

## **EXTRADITION TREATIES**

**(The treaty applicable to Pakistan was originally signed with the United Kingdom.)**

### **EXTRADITION**

**Treaty Series 849**

**1931 U.S.T. LEXIS 60; 12 Bevans482**

**December 22, 1931, Date-Signed**

**June 24, 1935, Date-In-Force**

#### **STATUS:**

[\*1] Treaty and exchanges of notes signed at London December 22, 1931 Senate advice and consent to ratification February 19, 1932 Ratified by the President of the United States March 3, 1932 Ratified by the United Kingdom July 29, 1932 Ratifications exchanged at London August 4, 1932 Proclaimed by the President of the United States August 9, 1932 Entered into force June 24, 1935

#### **TEXT:**

#### **TREATY**

The President of the United States of America,

And His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India;

Desiring to make more adequate provision for the reciprocal extradition of criminals,

Have resolved to conclude a Treaty for that purpose, and to have appointed as their plenipotentiaries:

The President of the United States of America:

General Charles G. Dawes, Ambassador Extraordinary and Plenipotentiary of the United States of America at the Court of St. James;

And His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland:

The Right Honorable Sir John Simon, G.C.S.I., M.P., His Principal Secretary of State for Foreign Affairs[\*2]

who, having communicated their full powers, found in good and due form, have agreed as follows:

### *ARTICLE 1*

The High Contracting Parties engage to deliver up to each other, under certain circumstances and conditions stated in the present Treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in Article 3, committed within the jurisdiction of the one Party, shall be found within the territory of the other Party.

### *ARTICLE 2*

For the purposes of the present Treaty the territory of His Britannic Majesty shall be deemed to be Great Britain and Northern Ireland, the Channel Islands and the Isle of Man, and all parts of His Britannic Majesty's dominions overseas other than those enumerated in Article 14, together with the territories enumerated in Article 16 and any territories to which it may be extended under Article 17. It is understood that in respect of all territory of His Britannic Majesty as above defined other than Great Britain and Northern Ireland, the Channel Islands, and the Isle of Man, the present Treaty shall be applied so far as laws permit. For the purposes of the present Treaty the territory of the United States shall be deemed [\*3] to be all territory wherever situated belonging to the United States, including its dependencies and all other territories under its exclusive administration or control.

### *ARTICLE 3*

Extradition shall be reciprocally granted for the following crimes or offences:

1. Murder (including assassination, parricide, infanticide, poisoning), or attempt or conspiracy to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Unlawful carnal knowledge, or any attempt to have unlawful carnal knowledge, of a girl under 16 years of age.
6. Indecent assault if such crime or offence be indictable in the place where the accused or convicted person; is apprehended.
7. Kidnapping or false imprisonment.
8. Child stealing, including abandoning, exposing or unlawfully detaining.
9. Abduction.
10. Procuration: that is to say the procuring or transporting of a woman or girl under age, even with her consent, for immoral purposes, or of a woman or girl over age, by fraud, threats, or compulsion, for such purposes with a view in either case to gratifying the passions of another person provided that such crime or offence is punishable by imprisonment [\*4] for at least one year or by more severe punishment.
11. Bigamy.

12. Maliciously wounding or inflicting grievous bodily harm.
13. Threats, by letter or otherwise, with intent to extort money or other things of value.
14. Perjury, or subornation of perjury.
15. Arson.
16. Burglary or housebreaking, robbery with violence, larceny or embezzlement.
17. Fraud by a bailee, banker, agent, factor, trustee, director, member, or public officer of any company, or fraudulent conversion.
18. Obtaining money, valuable security, or goods, by false pretences; receiving any money, valuable security, or other property, knowing the same to have been stolen or unlawfully obtained.
19. (a) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money.  
(b) Knowingly and without lawful authority making or having in possession any instrument, tool, or engine adapted and intended for the counterfeiting of coin.
20. Forgery, or uttering what is forged.
21. Crimes or offences against bankruptcy law.
22. Bribery, defined to be the offering, giving or receiving of bribes.
23. Any malicious act done with intent to endanger the safety of any persons travelling or being upon railway.
24. Crimes or offences or attempted crimes or offences in connection with the traffic in dangerous drugs.
25. Malicious injury to property, if such crime or offence be indictable.
26. (a) Piracy by the law of nations.  
(b) Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master; wrongfully sinking or destroying a vessel at sea, or attempting to do so; assaults on board a ship on the high seas, with intent to do grievous bodily harm.
27. Dealing in slaves.

Extradition is also to be granted for participation in any of the aforesaid crimes or offences, provided that such participation be punishable by the laws of both High Contracting Parties.

#### **ARTICLE 4**

The extradition shall not take place if the person claimed has already been tried and discharged or punished, or is still under trial in the territories of the High Contracting Party applied to, for the crime or offence for which his extradition is demanded.

If the person claimed should be under examination or under punishment in the territories of the High Contracting Party applied to for any other crime or offence, his extradition shall be deferred [\*6] until the conclusion of the trial and the full execution of any punishment awarded to him.

#### *ARTICLE 5*

The extradition shall not take place if, subsequently to the commission of the crime or offence or the institution of the penal prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the High Contracting Party applying or applied to.

#### *ARTICLE 6*

A fugitive criminal shall not be surrendered if the crime or offence in respect of which his surrender is demanded is one of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try or punish him for a crime or offence of a political character.

#### *ARTICLE 7*

A person surrendered can in no case be kept in custody or be brought to trial in the territories of the High Contracting Party to whom the surrender has been made for any other crime or offence, or on account of any other matters, than those for which the extradition shall have taken place, until he has been restored, or has had an opportunity of returning, to the territories of the High Contracting Party by whom he has been surrendered.

This stipulation [\*7] does not apply to crimes or offences committed after extradition.

#### *ARTICLE 8*

The extradition of fugitive criminals under the provisions of this Treaty shall be carried out in the United States and in the territory of His Britannic Majesty respectively, in conformity with the laws regulating extradition for the time being in force in the territory from which the surrender of the fugitive criminal is claimed.

#### *ARTICLE 9*

The extradition shall take place only if the evidence be found sufficient, according to the laws of the High Contracting Party applied to, either to justify the committal of the prisoner for trial, in case the crime or offence had been committed in the territory of such High Contracting Party, or to prove that the prisoner is the identical person convicted by the courts of the High Contracting Party who makes the requisition, and that the crime or offence of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the High Contracting Party applied to.

#### *ARTICLE 10*

If the individual claimed by one of the High Contracting Parties in pursuance of the present Treaty should be also claimed by one of the several (\*8) other Powers on account of other crimes committed within their respective jurisdictions, his extradition shall be granted to the Power whose claim is earliest in date, unless such claim is waived.

### **ARTICLE 11**

If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the High Contracting Party applied to, or the proper tribunal of such High Contracting Party, shall direct, the fugitive shall be set at liberty.

### **ARTICLE 12**

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, and any articles that may serve as a proof of the crime or offence shall be given up when the extradition takes place, in so far as this may be permitted by the law of the High Contracting Party granting the extradition.

### **ARTICLE 13**

All expenses connected with the extradition shall be borne by the High Contracting Party making the application.

### **ARTICLE 14**

His Britannic Majesty may accede to the present Treaty on behalf of any of his Dominions hereafter named—-that is to say, the Dominion of Canada, the Commonwealth of Australia (including for this [\*9] purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State, and Newfoundland—and India. Such accession shall be effected by a notice to that effect given by the appropriate diplomatic representative of His Majesty at Washington which shall specify the authority to which the requisition for the surrender of a fugitive criminal who has taken refuge in the Dominion concerned, or India, as the case may be, shall be addressed. From the date when such notice comes into effect the territory of the Dominion concerned or of India shall be deemed to be territory of His Britannic Majesty for the purposes of the present Treaty, n1

### **Footnotes**

n1 The treaty was made applicable from Aug. 30, 1935, to Australia (including Papua, Norfolk Island, and mandated territories of New Guinea and Nauru) and Newfoundland. (It ceased to apply to Newfoundland, however, when Newfoundland entered the Confederation of Canada on Mar. 31, 1949.) It was also made applicable to Burma from Nov. 1, 1941, and to India from Mar. 9, 1942.

### **End Footnotes [\* 10]**

The requisition for the surrender of a fugitive criminal who has taken refuge in any of the above-mentioned Dominions or India, on behalf of which His Britannic Majesty has acceded, shall be made by the appropriate diplomatic or consular officer of the United States of America.

Either High Contracting Party may terminate this Treaty separately in respect of any of the above-mentioned Dominions or India. Such termination shall be effected by a notice given in accordance with the provisions of Article 18.

Any notice given under the first paragraph of this article in respect of one of his Britannic Majesty's Dominions may include any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, and which is being administered by the Government of the Dominion concerned; such territory shall, if so included, be deemed to be territory of His Britannic Majesty for the purposes of the present Treaty. Any notice given under the third paragraph of this Article shall be applicable to such mandated territory.

#### **ARTICLE 15**

The requisition for the surrender of a fugitive criminal who has taken refuge in any territory of His Britannic Majesty [\* 11] other than Great Britain and Northern Ireland, the Channel Islands, or the Isle of Man, or the Dominions or India mentioned in Article 14, shall be made to the Governor, or chief authority, of such territory by the appropriate consular officer of the United States of America.

Such requisition shall be dealt with by the competent authorities of such territory: provided, nevertheless, that if an order for the committal of the fugitive criminal to prison to await surrender shall be made, the said Governor or chief authority may, instead of issuing a warrant for the surrender of such fugitive, refer the matter to His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

#### **ARTICLE 16**

This Treaty shall apply in the same manner as if they were Possessions of His Britannic Majesty to the following British Protectorates, that is to say, the Bechuanaland Protectorate, Gambia Protectorate, Kenya Protectorate, Nigeria Protectorate, Northern Rhodesia, Northern Territories of the Gold Coast, Nyasaland, Sierra Leone Protectorate, Solomon Islands Protectorate, Somaliland Protectorate, Swaziland, Uganda Protectorate and Zanzibar, and to the following territories in respect [\* 12] of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, that is to say, Cameroons under British mandate, Togoland under British mandate, and the Tanganyika Territory.

#### **ARTICLE 17**

If after the signature of the present Treaty it is considered advisable to extend its provisions to any British Protectorates other than those mentioned in the preceding Article or to any British-protected State, or to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, other than those mandated territories mentioned in Articles 14 and 16, the stipulations of Articles 14 and 15 shall be deemed to apply to such Protectorates or States or mandated territories from the date and in the manner prescribed in the notes to be exchanged for the purpose of effecting such extension. n2

#### **Footnotes**

n2 The treaty was made applicable from June 24, 1935, to Palestine and Transjordan (see exchanges of notes, below); from July 31, 1939, to the Federated Malay States (Negri, Sembilan, Pahang, Perak and Selangor), to the Unfederated Malay States (Johore, Kedah, Kelantan, Perlis and Trengganu), Brunei, and North Borneo; and from Aug. 1, 1966, to Tonga.

**End Footnotes [\*13]**

**ARTICLE 18**

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties by a notice not exceeding one year and not less than six months.

