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STATUTORY INSTRUMENTS

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**2001 No. 962**

**EXTRADITION**

**The European Convention on Extradition Order 2001**

*Made* - - - - - *14th March 2001*  
*Laid before Parliament* *26th March 2001*  
*Coming into force* *17th April 2001*

**THE EUROPEAN CONVENTION ON EXTRADITION ORDER 2001**

1. Citation
  2. Application of Part III of 1989 Act
  3. Where an extradition request is made by a Convention State...
  4. Extent
  5. Revocation and savings
- Signature

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SCHEDULE 1 — THE CONVENTION

*THE EUROPEAN CONVENTION ON EXTRADITION*

ARTICLE 1

*OBLIGATION TO EXTRADITE*

ARTICLE 2

*EXTRADITABLE OFFENCES*

1. Extradition shall be granted in respect of offences punishable under...
2. If the request for extradition includes several separate offences each...
3. Any Contracting Party whose law does not allow extradition for...
4. Any Contracting Party which wishes to avail itself of the...
5. If extradition is subsequently excluded in respect of other offences...
6. Any Party which avails itself of the right provided for...
7. Any Party may apply reciprocity in respect of any offences...

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### ARTICLE 3

#### *POLITICAL OFFENCES*

1. Extradition shall not be granted if the offence in respect...
2. The same rule shall apply if the requested Party has...
3. The taking or attempted taking of the life of a...
4. This Article shall not affect any obligations which the Contracting...

### ARTICLE 4

#### *MILITARY OFFENCES*

### ARTICLE 5

#### *FISCAL OFFENCES*

### ARTICLE 6

#### *EXTRADITION OF NATIONALS*

1. (a) A Contracting Party shall have the right to refuse...
2. If the requested Party does not extradite its national, it...

### ARTICLE 7

#### *PLACE OF COMMISSION*

1. The requested Party may refuse to extradite a person claimed...
2. When the offence for which extradition is requested has been...

### ARTICLE 8

#### *PENDING PROCEEDINGS FOR THE SAME OFFENCES*

### ARTICLE 9

#### *NON BIS IN IDEM*

### ARTICLE 10

#### *LAPSE OF TIME*

### ARTICLE 11

#### *CAPITAL PUNISHMENT*

### ARTICLE 12

#### *THE REQUEST AND SUPPORTING DOCUMENTS*

1. The request shall be in writing and shall be communicated...
2. The request shall be supported by: (a) the original or...

## ARTICLE 13

### *SUPPLEMENTARY INFORMATION*

## ARTICLE 14

### *RULE OF SPECIALITY*

1. A person who has been extradited shall not be proceeded...
2. The requesting Party may, however, take any measures necessary to...
3. When the description of the offence charged is altered in...

## ARTICLE 15

### *RE-EXTRADITION TO A THIRD STATE*

## ARTICLE 16

### *PROVISIONAL ARREST*

1. In case of urgency, the competent authorities of the requesting...
2. The request for provisional arrest shall state that one of...
3. A request for provisional arrest shall be sent to the...
4. Provisional arrest may be terminated if, within a period of...
5. Release shall not prejudice re-arrest and extradition if a request...

## ARTICLE 17

### *CONFLICTING REQUESTS*

## ARTICLE 18

### *SURRENDER OF THE PERSON TO BE EXTRADITED*

1. The requested Party shall inform the requesting Party by the...
2. Reasons shall be given for any complete or partial rejection....
3. If the request is agreed to, the requesting Party shall...
4. Subject to the provisions of paragraph 5 of this Article,...
5. If circumstances beyond its control prevent a Party from surrendering...

## ARTICLE 19

### *POSTPONED OR CONDITIONAL SURRENDER*

1. The requested Party may, after making its decision on the...
2. The requested Party may, instead of postponing surrender, temporarily surrender...

## ARTICLE 20

### *HANDING OVER OF PROPERTY*

1. The requested Party shall, insofar as its law permits and...
2. The property mentioned in paragraph 1 of this Article shall...
3. When the said property is liable to seizure or confiscation...

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4. Any rights which the requested Party or third parties may...

#### ARTICLE 21

##### *TRANSIT*

1. Transit through the territory of one of the Contracting Parties...
2. Transit of a national, within the meaning of Article 6,...
3. Subject to the provisions of paragraph 4 of this Article,...
4. If air transport is used, the following provisions shall apply:...
5. A Party may, however, at the time of signature or...
6. The transit of the extradited person shall not be carried...

#### ARTICLE 22

##### *PROCEDURE*

#### ARTICLE 23

##### *LANGUAGE TO BE USED*

#### ARTICLE 24

##### *EXPENSES*

1. Expenses incurred in the territory of the requested Party by...
2. Expenses incurred by reason of transit through the territory of...
3. In the event of extradition from a non-metropolitan territory of...

#### ARTICLE 25

##### *DEFINITION OF "DETENTION ORDER"*

#### ARTICLE 26

##### *RESERVATIONS*

1. Any Contracting Party may, when signing this Convention or when...
2. Any Contracting Party which has made a reservation shall withdraw...
3. A Contracting Party which has made a reservation in respect...

#### ARTICLE 27

##### *TERRITORIAL APPLICATION*

1. This Convention shall apply to the metropolitan territories of the...
2. In respect of France, it shall also apply to Algeria...
3. The Federal Republic of Germany may extend the application of...
4. By direct arrangement between two or more Contracting Parties, the...

