

RESOLUTION No. AGN/65/RES/12	TO BE CLASSIFIED AS FOLLOWS:
SUBJECT:	1 copy in the CHRONOLOGICAL SERIES:
Extradition	Year 1996
	1 copy in the SUBJECT SERIES:
	Heading: Extradition and mutual assistance in criminal proceedings

**TEXT OF RESOLUTION**

CONSIDERING that one of the Organization's aims is to foster law enforcement action to counter international crime,

AWARE that one of the main aspects of such law enforcement action is the arrest of wanted persons, with a view to extradition to the country where they are to be tried or have already been convicted,

CONVINCED that Interpol can facilitate and speed up the procedures leading to the extradition of a wanted person, particularly by encouraging the establishment of close links between police and judicial authorities both nationally and internationally, and by making available its facilities to those authorities to allow them to carry out the extradition process,

RECALLING that regional conventions on extradition such as the European Convention on Extradition and the Commonwealth Scheme for the Rendition of Fugitive Offenders (both of which mention the role of Interpol in forwarding requests for provisional arrest), the Arab League Convention on Extradition, and the Inter-American Convention on Extradition, are particularly effective legal instruments since they simplify extradition procedures for the Contracting Parties,

FURTHER RECALLING that many international conventions on particular types of offences, including the Conventions on offences against civil aviation, the Convention on Currency Counterfeiting, the Convention on Narcotic Drugs, and the European Convention on the Suppression of Terrorism, contain special provisions on extradition, and that these provisions facilitate international law enforcement action with regard to those offences,

BEARING IN MIND that bilateral extradition treaties are also instruments which facilitate extradition between two countries,

RECOGNIZING the value of the model treaty on extradition drawn up by the United Nations in 1990 (Resolution 45/116 of 14th December 1990),

ALSO RECOGNIZING the need to draw up and apply national extradition laws which lay down extradition conditions and procedures when it is not possible to apply a multilateral extradition convention or a bilateral extradition treaty,

RESOLUTION No. AGN/65/RES/12

CONSIDERING that the police stage prior to the judicial and diplomatic stages of the extradition process is of importance for the success of the operation and that it should therefore be facilitated, inter alia by appropriate texts,

HAVING TAKEN NOTE of Section IV (Extradition) of Report AGN/65/RAP. No. 5 entitled "Monitoring of Resolutions" and submitted by the General Secretariat,

The ICPO-Interpol General Assembly, meeting in Antalya from 23rd to 29th October 1996 at its 65th session:

RECOMMENDS that NCBs:

- (1) Encourage the appropriate authorities in their countries to draw up or revise multilateral extradition treaties which would speed up the extradition process and simplify extradition procedures and which would take account of the constraints upon the police by involving the latter at the earliest stage when drafting such instruments;
- (2) Draw the attention of the appropriate authorities to the fact that the Interpol network allows for the rapid transmission of requests for provisional arrest with a view to extradition, and encourage them to mention the use of Interpol's facilities in the texts of extradition conventions or treaties as is the case, for example, in Article 16 of the European Convention on Extradition and in Clause 4(1) of the Commonwealth Scheme for the Rendition of Fugitive Offenders;
- (3) Take the necessary steps to encourage the appropriate authorities in their countries to ratify existing regional extradition conventions and to conclude bilateral extradition treaties, making use, where appropriate, of the model treaty on extradition adopted by the United Nations in 1990 which advocates the use of Interpol for sending requests for provisional arrest;
- (4) Do their utmost to ensure that international instruments on extradition are applied effectively and that Interpol channels are used as often as possible for the transmission of requests for provisional arrest and any other documents relating to extradition requests;
- (5) Urge the appropriate authorities in their countries to adopt national laws specifying the circumstances in which extradition will be granted in the absence of an applicable convention or bilateral treaty on extradition;
- (6) Keep the General Secretariat informed of their countries' ratification of extradition conventions or treaties, or adoption of national extradition laws, as well as of the role played by the NCB in particular and by the police in general, in the extradition procedure;
- (7) Give priority to cases where extradition is requested, and do everything they can to speed up the exchange of relevant information;

RESOLUTION No. AGN/65/RES/12

- (8) Include as much information as possible when drafting messages asking for the arrest of a wanted person with a view to extradition, including details of the offence involved, the maximum penalty possible, the applicable provisions, the name of the judicial authorities which issued the arrest warrant, the date and number of the warrant, any applicable time limit for enforcement and an assurance that extradition will be requested;
- (9) Fill in a copy of the form requesting publication of a red notice as soon as possible, even if they have already sent out a wanted message;
- (10) Systematically inform the General Secretariat of the outcome of extradition proceedings in respect of wanted persons who have been arrested following a message or red notice sent out through Interpol channels and of the sentences imposed on such persons, so that Interpol's archives can be updated and information kept for the appropriate period.

ASKS the General Secretariat:

- (1) To obtain the texts of national extradition laws in force in the Organization's member countries and circulate them to all member countries for information (EXTRA/605 circulars);
- (2) To collect information about the measures the police in each member country can take when they receive a request for provisional arrest with a view to extradition (pre-extradition procedure), and inform all the NCBs accordingly by EXTRA/600 circular;
- (3) To compile statistics on the number of arrests made as a result of messages or red notices sent out through Interpol channels and on the number of persons extradited following such arrests, and also to find out why certain extradition requests fail;

ABROGATES the following resolutions:

- AGN/36/RES/4 - (1967) - National extradition laws
- AGN/46/RES/10 - (1977) - Speeding up extradition
- AGN/55/RES/13 - (1986) - Extradition
- AGN/55/RES/17 - (1986) - Treaties and agreements on extradition and mutual assistance in judicial matters
- AGN/60/RES/11 - (1991) - Extradition.

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