In the absence of an express provision to that effect, a notice given under the first paragraph of this Article shall not affect the operation of the Treaty as between the United States of America and any territory in respect of which notice of accession has been given under Article 14.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

On the coming into force of the present treaty the provisions of Article 10 [X] of the treaty of the 9th August, 1842, n3 of the Convention of the 12th July, 1889, n4 of the supplementary Convention of the 13 December, 1900, n5 and of the supplementary Convention of the 12th April, 1905, n6 relative to extradition, shall cease to have effect, save that in the case of each of the Dominions and India, mentioned in Article 14, those provisions shall remain in force until such Dominion or India shall [\*14] have acceded to the present treaty in accordance with Article 14 or until replaced by other treaty arrangements

**Footnotes**

n3 TS 119, ante, p. 88.

n4TS 139, ante, p. 211.

n5 TS 391, ante, p. 256.

n6 TS 458, ante, p. 272.

**End Footnotes**

In faith whereof the above-named plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in duplicate at London this twenty-second day of December, 1931.

**EXCHANGES OF NOTES**

The Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W. 1.

No. T 15523/46/374

22nd December, 1931

YOUR EXCELLENCY,

With reference to Article 17 of the Extradition Treaty between His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas and the President of the United States of America signed this day at London, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom desire that the provisions of the above mentioned Treaty shall, as from the date entry into [\*15] force, be applicable to Palestine (excluding Transjordan).

2. I have accordingly the honour to enquire whether the United States Government agree with this proposal.

In this event the present note and Your Excellency's reply to that effect will be regarded as placing on record the agreement arrived at in the matter.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

The American Ambassador to the Secretary of State for Foreign Affairs EMBASSY OF  
EMBASSY OF THE UNITED STATES OF AMERICA

LONDON, December 22, 1931

No. 1582

SIR:

With reference to Article 17 of the Extradition Treaty between the President of the United States of America and His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, signed this day at London, I have the honor to inform you that the Government of the United States of America is agreeable to the proposal of His Majesty's Government in the United Kingdom that the provisions of the above mentioned Treaty shall, as from the date of its entry into force, be applicable to Palestine (excluding Transjordan).

I have the honor to be, with the highest consideration, Sir,

Your most obedient, humble [\*16] Servant,

The Secretary of State for Foreign Affairs to the American Ambassador  
FOREIGN OFFICE, S.W. I.

No. T 15523/46/374

22nd December, 1931

YOUR EXCELLENCY,

With reference to Article 17 of the Extradition Treaty between His Majesty The King of Great Britain, Ireland and the British and the British Dominions beyond the Seas and the President of the United States of America, signed this day at London, I have the honor to inform Your Excellency that His Majesty's Government in the United Kingdom desire that the provisions of the above mentioned Treaty shall, as from the date of its entry into force, be applicable to Transjordan.the agreement arrived at in the matter.



2. I have accordingly the honour to enquire whether the United States Government agree with this proposal. In this event the present note and Your Excellency's reply to that effect will be regarded as placing on record the agreement arrived at in the matter.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

The American Ambassador to the Secretary of State for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

LONDON, December 22, 1931

No. 1583

SIR:

With reference to Article 17 of the Extradition Treaty [\* 17] between the President of the United States of America and His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, signed this day at London, I have the honor to inform you that the Government of the United States of America is agreeable to the proposal of His Majesty's Government in the United Kingdom that the provisions of the above mentioned Treaty shall, as from the date of its entry into force, be applicable to Transjordan.

I have the honor to be, with highest consideration, Sir,

Your most obedient, humble, Servant,

**SIGNATORIES:**

**CHARLES G. DAWS**

(SEAL)

**JOHN SIMON**

(SEAL)

**JOHN SIMON**

His Excellency

**General CHARLES G. DAWS, C.B.,**

**Etc., etc., etc.,**

**CHARLES G. DAWS**

**The Honorable**

**Sir JOHN SIMON, G.C.S.I., etc., etc., etc., Foreign Office, S.W. 1.**

**Pakistan-Italy Treaty of Extradition: Rome;  
21 July 1972**

The Government of the Islamic Republic of Pakistan and the Government of the Italian Republic desiring to make adequate provision for the reciprocal extradition of criminals; have resolved to conclude a Convention for that purpose and have agreed upon the following article:

**CHAPTER-I  
GENETAL PROVISIONS**

***ARTICLE-1*  
OBJECTIVES OF LEGAL ASSISTANCE**

1. The contracting Party undertake to act according to the following provision;  
To make available the assistance of their judicial and administrative authorities, upon request of a competent authority, in criminal cases of every kind which are pending before the judicial authorities of the requesting Part, by:
  - (a) extraditing accused persons or permitting that they be extradited in transit in order that legal action may be taken against them, or a sentence passed upon them may be executed;
  - (b) handing over relevant material;
  - (c) giving any other assistance if such assistance may also be given to their own authorities.
2. They shall assist each other-applying wherever proper the provisions of this Convention- in connection also with such cases where, in addition or not to a sentence, the judicial authority may impose security measures including detention or restriction of personal liberty, or safety measures affecting property, and in carrying out execution of such measures when already imposed by the authority in question. In the case of extradition and extradition in transit, this provisions shall apply only to security measures in the form of detention.

**CHAPTER-2  
DIRECT EXTRADITION AND EXTRADITION IN TRANSIT**

***ARTICLE-2*  
DIRECT EXTRADITION**

The contracting Parties shall deliver up to each other such persons as are accused of or have been convicted for an offence by the authorities of the requesting Party and who are within the territory of the requested party, in order that action may be taken against them or the sentence passed against them may be executed. This shall be done according to and within the limits of the following Provision.

**ARTICLE-3**

**LIMITATION OF THE OBLIGATION TO EXTRADITE**

1. The Contracting Parties shall not grant extradition of their own citizens, unless these shall have acquired the citizenship of the requested Party after committing the offence.
2. Extradition may be refused if the person who has been accused or already convicted is stateless and has resided continuously for at least ten years in the territory of the requested Party.

**ARTICLE-4**

**FACTORS GOVERNING THE OBLIGATION TO EXTRADITE**

1. The Contracting Parties shall grant extradition when the action in question amounts to a crime (delitto) according to the laws of both Parties.
2. When extradition is requested in order to take criminal proceedings, it shall be granted if, according to the laws of the requesting party, the offence committed is punishable by imprisonment of not less than 2 years or by a more serious penalty. Extradition may also be granted, in special circumstances, even if the penalty according to the laws of the requesting Party is less than the set out in the above provision, provided that not laws of the requested Party are contrary to this.
3. When the extradition is requested for the execution of a sentence, it shall be granted if such conditions are subsisting as are set out in the foregoing paragraph 1 and the final conviction involves a penalty of not less than 6 months imprisonment, or a more severe penalty, taking into account, when more than one offence is involved, the total length of the penalty.

**ARTICLE-5**

**POLITICAL CRIMES**

1. Extradition shall not be granted for political crimes or for a crime connected with a political crime.
2. For the purpose of the foregoing paragraph, such facts as principally constitute common crimes, shall not be regarded as political crimes.
3. The evaluation of the character of the offence is reserved exclusively to the authorities of the requested Party.
4. If extradition is granted, the political nature of the offence shall not weigh against the individual who has been extradited, either at the proceedings against him or in the execution of a consequent sentence.

**ARTICLE-6**

**EXCEPTION TO THE OBLIGATION TO EXTRADITE**

1. Extradition shall not be granted:
  - (a) If the offence constitutes exclusively an infraction of the obligation to undergo military service or of rendering personal services to the State or public undertaking, or if it is considered and offence exclusively under the military penal code;

- (b) If the action is considered an offence exclusively under the laws regarding the press;
- (c) If the offence, according to the laws of the requested Party, has been committed within the territory of that Party;
- (d) If a final judicial decision has already been pronounced by the authorities of the requested Party upon the same offence against the person claimed.

2. Extradition may be refused:

If the offence has been committed within the territory of the requesting Party and the person claimed is under trial by the authorities of the requested Party under their own laws.

***ARTICLE-7***

**EXTRADITION THROUGH EXCHANGE OF NOTES**

The extradition for offences on taxes, customs, import-export and transit of goods, will be granted according to the present Convention, in the measure foreseen by the same, through exchange of notes between the two governments for one or more crimes specifically indicated therein.

***ARTICLE-8***

**POSTPONEMENT OF EXTRADITION**

If the person claimed is being subjected by the authorities of the requested Party to a trial or execution of a sentence for an offence different to that for which extradition has been requested, a decision regarding this request shall be taken immediately, but the execution of the extradition shall be deferred until such time as the trial be terminated, or the sentence has been served or otherwise quashed.

***ARTICLE-9***

**TEMPORARY EXTRADITION**

In the cases provided for under Article 8 above, the Contracting Parties shall deliver up temporarily the persons for whom, according to this Convention, extradition is obligatory, in order that criminal proceedings may be taken against them, provided that the interests of justice of the requested Party are not contrary to this. The requesting Party shall return the accused person without any delay, upon request from the other Party, and in any case shall not detain him beyond termination of the criminal proceedings.

***ARTICLE-10***

**REQUESTS FOR EXTRADITION FROM MORE THAN ONE STATE**

If extradition is requested by more than one State, the requested Party has the right to choose to which request it will give preference, having special regard to the interests of criminal jurisprudence.

### ***ARTICLE-11***

#### **SOME SPECIAL RULES**

1. The extradited person shall not, without the consent of the requested Party, be subjected to criminal proceedings or to serving a sentence for an offence committed before extradition and for which extradition has not been granted. He may further not be subjected to any limitation of his personal freedom for causes arisen before extradition, unless he, within a month from the end of his trial or of his discharge from prison, has not left the territory of the requesting Party - although given opportunity to do so - or unless he has again returned there after his departure.
2. When the description of the offence for which extradition has been granted is altered in the course of proceedings, the extradited person shall, upon his request, be sent back to the requested Party, unless extradition, according to the provisions of this Convention, is applicable also to the modified juridical description of the offence or unless the requested party sanctions extradition, in accordance with the special requested circumstances provided for under paragraph 2 of the Article 4

### ***ARTICLE-12***

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

The extradited person shall not be re-extradition to a third State for offences committed before he is delivered up, unless:

- (a) the extradited person requests to be delivered up, in which case such a request shall be communicated to the Party which has extradited him: or
- (b) the State conceding extradition has made it a condition that the accused must be delivered up to another State or has otherwise agreed to re-extradition.

### ***ARTICLE-13***

#### **TRANSMISSION OF REQUEST FOR EXTRADITION**

Request for extradition shall be addressed by the Ministry of Justice of the requesting Party direct to the Ministry of Justice of the requested party. In Pakistan the expression Ministry of Justice refers to the Ministry of Home Affairs.

### ***ARTICLE-14***

#### **SUPPORTING DOCUMENTS OF THE REQUEST FOR EXTRADITION**

1. The request for extradition shall be accompanied by a detention order or other equivalent document or by a final sentence emanating from a judicial authority of the requesting Party.
2. The request and its supporting documents shall contain the necessary data regarding personal details of the accused, including his citizenship, and all details of the offence ascribed to him or for which he has been convicted, as well as details relating to time and place, and giving also the text of the section of the penal code applicable or already applied to the case in question.

### ***ARTICLE-15***

#### **PRECAUTIONARY MEASURES**

The requested Party shall, immediately upon receipt of a request for extradition, take the necessary steps to ensure its execution in accordance with its own laws.

