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STATUTORY INSTRUMENTS

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**1995 No. 2703**

**EXTRADITION**

The European Convention on Extradition  
Order 1990 (Amendment) (No. 3) Order 1995

<i>Made</i>	- - - -	<i>18th October 1995</i>
<i>Laid before Parliament</i>		<i>30th October 1995</i>
<i>Coming into force</i>	- -	<i>1st December 1995</i>

At the Court at Buckingham Palace, the 18th day of October 1995

Present,

The Queen's Most Excellent Majesty in Council

Whereas the European Convention on Extradition (“the Convention”)(**1**) opened for signature at Paris on 13th December 1957 entered into force for the United Kingdom on 14th May 1991:

And whereas the Convention entered into force in respect of Lithuania on 18th September 1995 and Lithuania made the reservations and declarations set out in article 2(b) of this Order:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 4(1) and 37(3) of the Extradition Act 1989(**2**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**1.** This Order may be cited as the European Convention on Extradition Order 1990 (Amendment) (No. 3) Order 1995 and shall come into force on 1st December 1995.

**2.** The European Convention on Extradition Order 1990(**3**) (“the 1990 Order”) shall be amended as follows:

(a) In Part I of Schedule 2 (which names States parties to the Convention), at the appropriate place in the alphabetical order, the following entry shall be inserted—

“Lithuania”.

(b) In Schedule 3 (which sets out the reservations and declarations made by States parties to the Convention, the following Part shall be inserted after Part 12—

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(1) Cm. 1762.

(2) 1989 c. 33.

(3) S.I. 1990/1507 as amended by S.I. 1992/2663, 1993/2667, 1994/2796, 1994/3203, 1995/1624, 1995/1962.

## “PART 12A

### lithuania

#### *Reservations*

##### **Article 1**

Extradition shall be granted only under the condition that any person suspected of having committed a crime will not be tried in a special court of the requesting Party.

The Republic of Lithuania reserves the right not to grant extradition if the said person, on the grounds of his/her health, age or personal motivation, would be adversely affected by this extradition.

##### **Article 3**

The Republic of Lithuania reserves its right referred to in Article 3 of the Convention to decide in each particular case whether acts referred to in Article 3, paragraph 3, of the Convention are regarded as being a political offence.

#### *Declarations*

##### **Article 6**

The term “nationals” means persons having Lithuanian nationality under the Law of the Lithuanian nationality (Citizenship Law). According to Article 6 of the Law on Lithuanian nationality (Citizenship Law), the Republic of Lithuania does not extradite its nationals to foreign countries. All requests for extradition of Lithuanian nationals shall be refused.

##### **Article 12**

Written requests for extradition can be exchanged between the Ministry of Justice or the Prosecutor General’s Office of the requesting Party and the Lithuanian Ministry of Justice or Prosecutor General’s Office. The use of diplomatic channels is not excluded.

##### **Article 21**

In no case shall the Republic of Lithuania grant transit in respect of Lithuanian nationals.

##### **Article 23**

Requests for extradition (including documents in support of the request) have to be accompanied by proper translations in Lithuanian, English, French, Russian or German if these documents are not produced in one of these languages.”.

- (c) In Schedule 5, at the end there shall be added the following Part, namely:

## “PART 5

### ORDER REVOKED WITH EFFECT FROM 1ST DECEMBER 1995

Order in Council dated 26th May 1927 directing that the Extradition Acts shall apply in the case of the Republic of Lithuania (S.R. and O. [1927/504](#)).”.

*N. H. Nicholls*  
Clerk of the Privy Council

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, which comes into force on 1st December 1995, amends the European Convention on Extradition Order 1990 by adding Lithuania to the States parties to the European Convention on Extradition listed in Schedule 2 to the 1990 Order. It also adds the declarations and reservations made by Lithuania to the reservations and declarations set out in Schedule 3 to the 1990 Order, and has the effect of revoking the Order in Council embodying the extradition treaty between the United Kingdom and Lithuania to the extent that it applies to the United Kingdom, the Channel Islands and the Isle of Man.