant  
Affidavit