### ***ARTICLE-16***

#### **ARREST PRIOR TO A REQUEST FOR EXTRADITION**

1. In case of urgency, the requesting party may request the provisional arrest of the accused individual, prior to the dispatch of the request for extradition.
2. Every request for provisional detention shall be in reference to a detention order, or a final sentence of conviction. The supporting document shall indicate the nature, time and place of the offence, as well as any aggravating circumstances, and should contain the most precise details available regarding the individual in question. It shall further state that a formal demand for extradition has been dispatch.
3. Every request for provisional detention may also contain a request to carry out the provisional confiscation of such material and objects as are considered useful to secure the ends of justice.
4. The request may be addressed by any competent authority of the requesting Party direct to any competent authority of the requesting Party. The contracting partings shall communicate a list of these authorities to each other.
5. The request shall be transmitted either by mail or by any other means, which can be evidenced in writing.
6. Telephonic or Radio communication is also admissible. In such case, however, the authority receiving the request shall confirm its authoritativeness immediately, addressing their enquiry direct to the authority from which the request has emanated.
7. Notice that a request has been made shall at once be transmitted from the Ministry of Justice of the requesting Party to the Ministry of Justice of the requesting Party. In Pakistan the expression Ministry of Justice refers to the Ministry of Home Affairs.
8. The requested Party shall inform the requesting Party that the provisional arrest has been made.
9. As soon as the individual in question has been found on its territory, the authority of the requested Party shall establish his identity and interrogate him on the offence which has been ascribed to him. If this authority does not consider his arrest advisable, it shall immediately so inform the Ministry of Justice or the Ministry of Home Affairs, as the case may be, of the requesting Party, stating the reason.

### ***ARTICLE-17***

#### **EXTRADITION IN TRANSIT**

1. Any of the Contracting Parties shall concede transit across its territory to persons whom a third State extradites to the other Party, in order to facilitate their extradition.
2. Transit shall not be conceded:

- (a) If, according to the provisions laid down in Article 3, paragraph 1, Article 4, paragraph 1, and Articles 5, 6 and 7, extradition of the accused person would not be admissible;
  - (b) If an action is being brought against the accused person by an authority of the requested party for an offence other than that for which transit shall be conceded, or if his arrest has been ordered for other reasons by an authority of the requested Party;
  - (c) When serious reasons of public order do not allow it.
3. The provisions of Article 10, 11, 12, and 13 hereof shall apply to requests for extradition in transit.

### ***ARTICLE-18***

#### **MANNER OF CARRYING OUT EXTRADITION AND TRANSIT**

1. The requested Party shall provide transport of the person whom they are extraditing, either to the frontier post or to the port as may be agreed.  
  
The date of delivering and receiving shall be fixed previously between the authorities of the two parties charged with the execution of extradition.
2. The transit shall be carried out by the authorities of the requested party as they may deem proper.

### ***ARTICLE-19***

#### **EXTRADITION TO THIRD STATES**

Each of the Contracting Parties undertakes hereby not to grant extradition to third States of the citizens of the other party who are prosecuted or have been convicted for political crimes.

### **CHAPTER-3**

#### **FINAL PROVISION**

### ***ARTICLE-20***

#### **RATIFICATION. COMING INTO FORCE AND DENUNCIATION**

1. The present Convention shall be subject to ratification. Instruments of ratification shall be exchanged at Islamabad.
2. The Convention shall come into force the 30th day after the date on which the Instrument of Ratification are exchanged. It shall remain in force until the expiration of six months from the date on which either of the Contracting Parties shall have given notice to terminate it.

Done in duplicate at Rome, on the 21st of July 1972 in the English and Italian languages both texts being equally authoritative.

Sd/-

**For the Government  
of the Islamic Republic of Pakistan**

Sd/-

**For the Government of  
the Italian Republic**

**Pakistan- Saudi Arabia Extradition Treaty: Riyadh;  
3 April 1983**

"In the name of God the most gracious the most merciful"

Whereas the Islamic Republic of Pakistan and the Government of the Kingdom of Saudi Arabia are enjoying a close brotherly muslim relations and feel the necessity of cooperation between them in the field of Crime Prevention and Organization of Extradition, they have entered into agreement as follows:-

***ARTICLE-1***

The two parties agree to surrender criminal offenders to each other in cases that are subject to the conditions stated in this agreement if the person is within the territory of the requested state, is accused or convicted of a crime stated in the attached Annex and if the conditions specified in Article-2 are present.

***ARTICLE-2***

Crimes for which Extradition is effected.

1. Extradition shall be effected in crimes that are punishable under the laws of the contracting parties by imprisonment for a term of not less than one year or more severe punishment or a sentence of imprisonment for not less than three months or more severe punishment.
2. If the Extradition request includes several separate offences each of which is punishable under the laws of both the contracting parties, but some of which are not covered by paragraph 1, extradition shall be granted for offences that are subject to extradition conditions.

***ARTICLE-3***

Denial of Extradition in the following cases:

- a) Political Offences: Definition of an offence as political is left to the state from (sic from) which extradition is requested, provided that the following offences shall not be considered political:
  1. Assault on The Heads of The Two States, their ascendants, descendants or wives.
  2. Assault on a Crown Prince, the Prime Minister or his delegates, Ministers and similar officials, and members of the Royal Family.
  3. Murder crimes, aggression on government authorities, property, railways, aircrafts, including kidnapping or other crimes involving means of transport and communications.
  4. Sabotage and terrorism.
  5. Attempt in the crimes stated in 1, 2, 3 and 4 above.
- b) If the crime is committed in the territory of the state from (sic from) which extradition in requested.
- c) If the wanted person was tried, under investigation or subject to prosecution by the state from which extradition is requested or was tried by a third state for the same crime.



#### ***ARTICLE- 4***

Any party may refuse the extradition of any of its nationals, provided that it must try him for his crimes with the help of the investigation and evidence submitted by the requesting state provided that the requesting state shall be provided with copy of the judgment therefore.

#### ***ARTICLE-5***

Request and supporting Documents:

- a) Extradition request shall be submitted through the proper diplomatic channels by the competent authority in the requesting state to the competent authority in the state form which extradition is requested.
- b) The request file shall contain the following:
  1. An original or certified copy of the decision for prosecution, or the judgment, the order of arrest or any other order having the same effect.
  2. A detailed statement about the identity of the person requested his description and his photograph if possible.
  3. A clarification about the crime or crimes about (sic about) which request for extradition is requested alongwith the time and place of commission.
  4. A certified copy of the legal provisions under which the act is punishable and a detailed statement form (sic from) the competent authority handling the case showing that the act is within the provisions and the evidence holding the wanted person responsible.
  5. A copy of the investigations and interrogations papers made about the crime to be certified by the competent authority.
  6. A statement form (sic from) the competent authority handling the case that punishment did not lapse or no longer applicable.
  7. A statement that the request is conformable to the provisions of this agreement.

#### ***ARTICLE-6***

The competent authority in the state form (sic from) which extradition is requested shall decide on the extradition within a period not exceeding sixty days whether in the negative or the affirmative clarifying the reasons in case of refusal. If it is revealed that the information submitted by the requesting state is not sufficient to enable the requested state to take a decision, the requesting state shall give the necessary assistance within thirty days unless the period is extended by mutual agreement to another month.

#### ***ARTICLE-7***

When they receive the information and documents relating to the extradition request, the two parties undertake to take all necessary measures by searching for the person to be extradited, and detain him until he is delivered to the requesting state.

### **ARTICLE-8**

#### **TEMPORARY DETENTION**

1. In case of urgency, the competent authority in the requesting state may ask for the temporary detention of the person in question before transmitting the documents of the extradition request.
2. The request for temporary detention shall provide that one of the documents mentioned in paragraph B-1 of Article-5 is present and that there is an intention to send the request for the person to be extradited. Likewise, the kind of crime about which the request is submitted must be shown alongwith time and place of commission and the description of the person involved as soon as possible.
3. The request shall be submitted to the competent authority in the requested state whether through diplomatic channels, or directly by post, telegram or through the International Crime Police (INTERPOL) or by any written means acceptable to the requested state.
4. The requesting state shall be notified immediately without delay about the result of its request.
5. The state from which extraction is requested may cancel the temporary detention if it did not receive the extradition documents within thirty days from date of detention. Also the temporary detention period may be extended for further fifteen days at the most if the requesting state asked for the same. However, cancellation of the temporary detention shall not prejudice re-arrest if the extradition request documents are received subsequently and the person claimed is still within the jurisdiction of the requested state. In all cases of detention, this period shall be calculated in the punishment passed by the state requesting extradition.
6. If the extradition documents are received within the period mentioned above, the detention shall continue until the competent authority in the state from which extradition is requested takes decision about the extradition request.

### **ARTICLE-9**

#### **POSTPONEMENT OF EXTRADITION**

1. If prosecution proceeding is going on against the requested person or he was convicted in the territory of the requested state for a crime other than the crime stated in the extradition request, this state may have the right to take decision about the extradition request and postpone surrender of the person until the prosecution proceedings are completed or until the completion of the term of sentence or its relief or postponement. Nevertheless, the state from which extradition is requested may surrender the requested person temporarily for investigation of prosecution.
2. The requesting state undertakes to keep the person, whose surrender is requested temporarily, under arrest and return him within a maximum period of ninety days from date of his surrender even if this person is one of its nationals.

### **ARTICLE -10**

#### **EXTRADITION**

1. If the extradition is approved, the state from which extradition is requested shall notify the requesting state of the place and date of delivery and the period undergone by the person in detention, provided that the interval between date of service of notification and date of surrender shall be ten days at least unless the requesting state agreed otherwise.

2. The person whose surrender is requested may by (sic be) released if the requesting state did not take him in delivery within the fixed time unless it asked for postponement for such surrender two days before the fixed time, provided that the postponement shall not exceed 15 days.
3. If the requesting state repeated a request for a person already released for the same crime, the requested state may refuse the request.
4. If the surrendered person escaped and returned to the territory of the state from (sic from) which he is requested, he may be surrendered once more without the necessity for submission of the documents mentioned in Article -5 of this agreement.

### ***ARTICLE-11***

#### **TRANSLATION**

The two parties shall arrange the documents relating to the extradition request as per the laws of their respective countries, provided that the documents shall be accompanied by a translation to the language of the requested party or to English language.

### ***ARTICLE-12***

#### **SPECIAL PROVISIONS**

1. A person in the requesting state shall only be tried for the crime for which his extradition request was submitted and also for the acts connected with it and the crimes committed by him after extradition.
2. Immunity stated in paragraph (1) shall not be pleaded in the following cases:
  - a) If the state making the extradition gave its consent.
  - b) if he was given the opportunity to leave the territory of the state to which he was surrendered and he did not leave within thirty days from the date of his final release or returned to the state after his departure at his own option.

### ***ARTICLE-13***

#### **MULTIPLICITY OF REQUESTS**

1. If a request has been submitted from (sic from) more than one state at the same time whether for the same crime or for different crimes, the requested state may take its decision freely giving consideration to all the circumstances involved including the nationality of the person wanted, the place where the crime was committed, the objective importance of crimes and the chronological order of receipt of requests.
2. The requested state may, in the case mentioned above and when granting its approval for extradition, authorize the requesting state the power to return the extradited person to a third state which submitted an extradition request at the same time.