#### ARTICLE 28

##### *RELATIONS BETWEEN THIS CONVENTION AND BILATERAL AGREEMENTS*

1. This Convention shall, in respect of those countries to which...

2. The Contracting Parties may conclude between themselves bilateral or multilateral...
3. Where, as between two or more Contracting Parties, extradition takes...

#### ARTICLE 29

##### *SIGNATURE, RATIFICATION AND ENTRY INTO FORCE*

1. This Convention shall be open to signature by the Members...
2. The Convention shall come into force 90 days after the...
3. As regards any signatory ratifying subsequently the Convention shall come...

#### ARTICLE 30

##### *ACCESSION*

1. The Committee of Ministers of the Council of Europe may...
2. Accession shall be by deposit with the Secretary-General of the...

#### ARTICLE 31

##### *DENUNCIATION*

#### ARTICLE 32

##### *NOTIFICATIONS*

#### SCHEDULE 2 — RESERVATIONS AND NOTIFICATION BY THE UNITED KINGDOM

Article 1  
Article 2  
Article 3  
Article 8  
Article 9  
Article 10  
Article 12  
Article 14  
Article 21  
Article 23  
Article 27  
Article 28

##### *NOTIFICATION*

#### SCHEDULE 3 — PART I — CONVENTION STATES PART II

#### SCHEDULE 4 — RESERVATIONS AND DECLARATIONS MADE BY CONVENTION STATES PART 1 — ALBANIA

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*Reservations and Declarations*

Article 2  
Article 6  
Article 6  
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Article 12

PART 2 — ANDORRA

*Declarations*

Article 6  
Article 11  
Article 16  
Article 21  
Article 23

*Reservations*

Article 1  
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PART 3 — AUSTRIA

*Declarations*

Article 2  
Articles 6 and 21  
Article 7  
Article 9  
Article 11  
Article 16

*Reservations*

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Article 5  
Article 11

PART 4 — BELGIUM

Article 1  
Article 14  
Article 15  
Article 21  
Article 23

*Reservations*

Article 1  
Article 18  
Article 19

*Notification*

Article 28

PART 5 — BULGARIA

*Reservations*

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Article 4  
Article 7  
Article 12

*Declarations*

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PART 6 — CROATIA

*Declarations and Reservations*

Articles 6 and 21  
PART 7 — CYPRUS

*Declarations*

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Article 6  
Article 11  
Article 21  
PART 8 — CZECH REPUBLIC  
Article 21  
PART 9 — DENMARK

*Reservations*

Article 1  
Articles 1 and 9  
Article 2  
Article 3  
Article 4  
Article 12

*Declarations*

Article 6

*Notification*

Article 28  
PART 10 — ESTONIA

*Declarations*

1. Article 6
2. Pursuant to Article 6, paragraph 1, sub-paragraph (a) of the...
3. Article 23  
PART 11 — FINLAND

*Declaration*

Article 6

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*Reservations*

Article 1  
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*Notification*

Article 28  
PART 12 — FRANCE

*Reservations and Declarations*

Article 1  
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Article 3  
Article 5  
Article 6  
Article 14  
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Article 27  
PART 13 — GERMANY

*Reservations and Declarations*

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Article 6  
Article 21  
Article 21  
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PART 14 — GREECE

*Declarations and Reservations*

Article 6  
Article 7  
Article 11  
Article 18  
Article 19  
PART 15 — HUNGARY

*Reservations and Declarations*

Article 1  
Article 6  
Article 11  
Article 16  
Article 21  
Article 23  
PART 16 — ICELAND



*Reservations*

Article 1  
Article 2  
Article 3  
Article 4  
Article 12

*Declarations*

Article 6

*Notification*

Article 28, paragraph 3  
PART 17 — REPUBLIC OF IRELAND

*Declarations*

Article 6

*Reservation*

Article 9

*Notification*

Article 28  
PART 18 — ISRAEL

*Declarations*

Article 21  
Article 22  
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*Reservations*

Articles 2 and 4  
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Article 14  
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PART 19 — ITALY

*Declaration and Reservation*

Article 11  
Article 25  
PART 20 — LATVIA

*Declaration*

Article 6  
PART 21 — LIECHTENSTEIN

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*Declarations and Reservations*

Article 1  
Article 6  
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PART 22 — LITHUANIA

*Reservations*

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PART 23 — LUXEMBOURG

*Reservations*

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Articles 6 and 21  
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PART 24 — MACEDONIA, FORMER YUGOSLAV REPUBLIC OF

*Declaration*

Article 6

*Reservations*

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PART 25 — MALTA

*Reservations*

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Article 3  
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Article 21  
PART 26 — MOLDOVA

*Reservations and Declarations*

- Article 1  
Article 3  
Article 6  
Article 7  
1. Article 9  
2. In derogation of Article 9 (first sentence), the Republic of...  
Article 16  
Article 21  
Article 23  
PART 27 — NETHERLANDS

*Declarations and Reservations*

- Article 1  
Articles 6 and 21  
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- Article 28  
PART 28 — NORWAY

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PART 29 — POLAND

*Reservation and Declaration*

- Article 6  
PART 30 — PORTUGAL

*Declaration and Reservations*

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*Declarations*

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Article 21

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PART 32 — RUSSIAN FEDERATION

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PART 34 — SPAIN

*Reservations*

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*Reservations*

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PART 36 — SWITZERLAND

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Article 11  
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PART 37 — TURKEY

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Article 6

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Article 11

PART 38 — UKRAINE

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Article 12  
Article 21  
Article 23

SCHEDULE 5 —

PART I — ORDERS REVOKED BY ARTICLE 5(1)

PART II — ORDERS REVOKED BY ARTICLE 5(3)

Explanatory Note