

These notes refer to the Crime (International Co-operation) Act 2003 (c.32) which received Royal Assent on 30 October 2003

CRIME (INTERNATIONAL CO-OPERATION) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Miscellaneous

Section 87: States in relation to which 1995 and 1996 Extradition Conventions are not in force

167. This section is designed to allow the UK unilaterally to apply the provisions of the 1995 Convention and the 1996 Convention to countries which have not ratified the Conventions themselves. The section is largely necessary so that the UK is able to fulfil its Schengen obligations to Italy and France, which have ratified the Schengen extradition provisions but have not subsequently ratified the 1995 Convention and the 1996 Convention.
168. Rather than introduce a different extradition regime to that for other EU Member States, this section creates an enabling power which may be used to extend to Italy and France the relevant provisions of the 1995 Convention and the 1996 Convention by providing for the application of the relevant provisions of the Extradition Act 1989. (The power could also be used to apply these to such other states as are specified by Order in Council.) It is expected that in both cases this will be a short-term measure, as it is anticipated that all existing EU Member States will have implemented the Framework Decision on the European Arrest Warrant by 1 January 2004, which will significantly alter current extradition proceedings within the EU.