#### **ARTICLE-14**

##### **DELIVERY OF PROPERTY**

1. The requested state shall, as soon as it receives the request form (sic from) the requesting state, inventory and deliver the following articles and property within the measures allowed by its laws:
  - a) Articles used in the commission of the crime or used in the preparation of the crime or constitute any evidence for the commission.
  - b) Articles obtained as a result of the crime or found in possession of the person wanted during his arrest or articles discovered subsequently.
  - c) Property and articles found with the wanted person and which he substituted for what he gained from (sic from) the crime.
2. The articles and property mentioned in paragraph (1) of this article shall be delivered even if extradition was not completed as a result of death or escape of the person wanted.
3. If delivery of the articles and property lead to a substantial loss, the cost of delivery process shall be paid by the requesting state.
4. The requested state may defer delivery of the articles and property mentioned in paragraph (1) of this Article until the wanted person is surrendered. It may also effect delivery of those articles and property on condition that they would be returned to it after completion of procedures by the requesting state and at its expense.
5. If the requested state or a third party in its territory acquired rights in those articles and property, the said rights must be respected by returning the articles and property as soon as possible after the trial without any cost to this state.

#### **ARTICLE-15**

##### **TRANSIT**

1. The party states to this agreement shall upon submission of a request form (sic from) the other party allows transit within its territory to a person surrendered to the requesting state from a third state.
2. The party from which permission of transit is requested shall determine the method by which transit shall be effected by transport means and under appropriate condition.
3. The requested party is not bound to grant transit facilities to his nationals or to persons about whom legal proceedings are taken or undergoing a sentence (sic sentence) in its territory.

#### **ARTICLE-16**

##### **COSTS**

1. The requested state shall bear all the costs and losses until time of arrest of the wanted persons. Costs and losses incurred from time of arrest shall be borne by the requesting state if the wanted person was surrendered.
2. Costs arising out of transit shall be borne by the requesting state.

3. The requesting state shall bear all the costs or the return of the surrendered person to the place where he was at the time of his surrender if it is proved that he was not responsible or acquitted.

#### ***ARTICLE-17***

##### **INFORMATION RELATING TO THE RESULTS OF INVESTIGATION;**

1. The requesting state shall notify the requested state about the results of the criminal investigation taken against the person whose extradition is requested.
2. In case of judgment of guilty, a certified copy of the final decision about wanted person shall be transmitted.

#### ***ARTICLE-18***

##### **ENTRY INTO FORCE**

This agreement shall be effective in accordance with the Regulations in force in the two states and shall be applicable after thirty days from date of exchange of ratification documents between the two states.

#### ***ARTICLE-19***

##### **DURATION OF THIS AGREEMENT**

This agreement shall be valid for a period of five years with effect from (sic from) date of its entry into force.

It shall be renewable automatically for similar periods unless either party expresses his intention to cancel it six months before its expiry, provided that this shall not affect the requests submitted during the said six months. The parties may, by mutual agreement, amend some of its provisions during its validity.

This agreement is executed in two texts, Arabic and English Each Party shall keep a copy.

This agreement is signed in Riyadh City on Sunday, 20/06/1403 H, corresponding to April, 3/ 1983.

For the Government of the Kingdom of Saudi Arabia.      For the Government of the Islamic Republic of Pakistan.

**Sd/-**  
**(Naif Bin Abdul Aziz)**  
**Minister of Interior**

**Sd/-**  
**(Mahmoud A. Haroon)**  
**Minister of Interior**

## ANNEX

### EXTRADITABLE OFFENCES UNDER ARTICLE-1 OF THE AGREEMENT.

1. Culpable homicide.
2. Maliciously or willfully wounding or inflicting grievous bodily harm.
3. Rape.
4. Procuring or trafficking in women or young persons for immoral purposes,
5. Kidnapping, abduction or false imprisonment or dealing in slaves.
6. Stealing, abandoning, exposing or unlawfully detaining a child.
7. Bribery.
8. Perjury or subornation of perjury or conspiring to defeat the course of justice.
9. Arson.
10. An offence concerning counterfeit currency.
11. An offence against the law relating to forgery.
12. Stealing, embezzlement, fraudulent conversion, fraudulent false accounting, obtaining property or credit by false pretences, receiving stolen property or any other offence in respect or property involving fraud.
13. Burglary, house-breaking or any similar offence.
14. Robbery.
15. Blackmail or extortion by means of threats or by abuse of authority.
16. An offence against bankruptcy law or company law.
17. Malicious or willful /damage to property.
18. Acts done with the intention of endangering vehicles, vessels or aircraft.
19. An offence against the law relating to dangerous drugs or narcotics.
20. Piracy.
21. Revolt against the authority of the master of a ship or the commander of an aircraft.
22. Contravention of import or export prohibitions relating to precious stones, gold and other precious metals.
23. Aiding and abetting, or counseling or procuring the commission of, or being an accessory before or after the fact or attempting or conspiring to commit, any of the aforesaid offence.

**Pakistan - Turkey Treaty on Extradition: Ankara;  
30 August 1983**

The Islamic Republic of Pakistan and the Republic of Turkey, considering that the regulation of extradition would contribute to the further development of good and friendly relations between the two States.

Have decided to conclude a Treaty and have agreed as follows:

***ARTICLE-1***

**OBLIGATION TO EXTRADITION**

The Contracting parties agree to extradite to each other, in the circumstances and subject to the conditions specified in this Treaty, any person within the territory of the Requested Party, being accused or convicted of an offence which falls under the jurisdiction of the Requested Party mentioned in the attached Annex and to which Article 2 of this Treaty applies.

Provided that the offence for which extradition is requested is punishable under the laws of the requesting and requested parties.

***ARTICLE-2***

**EXTRADITION OFFENCES**

1. Extradition shall be granted in respect of offences punishable under the laws of both Contracting Parties by imprisonment for at least one year or by a more severe penalty.
2. Where a conviction has already taken place extradition shall be granted if for an offence falling under paragraph 1 a sentence of imprisonment of at least six months or a more severe penalty has been awarded.
3. If the request for extradition includes several separate offences each of which is punishable under the laws of both the Contracting Parties, but some of which are not covered by paragraph 1, extradition shall also be granted for the latter offences simultaneously.

***ARTICLE-3***

**GROUND OF REFUSAL**

1. Extradition shall not be granted.
  - a) If the offence in respect of which it is requested is regarded by the requested Party as a political or a military offence;
  - b) If the person claimed is a national of the requested Party;
  - c) If the offence has been committed in the territory of the requested Party or if, although it is committed outside its territory, the authorities of the requested Party are authorized, according to their law, to prosecute for such offence;

- d) If the person claimed has, according to the law of either Party, become immune by reason of time from prosecution or punishment;
  - e) If in respect of the offence for which extradition is requested, the competent authorities of the requested Party are presently conducting investigation or proceedings against the person claimed or have decided not to institute or to terminate proceedings or have convicted or acquitted him definitely;
  - f) If the person claimed has been previously convicted or acquitted in the territory of a third State in respect of the offence for which extradition is requested.
2. Offence committed against a Head of State or a member of his family shall not be deemed to be a political offence.

#### ***ARTICLE-4***

##### **THE REQUEST AND SUPPORTING DOCUMENTS**

1. The request for extradition shall be communicated through the diplomatic channels.
2. The request shall be supported by:
  - a) the original or an authenticated copy of the order of conviction and sentence or of the warrant of arrest or other having to same effect and issued in accordance with the procedure laid down in the law of the requesting party;
  - b) a statement of the offence (s) for which extradition is requested, the time and place of their commission, their legal description and a reference to the relevant legal provisions;
  - c) a copy of the relevant legal provisions applied to the offence (s);
  - d) as accurate a description as possible of the person claimed together with any other available information such as his photograph, finger-prints, etc., which help to establish his identity and nationality.
3. If the information communicated by the requesting Party is found to be insufficient to allow the requested Party to make a decision the requested Party may request for the necessary supplementary information, which shall be supplied by the requesting Party within one month. This time limit may by mutual consent, be extended by another month for valid reasons.

#### ***ARTICLE-5***

##### **MEASURES TO BE TAKEN**

Contracting Parties undertake, if information and documents relating to extradition are communicated, to take all necessary measures including searching and keeping in detention of the person claimed until his surrender.



**ARTICLE-6**

**PROVISIONAL ARREST**

1. In case of urgency the competent authorities of the requesting Party may request for the provisional arrest of the person sought before sending the extradition documents.
2. The request for provisional arrest shall state that one of the documents mentioned in Article 4 paragraph 2(a) exists and that it is intended to send a request for extradition. It shall also state for what offence extradition will be requested and when and where such offence was committed and shall so far as possible give a description of the person sought.
3. The request shall be communicated to the competent authorities of the requesting Party either through the diplomatic channel or direct by post or telegraph or through the International Criminal Police Organization (INTERPOL) or by any other means affording evidence in writing or accepted by the requested Party.
4. The requesting Party shall be informed without delay of the result of its request.
5. Provisional arrest may be terminated if the extradition documents are not received by the requesting Party within forty days of the arrest. The period of provisional arrest may be extended by twenty days at the most if the requesting Party so requests.
6. If the extradition documents are received within the time limit prescribed the provisional arrest shall continue till the competent authorities of the requesting Party decide on the request for extradition and if the request is accepted till the surrender of the person sought.
7. Release shall not prejudice re-arrest and extradition if a request for extradition is received subsequently.

**ARTICLE-7**

**ARREST**

On receipt of the extradition documents the person claimed shall be arrested and detained until the competent authorities of the requesting Party decide on the extradition and, if extradition is granted, until his surrender.

**ARTICLE-8**

**POSTPONED OR CONDITIONAL SURRENDER**

1. If the person claimed is being proceeded against or has already been convicted in the territory of the requested Party for an offence other than that for which extradition is requested, the requested Party may, after making its decision on the request for extradition, postpone the surrender of the person claimed until the proceedings come to an end or until the sentence is served, pardoned or reprieved.
2. If the postponement of surrender may hinder gravely the proceedings or if special circumstances make it necessary, the requested Party may temporarily surrender the person claimed in order that other prosecution may be completed and an eventual sentence may be awarded.

3. The person thus surrendered shall be kept under arrest in the territory of the requesting Party and shall be sent back to the requested Party within three months of surrender.

### ***ARTICLE-9***

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

1. The requested Party shall inform the requesting Party of its decision on the request for extradition.
2. If the request is agreed to, the requested Party shall inform the requesting Party of the place and date of surrender and of the length of time during which the person claimed has been kept under arrest with a view to surrender. The interval between the date of notification and that of surrender shall be at least 10 days except when the requesting Party consents otherwise.
3. The person to be extradited shall be released if he has not been taken over on the appointed date and the requesting Party has not, within two days of the appointed date, requested a postponement which shall not be for more than fifteen days.
4. If the requesting Party requests again for the extradition of the person thus released for the same offence, the requested Party may refuse to extradite him.
5. If the person surrendered escapes and returns to the territory of the requested Party his extradition may be requested again without the necessity of presenting the documents mentioned in Article 4 of this Treaty.

### ***ARTICLE-10***

#### **TRANSLATION**

The Contracting parties shall draw up documents relating to extradition according to their laws and regulations. The said documents shall be accompanied by translations made in the language of the requested Party or in English.

### ***ARTICLE-11***

#### **RULE OF SPECIALTY**

1. A person who has been extradited shall not be proceeded against nor detained nor restricted in his personal freedom in any way whatsoever for any offence committed prior to his surrender and other than the one for which he was extradited or for any conviction for such an offence.

**Pakistan- Libya Treaty of Extradition Islamabad;  
28 September 1996**

***ARTICLE-1***

The two parties pledge to, subject to their laws, extradite criminals between them as per the rules and conditions set down in this Agreement.

***ARTICLE-2***

Extradition shall take place if the person to be extradited is being prosecuted, or charged with, or has been sentenced for an offence provided for in Article- 3, below, should the said offence have been committed on the soil of the country which had applied for extradition, provided that codes of both parties penalize the same act.

***ARTICLE-3***

Case in which application for extradition may be submitted:

If penalty for the act committed is imprisonment for a period of not less than one year, and the person to be extradited is a criminal pursuant to the codes of both parties.

***ARTICLE-4***

1. Case in which application for extradition may be turned down:
  - a. if it is not in accordance with the laws of any of the signing countries or against the international Conventions ratified by any of the signing countries.
  - b. If the act person to be extradited bears the nationality of country of extradition (i.e. country to which application for extradition has been submitted).
  - c. If the act for which extradition application is submitted has been committed on the soil of country of extraditions, or outside the boundaries of the requesting State.
  - d. If the offence or penalty has lapsed or expired as per laws of any of the signing country.
  - e. If the person to be extradited has been tried for the very offence on the basis of which application for extradition has been made.
2. Decision regarding extradition application is to be deferred, if the person to be extradited is under interrogation or trial for another offence, until completion of trial and implementation of penalty.

#### ***ARTICLE-5***

Application for extradition shall be submitted via diplomatic channels, and shall be decided into by the concerned authorities in conformity with the codes of both parties.

#### ***ARTICLE-6***

Original or certified copies of the following documents should be enclosed with the application:

1. If the application pertains to a person under investigation:
  - a. Certificate of application for extradition.
  - b. Warrant of arrest and a statement containing date, place and legal description of offence issued by the concerned judicial authorities.
  - c. Copy of minutes of investigation duly attested by the competent investigating authority, if possible; or a document containing charge sheet and established evidence, attested by the same judicial authority.
  - d. Direct statement(s) of the witness(s) i.e. the statement(s) signed by witness(s) himself/ themselves.
2. If the application pertains to a person who has been adjudged guilty, an official copy of court final ruling should be enclosed in addition to the papers specified in Item (1).
3. Party applying for extradition should dispatch missing required data/ information within a period of 60 days, as a maximum, as of date arresting the accused or convicted person.

#### ***ARTICLE-7***

In case of need for acceleration of procedures, application can be submitted by telegraph or telephone or via Interpol, provided that required documents are dispatched later on.

#### ***ARTICLE-8***

Release of wanted person does not prelude re-arresting him in case the required documents have been finalized. In all cases, period of custody or detention will be deducted from period of imprisonment to which the wanted person has been sentenced.

#### ***ARTICLE-9***

- a. Decision regarding application for extradition should be imparted to applying party on urgent basis.
- b. In case of approval, party of extradition should apprise applying party of place and date of handing over wanted person as well as of the period he has spent under custody or detention. Period of handing over shall be specified in accordance with the law of the state, which is to handover the fugitive offender.
- c. Party of extradition may turn down extradition application after releasing the wanted person.
- d. If the wanted person absconds, applying party may renew application for extradition.

***ARTICLE-10***

Documents pertaining to wanted person shall conform to the codes of both parties, and can be edited in either Arabic or English.

***ARTICLE-11***

Wanted person may not be apprehended or interrogated if he has been tried at county of extradition for the very act for which he has been wanted.

***ARTICLE- 12***

Applying party shall be, subject to the law of the requested state, handed over possessions of wanted person when apprehended, in addition to items that may be taken as evidence for the offence, all in conformity with codes of country of extradition.

The above items shall be conveyed together with wanted person or after completion of extradition procedures.

***ARTICLE-13***

Applying party shall incur cost of all measures pertaining to implementation of extraditions, including items conveyed with wanted person as well as his passage expenses.

***ARTICLE-14***

Either party may request facilitation of passage of criminals through the soil of a third country, which is permissible as per the provisions of this Agreement.

***ARTICLE-15***

A person who has been extradited should not be tried except for the offences for which he had been extradited and the acts associated thereof, if these were not committed after his extradition.

***ARTICLE-16***

Result of measures taken and ruling issued against wanted person should be imparted to party of extradition.

***ARTICLE-17***

This Agreement shall be in effect after one month as of date of exchange of ratification documents for the same by the two parties.

Either party may terminate the validity of this Agreement after giving a prior notice of 6 months to the other party.

**ARTICLE-18**

This Agreement is signed on 28th September, 1996 corresponding to 1425 Miladi in Arabic and English languages, both texts being equally authentic

**For Great Socialist People's  
Libyan Arab Jamahiriya.**

**For Islamic Republic of  
Pakistan**

Sd/-

**(Mohammad Mahmood Al-Hijazi)**

**Secretary of the General**

**People's Committee for**

**Justice & Public Security**

Sd/-

**(Maj. Gen. (Retd) Nasirullah Khan Babar),**

**Ministry for Interior**

**& Federal Investigation.**

**Pakistan - Uzbekistan Extradition Treaty: Islamabad;  
25 January 2001**

The Islamic Republic of Pakistan and the Republic of Uzbekistan hereinafter referred as the "Parties"  
Desirous of making more effective the co-operation between the two countries in the control of crime  
and terrorism by concluding a treaty on extradition,

Have agreed as follows:

**ARTICLE – 1**

**OBLIGATION TO EXTRADITE**

Each Party agrees to extradite to the other Party, upon request and subject to the provisions of the  
present Treaty, any person who is wanted in the Requesting Party for prosecution for an extraditable  
offence or for the imposition or enforcement of a sentence in respect of such an offence.

**ARTICLE – 2**

**EXTRADITABLE OFFENCES**

1. For the purpose of this Treaty, extraditable offences are offences if took place within the jurisdiction  
of Requesting Party and are punishable under the laws of both the Parties by imprisonment or other  
deprivation of liberty for a period of at east (sic least) one year, or by a more severe penalty and  
are so included in their respective laws of extradition. Where the request for "extradition relates to  
a person who is wanted for the enforcement of a sentence of imprisonment or other deprivation of  
liberty imposed for such and (sic an) offence, extradition shall be granted if a period of at least six  
months such sentence remains to be served.
2. In determining whether an offence is an offence punishable under the laws of both the Parties, it  
shall not matter whether:
  - a. the act omission constituting the offence within by the same category of offence or denominate  
the offence by the same terminology in accordance with the laws of the Parties place;
  - b. the constituent elements of the offence differ under the laws of the Parties, it is being understood  
that the totality of the actions or omissions as presented by the Requesting Party shall be taken  
into account.
3. If the request for extradition includes several separate offences each of which is punishable under  
the laws of both the Parties, but some of which do not fulfill the other conditions set out in paragraph  
1 of this Article, the Requesting Party may grant extradition for the latter offences provided that the  
person is to be extradited for at least one extraditable offence.
4. For the purpose of this Treaty, the meanings of the terms used therein are as follows"  
"Action" the social dangerous, volitional and active behavior of a person..  
"Omission" the social dangerous, volitional and passive behavior, consisted in non-fulfillment by a  
person the certain actions, which he is obliged to carry out by law.

### **ARTICLE – 3**

#### **MANDATORY GROUNDS FOR REFUSAL**

1. Extradition shall not be granted under this Treaty, in any of the following cases:
  - a. If the person sought has been prosecuted and convicted or acquitted by the courts of the Requested Party or of a third State for the offence for which extradition is requested;
  - b. When the prosecution of the person sought will be barred by lapse of time under the laws of the Requested party;
  - c. If the person has already undergone the punishment for the crime for which extradition is requested whether in the Requested Party or a third State.
2. When the person whose extradition is requested in accordance with internal laws of on basis of reciprocity is a national of the Requested Party it may refuse to extradite him. If it is decided to refuse extradition it shall submit the case to its competent authority for the solution of an issue of implementing the criminal prosecution of the person in respect of all or any of the offences for which extradition has been sought. The Requested Party shall inform the Requesting Party of any action and the outcome of the proceedings. Nationality shall be determined at the time of the commission of the offence for which extradition is requested.

### **ARTICLE – 4**

#### **THE POLITICAL OFFENCE AND ASYLUM EXCEPTION**

1. Extradition may be refused if the offence of which it is requested is an offence of a political character or the person, whose extradition is sought, is enjoying political asylum in the Requested State.
2. For the purposes of this Treaty the following offences shall not be regarded as offences of a political character:
  - a. an offence within the scope of the Convention for the Suppression of Unlawful Seizure of Aircrafts opened for signature at the Hague on 16 December 1970;
  - b. an offence within the scope of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, opened for signature at Montreal on 23 September 1971;
  - c. an offence within the scope of the Convention of the Prevention and Punishment of Crimes against internationally Protected Persons, including Diplomatic Agents, opened for signature at New York on 14 December 1973;
  - d. an offence within the scope, of the International Convention against the Taking of Hostages, opened for signature at New York on 17 December 1979;
  - e. offences under other international conventions against terrorism to which the Islamic Republic of Pakistan and the Republic of Uzbekistan are or may become Parties.



## **ARTICLE – 5**

### **CHANNELS OF COMMUNICATION AND REQUIRED DOCUMENTS**

1. A request for extradition shall be made in writing. The request, supporting documents and subsequent communications shall be transmitted through the diplomatic channels or directly between the Central authorities designated by the Parties.
2. A request for extradition shall be accompanied by the following;
  - (a) In all cases,
    - (i) as accurate a description as possible of the person sought, together with any other information that may help to establish that person's identity, nationality;
    - (ii) text of the relevant provision of the law qualifying the offence or, where necessary, a statement of the law relevant to offence and a description of the penalty that can be imposed for the offence;
  - (b) If the person is accused of an offence, by an order issued by a court or other competent authority for the arrest of the person or a certified copy of that warrant, a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the alleged offence, including an indication of the time and place of its commission;
  - (c) If the person has been convicted of an offence, by a statement of the offence for which extraditions is requested and a description of the acts or omissions constituting the offence and by the original or certified copy of the judgment or any other document setting out the conviction and the sentence imposed, the fact that the sentence is enforceable, and the term to which the sentence remains to be served;
  - (d) if the person has been convicted of an offence in his or her absence, in addition to the documents set out in paragraph 2 (c) of this Article, by a statement as to the legal means available to the person to prepare his or her defence or to have the case retried in his or her presence;
  - (e) If the person has been convicted for an offence but no sentence has been enforceable, by a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the offence and by a document setting out the conviction and a statement affirming that there is an intention to enforce a sentence.
3. The documents submitted for support of a request for extradition shall be accompanied by a translation in the language of the Requested Party or in English.

## **ARTICLE – 6**

### **CERTIFICATION AND AUTHENTICATION**

The Request for extradition and supporting documents as well as other materials submitted in reply to such request shall be certified by official seal of competent authority and authenticated by signature of authorized official.

**ARTICLE – 7**

**ADDITIONAL INFORMATION**

If the Requested Party considers that the information provided in support of a request for extradition is not sufficient, it may request that additional information be furnished within such reasonable time as it specifies.

**ARTICLE – 8**

**DECISION ON THE REQUEST**

1. The Requested Party shall consider the request for extradition pursuant to procedures provided by its own law, and promptly communicate its decision to the Requesting party.
2. Reasons may be given for any complete or partial refusal of the request.

**ARTICLE – 9**

**TRANSFER OF THE PERSON**

1. Upon being informed that extradition has been granted, the Parties immediately shall arrange for the surrender of the person sought and the Requested Party shall inform the Requesting Party of the length of time for which the person, sought was detained with a view to surrender.
2. The person shall be removed from the territory of the Requested Party within such reasonable period as the Requested Party specifies and, if the person is not removed within that period, the Requested Party may release the person and may refuse to extradite that person for the same offence.
3. If circumstances beyond its control prevent a Party from surrendering or removing the person to be extradited, it shall notify the other Party. The Parties shall mutually decide upon a new date of surrender, and the provisions of paragraph 2 of this Article shall apply.

**ARTICLE –10**

**POSTPONED OR CONDITIONAL SURRENDER**

1. The Requested Party may, after making its decision on the request for extradition, postpone the surrender of a person sought, in order to proceed against that person, or, if that person has already been convicted, in order to undergo the sentence imposed for an offence other than that for which extradition is sought. In such a case the Requested Party shall advise the Requesting Party accordingly.

**ARTICLE-11**

**SURRENDER OF PROPERTY**

1. To the extent permitted under the law of the Requested Party and subject to the rights of third states, which shall be duly respected, all property found in the Requested Party that has been acquired as a result of the offence or that may be required as evidence shall, if the Requesting Party so requests, be surrendered if extradition is granted.

2. When the said property is subject of arrest or confiscation in the Requested Party, it may retain it or temporarily hand it over.
3. Where the law of the Requested Party or the protection of the rights of third states so require, any property so surrendered shall be returned to the Requested Party free of charge after the completion of the proceedings if that Party or State so requests.

### ***ARTICLE – 12***

#### **SPECIAL RULE**

1. A person extradited under the present Treaty shall not be proceeded against, sentenced, detained, re-extradited to a third State, or subjected to any other restriction of personal freedom in the territory of the Requesting Party for any offence committed before surrender other than;
  - a. An offence for which extradition was granted;
  - b. Any other offence in respect of which the Requested Party consents. Consent shall be given if it is an extraditable offence under this Treaty.
2. A request for the consent of the Requested Party under this Article shall be accompanied by the documents mentioned in paragraph 2 of Article 4 of this Treaty and legally certified recorded of any statement made by he (sic the) extradited person with respect to the offence.
3. Paragraph 1 of this Article shall not apply if the person has had an opportunity to leave the Requesting Party and has not left so within 45 days of final release in respect of the offence for which that person was extradited or if the person has voluntarily returned to the territory of the Requesting Party after leaving it.

### ***ARTICLE – 13***

#### **TRANSIT**

1. Where a person is to be extradited to a Party from a third State through the territory of the other Party, the Party to which the person is to be extradited shall request the other Party to permit the transit of that person through its territory. This does not apply where air transport is used and no landing in the territory of the other Party is scheduled.
2. Upon receipt of such a request by a Party, which shall contain relevant information, the other Party shall deal with this request pursuant to procedures provided by its own law. That Party shall grant the request expeditiously unless its essential interests are prejudiced thereby.
3. The Party of transit shall ensure that legal provisions exist that will enable detaining the person in custody during transit.
4. In the event of an unscheduled landing, the Party to be requested to permit transit may: at the request of the escorting officer, hold the person in custody for 48 hours, pending receipt of the transit request to be made in accordance with paragraph 1 of this Article.

***ARTICLE – 14***

**CONCURRENT REQUESTS**

If a Party receives requests for extradition for the same person from (sic from) the other Party and a third State it shall, at its discretion, determine to which of them the person is to be extradited.

***ARTICLE – 15***

**CENTRAL AUTHORITIES**

The Central Authorities shall transmit and receive all requests and responses thereto for the purposes of this Treaty.

For the Islamic Republic of Pakistan - the Ministry of Interior and Narcotics Control (Interior Division) and for the Republic of Uzbekistan - the Prosecutor's Office shall be the Central Authorities.

***ARTICLE – 16***

**COSTS**

1. The Requested Party shall meet the costs incurred on proceedings, occurring within its jurisdiction, arising out of a request for extradition.
2. The Requested Party shall also bear the costs incurred in its territory in connection with the seizure and handing over of property, or the arrest and detention of the person whose extradition is sought.
3. The Requesting Party shall bear the costs incurred in conveying the person from the territory of the Requested Party, including transit costs.

***ARTICLE – 17***

**INTERNATIONAL TREATIES/CONVENTIONS**

The present Treaty shall not affect the rights and obligations of the Parties arising from the international Treaties/Conventions to which they are Parties.

***ARTICLE – 18***

**CONSULTATIONS**

The Parties shall consult promptly, at the request of either Party, concerning the interpretation and application of this Treaty, either generally or in relation to a particular request.

***ARTICLE – 19***

**AMENDMENT**

The present Treaty may be amended and modified by mutual written consent of the Parties, through separate protocols, which shall constitute integral part of this Treaty after entry into force in accordance with provisions of Article 20 of this Treaty.

**ARTICLE – 20**

**FINAL PROVISIONS**

1. This Treaty is subject to ratification, accordance or approval. The instruments of ratification, acceptance or approval shall be exchanged as soon as possible.
2. This Treaty shall enter into force on the thirtieth day after the day on which the instruments of ratification, acceptance or approval are exchanged.
3. This Treaty shall apply to requests made after its entry into force.
4. Either Party may denounce this Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which the other Party receives such notice.

Done at Islamabad on 25th January 2001, in two originals in the English and Uzbek languages, all texts being equally authentic. In case of divergence in the text of interpretation of the provisions of this Treaty, the English text shall prevail

**Sd/-**  
**For the Islamic Republic**  
**of Pakistan**

**Sd/-**  
**For the Republic**  
**of Uzbekistan**

**Pakistan- China Treaty on Extradition Beijing;  
3 November 2003**

The Islamic Republic of Pakistan and the People's Republic of China (hereinafter referred to individually as "a Party" , " the other Party", "the Requesting Party" or "the Requested Party" and collectively as "the Parties"),

Recalling the friendly relations that exist between the two countries,

Affirming their mutual respect for sovereignty, equality and mutual benefit,

Deeply concerned at the magnitude of and rising trend in acts of international terrorism and organized crime,

Desiring to make more effective their cooperation in the prevention and suppression of crime by concluding a Treaty on Extradition,

Have agreed as follows:-

***ARTICLE – 1***

**OBLIGATION TO EXTRADITION**

The Parties agree, in accordance with the provisions of this Treaty, to extradite any person found within the territory of the Requested Party, who is wanted by the Requesting Party for prosecution or for enforcement of a sentence for an extradition offence committed within the jurisdiction of that Party.

***ARTICLE – 2***

**EXTRADITABLE OFFENCES**

1. For the purposes of this Treaty, extradition shall be granted for the conduct which constitutes an offence under the laws of the Parties and is punishable by imprisonment for a period of at least one year or by a more severe penalty.
2. Where the request for extradition relates to a person sentenced by a court of the Requesting Party for an extraditable offence, extradition for the purpose of enforcing the sentence shall be granted if a period of at least six months of the sentence remains to be served.
3. For the purpose of this Article, in determining whether the conduct is an offence against the laws of the Requested Party, it shall not matter, subject to the provisions of paragraph 1 of this Article, whether the laws of the Parties describe the conduct constituting an offence by the same or different terminology.
4. If the request for extradition relates to a number of offences, each of which is punishable under the laws of both the Parties, but some of which do not meet the other requirements of paragraphs 1 and 2 of this Article, the Requested Party may grant extradition for at least one extraditable offence.

**ARTICLE – 3**

**MANDATORY REFUSAL OF EXTRADITION**

1. Extradition shall be refused where:
  - a) The offence for which extradition is requested is considered by the Requested Party to be a political offence. Assault or attempted assault against the Head of State or Government or any member of his family shall not be regarded as political offence;
  - b) The person whose extradition is requested is a national of the Requested Party under the laws of the Requested Party;
  - c) The Requested Party has substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, sex or political opinion or that person might receive unjust treatment for any of the above reasons;
  - d) The person whose extradition is requested had, under the laws of either Party, become immune from prosecution or punishment because of lapse of time, pardon or amnesty;
  - e) The offence for which extradition is requested constitutes only a military offence;
  - f) The person sought has been acquitted or convicted or is otherwise exempted from further prosecution for the offence for which extradition is requested,
  - g) The person has already undergone punishment for the offence for which extradition is requested;or

The person is granted asylum in the Requested Party.

**ARTICLE – 4**

**DISCRETIONARY REFUSAL OF EXTRADITION**

Extradition may be refused where:

- a) The offence for which extradition is requested is also subject to the jurisdiction of the Requested Party and the person sought is being prosecuted or will be prosecuted by that Party;
- b) In exceptional cases, the Requested Party, while also taking into account the seriousness of the offence and the interests of the Requested Party, considers that because of the personal circumstances of the person sought, the extradition will be incompatible with humanitarian considerations.

**ARTICLE – 5**

**CHANNEL OF COMMUNICATION**

The request for extradition shall be made in writing and communicated through diplomatic channels:

- a) In case of the People's Republic of China to the Ministry of Foreign affairs; and;
- b) In the case of the Islamic Republic of Pakistan, to the Ministry of Foreign Affairs.

**ARTICLE – 6**

**DOCUMENTS AND INFORMATION TO BE SUBMITTED**

1. The following documents shall be submitted in support of a request for extradition:
  - a) In all cases;
    - The name of the requesting authority;
    - information about the person sought including, but not limited to, his or her name, age, sex, nationality, occupation or location that may help to identify and trace that person,
    - A statement prepared by a competent authority, which describes briefly the conduct constituting the offence for which the extradition is requested, indicating the place and the date of the commission of the offence and which provides a description or a copy of the text of the legal provisions describing the offence and the applicable penalty,
    - A copy of the text of the relevant legal provisions concerning any time limit on the prosecution of the offence in question.
  - b) In the case of a person sought for prosecution:
    - The original or a certified true copy (sic copy) of the order of arrest or any document having the same force and effect, issued by a competent authority of the Requesting Party;
    - A copy of the indictment, charge sheet or other charging document, if any and
    - A document issued by a competent authority in charge of the prosecution of the case containing a summary of the available evidence and a statement certifying that the evidence is sufficient under the laws of the Requesting Party to warrant the prosecution of the person sought.
  - c) In the case of a person who has been convicted:
    - A statement by the competent authority describing the conduct for which the person was convicted and a certified copy of the documents that records the conviction and, where applicable, sentence of the person; and
    - If a portion of the sentence has already been served, a statement by a competent authority specifying the portion of the sentence, which remains to be served.
2. Any documents submitted in accordance with this Treaty shall be in the official language of the Requesting Party or be accompanied by a certified translation into the official language of that Party.

**ARTICLE – 7**

**ADDITIONAL INFORMATION**

If the Requesting Party considers that the information furnished in support of a request for extradition is not sufficient, that Party may request that additional information be furnished within thirty days. If requested by Requesting Party, that time limit may be extended for another fifteen days. If the



Requesting Party fails to submit the additional information within the stipulated time, it may be deemed to have renounced its request. However, in that event the Requesting Party shall not be precluded from (sic from) making a fresh request for extradition for the same offence.

***ARTICLE – 8***

**DETENTION AND OTHER COMPULSORY MEASURES**

The Requesting Party shall arrest and detain the person sought or take other compulsory measures in accordance with its laws, until the Requesting Party decides on the request for extradition, if extradition is granted, the detention period shall continue until the person sought is handed over to the authorities of the Requesting Party.

***ARTICLE – 9***

**MULTIPLE REQUESTS FOR EXTRADITION**

Where requests are received from two or more States for the extradition of the same person either for the same offence or for different offences, the Requesting Party shall determine to which of those State the person is to be extradited and shall notify those States of its decision.

***ARTICLE – 10***

**DECISION AND NOTIFICATION**

The Requested Party shall process the request for extradition in accordance with the procedures provided for in its laws and as soon as a decision on the request for extradition has been made, communicate that decision to the Requesting Party. The reasons shall be given for any complete or partial refusal of an extradition request.

***ARTICLE – 11***

**SURRENDER**

1. Where extradition is granted, the Requested Party shall surrender the person in accordance with arrangements agreed to by the Parties.
2. The Requesting Party shall receive the person within such reasonable period as the Requested Party specifies. If the person is not received by the Requesting Party within that period, the Requested Party may refuse to extradite that person for the same offence unless the Parties otherwise agree.
3. If circumstances beyond its control prevent a Party from surrendering or receiving the person to be extradited, it shall notify the other Party. The Parties shall decide upon a new date of surrender and the provisions of paragraph 2 of this Articles shall apply.
4. At the time of the surrender of the person, the Requested Party shall inform the Requesting Party of the total period of time the person had been detained with a view to his or her extraditions.

## **ARTICLE – 12**

### **POSTPONEMENT OF SURRENDER**

Where the person sought is being proceeded against or is serving a sentence in the Requested Party for an offence other than that for which extradition is requested, the Requested Party may postpone surrender until the conclusion of the proceedings or the service of the sentence imposed. The Requested Party shall inform the Requesting Party of such postponement.

## **ARTICLE – 13**

### **DELIVERY AND RETURN OF CASE PROPERTY**

1. The Requested Party shall, insofar as its laws permit and at the request of the Requesting Party, seize property reasonably suspected to be involved in the commission of the offence or required for the proof of the offence for which the extradition of the person is requested. The Requested Party shall deliver the property to the Requesting Party when extradition is granted.
2. The property mentioned in paragraph 1 of this Article shall be delivered even if extradition, having been granted, cannot be carried out owing to the death, disappearance or escape of the person sought.
3. Where the property referred to in paragraph 1 and 2 of this Article is required in Requested Party in connection with civil or criminal proceedings, the Requested Party may temporarily retain it until the conclusion of such proceedings or deliver it on condition that it is returned.
4. Any right that the Requested Party or a third party may have acquired in the property shall be preserved. Where such right exists, the property shall, at the request of the Requested Party, be returned without charge to the Requested Party as soon as possible after the conclusion of the proceedings.

## **ARTICLE – 14**

### **RULE OF SPECIALITY**

1. A person who has been extradited shall not be prosecuted, sentenced or detained for any offence committed prior to the surrender other than that for which that person was extradited, nor shall the person's liberty be restricted for any other reason, except where:
  - a) the Requested Party consents;
  - b) the person, having had an opportunity to leave the Requesting Party, has not done so within thirty days of final discharge. However, this period shall not include the time, for reasons beyond his or her control, that person was unable to leave the territory of the Requesting Party; or
  - c) that person has voluntarily returned to the Requesting Party after having left it.
2. A request for the consent of the Requested Party under paragraph 1 of this Article shall, if required by the Requested Party, be accompanied by the relevant documents required under Article 6 as well as a record of any statement made by the person extradited in respect of the offence concerned.
3. If the charge for which the person was extradited is subsequently changed, that person may be prosecuted or sentenced provided the offence under its revised description is based on substantially the same facts contained in the extradition request and its supporting documents; and  
Punishable by imprisonment for a period of at least one year or by a more severe penalty.

**ARTICLE – 15**

**RE-EXTRADITION TO A THIRD STATE**

1. Where a person has been extradited to the Requesting Party, that Party shall not extradite the person to any third State for an offence committed before that person's extradition except where:
  - a) The Requested Party consents;
  - b) The person, having had an opportunity to leave the Requesting Party, has not done so within thirty days of final discharge. However, this period shall not include the time for reasons beyond his or her control, that person was unable to leave the territory of the Requesting Party; or
  - c) The person has voluntarily returned to the Requesting Party after having left it.
2. The Requested Party may retest the Requesting Party for the production of the documents submitted to it by the third State in relation to any consent sought pursuant to sub-paragraph 1 (a) of this Article.

**ARTICLE – 16**

**TRANSIT**

1. In so far as is permitted by its laws, transit through the territory of a Party shall be granted upon a request made by the other party through diplomatic channels supported by documents.
2. No authorizations for transit shall be necessary when air travel is used and no landing is scheduled in the territory of the Transit State. In the case of an unscheduled landing, the Transit State may require a request for transit provided for in paragraph 1. Insofar as is permitted by its laws, the Transit State shall detain the person in transit until the transit is carried out. The request shall be made immediately following the unscheduled landing.
3. Transit shall not be granted in the case of nationals of the Transit State.

All expenses incurred on the transit shall be borne by the Requesting Party.

**ARTICLE – 17**

**EXPENSES**

1. Unless otherwise agreed,
  - a) the Requested Party shall make all necessary arrangements for, and meet the expenses of, proceedings arising out of a request for extradition,
  - b) the Requested Party shall bear the expenses incurred in its territory on the arrest of the person sought and his maintenance until surrendered to the Requesting Party and the expenses associated with the seizure of property.
2. The Requesting Party shall bear the expenses incurred in conveying the person to be extradited and transporting any property seized by the Requested Party to the Requesting Party.

**ARTICLE – 18**

**NOTIFICATION OF RESULT**

The Requesting Party shall promptly provide the Requested Party with information on the outcome of the criminal proceedings or the enforcement of sentence against the person extradited.

**ARTICLE – 19**

**CONSULTATION**

The Ministry of Foreign Affairs of the People's Republic of China and the Ministry of Foreign Affairs of the Islamic Republic of Pakistan or persons respectively designated by the Parties, may consult with each other directly in connection with the processing of individual cases and in furtherance of efficient implementation of this Treaty.

**ARTICLE – 20**

**SETTLEMENT OF DISPUTES**

Any dispute between the Parties arising from (sic from) the interpretation and application of this Treaty shall be settled by consultation through diplomatic channels.

**ARTICLE – 21**

**ENTRY INTO FORCE. AMENDMENT AND TERMINATION**

1. This Treaty is subject to ratification. The instruments of ratification shall be exchanged at a place mutually agreed between the Parties. The Treaty shall enter into force on the thirtieth day after the date of the exchange of the instruments of ratification.
2. This Treaty may be amended by mutual consent,
3. Either Party may, by notice in writing through diplomatic channels terminate this Treaty at any time. The termination shall take effect on the one hundred and eightieth day after the date on which it is notified to the other Party. Termination shall not affect the processing of any extradition request received prior to such termination.

In Witness Whereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

Done in duplicate at Beijing on this 3rd day of November 2003 in English and Chinese languages, both texts being equally authentic.

Sd/-

**For the Islamic  
Republic of Pakistan**

Sd/-

**For the People's  
Republic of China**

**Pakistan - UAE Extradition Treaty: Islamabad;  
8 March 2004**

The Government of the United Arab Emirates and the Government of the Islamic Republic of Pakistan,  
Recalling the brotherly and friendly relations that exist between the two countries;

Deeply concerned at the magnitude of and rising trend in acts of international terrorism and organized crime; and

Desirous of strengthening and reinforcing cooperation between the two countries in combating crime,  
Have agreed as follows:

***ARTICLE – 1***

The Contracting Parties agree, in accordance with the provision of this Treaty, to extradite to each other any person, found within the territories of one Party who is wanted by the other Party for offences committed in the Requesting Party or for the execution of penalty for a Requesting Party subject to provisions of Article 20 of this Treaty, provided that the offence is extraditable according to the laws of both the Requesting and the Requested Parties.

***ARTICLE – 2***

Extradition shall be granted under this Treaty in the following cases:

If the acts of the accused, according to the laws of the Requesting and Requested Parties, constitute a crime that is punishable for imprisonment for a period not less than one year.

If the competent court in the Requesting Party, whether in the presence of or in absentia, has convicted the accused to imprisonment for a period not less than six months.

***ARTICLE – 3***

1. The extradition shall be granted if, prima facie, the evidence available shows that according to the laws of the Requested Party that the person required for extradition has committed the crime for which extradition is requested or the person sought is convicted by the Courts of the Requesting Party.
2. The requesting party shall not extradite the person to a third State, without the consent of the Requested Party. The person may be extradited to a third State, if he has not left the territory of the Requesting Party within forty-five days from the day when he has been set free to do so or voluntarily returned to it, in pursuance of the provisions of paragraphs b and c of Article (6) of this Treaty.

#### *ARTICLE – 4*

1. Extradition shall not be granted under this Treaty, in any of the following cases:
  - a) If the crime for which the extradition is requested is a political crime or a crime of a political nature or when it appears that the request for extradition is made with a view to prosecuting, trying or punishing the person for a political crime;
  - b) If the person sought has been tried and convicted or acquitted by the courts of the Requested Party or of a third State of the crime for which extradition is requested,
  - c) When the prosecution of the person sought would be barred by the lapse of time under the laws of the Requested Party;
  - d) If the person has already undergone the punishment for crime for which extradition is requested whether in Requested Party or a third State;
  - e) If the person is enjoying political asylum in the Requested Party;
  - f) If the crime for which extradition has been requested is a military crime.
2. When the person sought is under investigation or has been prosecuted and is undergoing punishment in the Requested Party for a crime other than that for which extradition is requested, the Requested Party may defer his extradition till he completes his sentence or is discharged.
3. When the person whose extradition is requested is a national of the Requested Party it may refuse to extradite him in accordance with its national law. If it decides to refuse extradition it shall submit prosecution of the person in respect of all or any of the crimes for which extradition has been sought. The Requested Party shall inform the Requesting Party of any action taken and the outcome of the proceedings. Nationality shall be determined at the time of the commission of the offence for which extradition is requested.

#### *ARTICLE – 5*

The following shall not be regarded as political crimes:-

- a) Crime of assault or attempted assault against the President of State, Head of Government or any member of their families. Crimes of assault or attempted assault against a member of the Supreme Council of the united Arab Emirates or any member of his family;
- b) Acts of terrorism

#### *ARTICLE – 6*

The Requesting Party shall not, except in any of the following circumstances, detain, prosecute, try or punish a person surrendered under this Treaty for any offence other than that for which extradition has been granted:

- a) When the extradited person commits an offence during prosecution, trial, or during the interim period of serving sentence;

- b) When he has not left the territory of the Requesting Party within forty-five days from the day when he has been set free to do so;
- c) When he has left the territory of the Requesting Party after his extradition and has voluntarily returned to it.

#### *ARTICLE – 7*

1. All requests for extradition shall be supported by:
  - (a) Documents, statements, or other types of information which describe the identity, nationality and probable location of the person sought;
  - (b) A statement of facts of the crime and the procedural history of the case;
  - (c) A statement of the provisions of the law describing the essential elements of the crime for which extradition is requested;
  - (d) A statement of the provisions of law describing the punishment for the crime;
  - (e) A statement of the provisions of law describing any time limit on the prosecution or the execution of punishment for the crime;
2. In addition to the documents referred to in paragraph 1, a request for extradition of a person who is sought for prosecution shall be accompanied by such evidence as, according to the law of the Requested Party, would provide probable cause for his arrest and committal for trial, if the crime had been committed there and
3. a copy of the warrant or order of arrest issued by a judge or other competent authority; and
4. a copy of the charging document.
5. A request for extradition relating to a person who has been convicted of the crime for which extradition is sought shall also be supported by:
  - a) A copy of the judgment of conviction or if such copy is not available, a statement by a judicial authority that the person has been convicted;
  - b) Information establishing that the person sought is the person to whom the conviction refers;
  - c) A copy of the sentence imposed, and a statement establishing to what extent the sentence has been carried out; and
  - d) In the case of a person who has been convicted in absentia the documents required in paragraph 2.
6. The documents which accompany an extradition request shall be received and admitted as evidence in extradition proceedings if:
  - a) They are certified by the diplomatic or consular officers of the Requested Party resident in the Requesting Party; or
  - b) They are certified or authenticated in any other manner accepted by the law of the Requested Party.

7. If the executive authority in the Requested Party considers the information given in support of the request is not satisfactory to fulfill the conditions required by this Treaty, the Requesting Party shall be informed of the same so as to submit additional information before a decision is taken on the extradition request. An extension of time limit may be mutually agreed for providing such information, if there are satisfactory reasons for the extension of time limit.

#### ***ARTICLE – 8***

The authorities concerned in the Requested Party shall inform the authorities concerned in the Requesting Party, preferable within a period of two months from receipt of the extradition request of the decision taken in respect of the extradition, whether negative or positive, through the diplomatic channels or by any other means agreed upon.

In case the extradition is granted, the Requesting Party shall determine the suitable means and notify the Requesting Party of the time and place where and how the extradition shall take place.

#### ***ARTICLE – 9***

Upon receipt of the request for extradition, the Requesting Party shall arrest and detain the person sought in accordance with its law, until the Requesting Party decides on the request for extradition. If the request for extradition is granted, the detention period shall continue until the person sought is handed over to the authorities of the Requesting Party. The detention period shall be remitted from the sentence passed against him.

If an orders to surrender has been issued by the competent authorities of the Requesting Party, it shall specify therein the place and the date of surrender and the length of time the person sought has already been kept in custody and give to the Requesting Party reasonable notice thereof. If the Requesting Party fails to take custody of the requested person within such time as may be stipulated by laws of the Requesting Party, the Requesting Party may set the person at liberty and may subsequently refuse to extradite such person

#### ***ARTICLE – 10***

If extradition is requested concurrently by more than one State, of the same person, either for the same offence or for different offences, the Requesting Party shall make it's decision to which of such State it will extradite the person, having regard to all the circumstances especially the relative seriousness and place of commission of the offence(s), the respective dates of the requests, the nationality of the person claimed and the possibility of subsequent extradition to another State.

#### ***ARTICLE – 11***

1. In case of urgency and on a request by the competent authority in the Requesting Party, the Requesting Party shall take prompt and appropriate action, pending the receipt of documents referred to in Article 7.
2. The competent authority in the Requested Party shall terminate the action taken under paragraph (1), if the documents referred to in Article 7 are not delivered to the Requested Party within thirty days from the date of such request



**ARTICLE – 12**

1. The Requested Party, within the authority of the law and without prejudice to the rights of others acting in good faith shall seize the materials stated below and deliver the same to the Requesting Party at the time of extradition of the persons or immediately after that:
  - a. Things used to commit the crime or which constitute an evidence of the crime;
  - b. Things obtained by committing the crime if in the possession of the wanted person or found at the time of his arrest;
  - c. Things exchanged with other things obtained from the crime.
2. The Requesting Party shall pay all expenses incurred on the delivery of the seized materials.
3. If the seized materials, as in para (1) of this Article, are required for the investigation of the crime pending in the Requesting Party, then the delivery of these materials may be delayed, or be delivered on condition that they shall be returned after the conclusion of the proceedings in the case in the Requesting Party.
4. If the Requesting Party or any other State has any legal rights in the seized materials, these rights shall not be affected due to delivery. The Requesting Party shall be obliged to return those materials without any charges whenever the purposes for the delivery are completed.

**ARTICLE – 13**

1. When either of the Contracting Parties is to have a person extradited from third State through the territory of the other Contracting Party, the former shall request the latter for the permission of such transit.
2. The Requesting Party shall, in so far as it is not contrary to its national laws, approve the request for transit made by the Requesting Party.
3. No permission is required where air transport is used and no landing is scheduled for.
4. In case of an un-scheduled landing, the Contracting Party in whose territory landing occurs shall assist in effecting the transit. If the person who is being extradited, is a national of the Contracting Party in whose territory such landing occurs, that person shall be handed over to that Contracting Party which shall in turn comply with the provisions of Article 4 of this treaty.

**ARTICLE – 14**

1. Each of the Requesting Parties undertakes to grant in accordance with its laws, passage across its territory to the person to be extradited under the provisions of Article 13 on a request to that effect made through diplomatic channels.
2. The request shall be supported by the documents pertaining to a crime for which extradition can be granted under the provisions of this treaty.

**ARTICLE – 15**

The Requesting Party shall bear all expenses necessary for the implementation of the extradition request and also pay all expenses for the return of the extradited person to the Requesting Party.

**ARTICLE – 16**

1. The Requesting Party shall notify the requested Party of the outcome of the proceedings against the extradited person.
2. In case of conviction, the Requesting Party shall provide with an authenticated copy of the final judgment.

**ARTICLE – 17**

All the documents provided by the Contracting Parties in accordance with this Treaty shall be translated in Arabic language or in English Language, if and as desired by the Requesting Party.

**ARTICLE – 18**

1. This Treaty shall be ratified in accordance with the constitutional procedures of the Contracting Parties and the Instruments of Ratification shall be exchanged through diplomatic channels.
2. This Treaty shall enter into force 30 days after the receipt of the last Instrument of Ratification.
3. This Treaty may be terminated by either Contracting Party at any time upon giving six months notice to the other. However, the procedures already initiated for an extradition request by any of the Contracting Parties shall continue to be governed by this Treaty until their conclusion.

In Witness Whereof the authorized representative of the Contracting Parties hereby sign this Treaty. This Treaty has been done in two original copies in Arabic & English languages both texts being equally authentic. In case of any discrepancy, the English text shall prevail.

Done at Islamabad on this 8th day of March in the year 2004.

**For the Government of  
The Islamic Republic of Pakistan  
Sd/-  
(Mahdooom Syed Faisal saleh  
Hayat)  
Minister for Interior &  
Narcotics Control.**

**For the Government of  
the United Arab Emirates  
Sd/-  
(Mohammed nakhira Al- Khahiri)  
Minister of Justice,  
Islamic affairs and Aufaq**

**Extradition Agreement Between the Islamic Republic of Pakistan  
and the Great Socialist People's Libyan Arab Jamahiriya:  
Tripoli; 2 May 2009**

The Islamic Republic of Pakistan and the Great Socialist People's Libyan Arab Jamahiriya, (hereinafter referred to as "the Parties").

In order to enhance the friendly relations and cooperation, and desire to organize and develop cooperation in the field of extradition of wanted persons and convicts;

Have agreed as follows:

***ARTICLE – 1***

The Parties shall undertake, in accordance with their respective applicable laws and according to the terms and conditions contained in this Agreement, extraditions of accused persons.

***ARTICLE – 2***

Extradition of the following persons shall take place:

- a) Those who are accused of the offences punishable not less than one year imprisonment under the laws of the Parties.
- b) Those who have been convicted, whether in absentia or otherwise, by a Court of the requesting Party and sentenced to imprisonment for one year or more under its laws.

***ARTICLE – 3***

Extradition shall be refused in the following cases:

1. If the request is concerning a national of the requested Party.
2. If the person concerned has already been convicted for the same offense for which extradite has been requested.
3. If the crime or punishment has ceased to be valid, over the period of time, according to the law of one of the Parties.
4. If the crime for which the Extradition is requested, is considered, in the opinion of the requested Party, as political or military crime, or related to them.

#### *ARTICLE – 4*

The extradition request will be conveyed to the Secretary General People's Committee of Justice in the Great Jamahiriya and the Secretary Interior of the Islamic Republic of Pakistan through the Diplomatic channels.

#### *ARTICLE – 5*

The extraditions request must be accompanied with the following documents:

1. An official copy of the investigative documents certified by the concerned authorities that control or possess the documents pertaining to the requested investigation.
2. An official copy of the Order of the conviction in respect of the person, whether passed in his absence or presence.

The requests of Extradition and its Annexures must be conveyed in the language of the requested Party.

#### *ARTICLE – 6*

In the case of urgency the extradition request may be submitted by, fax or mail or through the International Police (Interpol) and the required documents must be sent later.

#### *ARTICLE – 7*

If the requested person is under the investigation or trial for another crime in the requested Party, then extradition will be postponed until his trial ends and the sentence is implemented. Nonetheless, the requested Party may temporarily extradite him for trial, on the condition, that he be returned to the requested Party, on the conclusion of the trial and before the implementation of sentence.

#### *ARTICLE – 8*

If the requested Party receives several requests from various countries in respect of the accused for the same crime, then the priority will be for the party against whose interest the crime has been committed, then for the party in whose territory the crime is committed and then the party to which (sic which ) he belongs that has sought his Extraditions. But if the extradition requests are related to various crimes, then the priority shall be given to the party, which requested the extradition before the others.

#### *ARTICLE – 9*

The release of the requested person shall not preclude him from being re-arrested in the case of fulfilling the conditions of the required documents. In all cases the period of detention will be deducted from the sentence.

***ARTICLE – 10***

In the case of approval of the extradition, the requesting Party must be notified of the place and the date of the extradition, the time spent in prison and extradition period shall be determined in accordance with the

***ARTICLE – 11***

The requesting Party shall be handed over all items relating to the offense in the person whose extradition is requested at the time of arrest, as well as what may be taken as evidence of the crime, according to the laws of the requested Party. These items shall be conveyed with the convicted person, or after the completion of extradition proceedings, or in the case of his escape or death, the Party requesting the extradition.

***ARTICLE – 12***

The requesting Party shall bear all the expenses of extradition procedures for the implementation of delivery, including the expenses of the transfer of the items, along with the extradited person.

***ARTICLE – 13***

Each Party shall request the facilitation of persons passing through the territory of a third State, and authorize to do so, in accordance with the provisions of this Agreement.

***ARTICLE – 14***

The requested person shall not be investigated upon, or tried in the court of law, or proceeded against judicially, except for any other crime that he has committed, before or after his extradition.

***ARTICLE – 15***

The requested Party shall be notified procedures required for the extradition and the sentence passed against the accused.

***ARTICLE – 16***

The disputes concerning the interpretation and application of this Agreement shall be settled amicable through negotiation between the General Peoples Committee of Justice of the Great Jamahiriya and the Ministry of Interior of Pakistan.

**ARTICLE – 17**

1. This Agreement shall enter into force one month after the date of exchange of the last instrument of ratification.
2. This Agreement shall be valid for a period of five (5) years and shall be renewed automatically for a similar period unless terminated by either of Parties on giving six months prior written notice.
3. This Agreement may be modified, or amended by mutual written consent of the Parties, and these amendments shall become effective on the exchange of last notification by the Parties.

Done at Tripoli on the 2nd of May 2009, in two originals in the Arabic and English languages, both texts being equally authentic.

**Sd/-**

**(Chaudhry Ahmed Mukhtar)**

**Minister of Defence**

**For the Government of the**

**Islamic Republic of Pakistan**

**Sd/-**

**(Dr. Abdulhafid M. zalitni)**

**Secretary General People's**

**Committee for Planning and Finance**

**For the Great Socialist People's**

**Libyan Arab Jamahiriya**