

**Agreement between the Socialist People's Libyan Arab Jamahiriya
and the Republic of Turkey
on the extradition of criminals**

Article (1)

The parties shall undertake to extradite criminals to one another in accordance with the rules and conditions stipulated in this agreement.

Article (2)

The person whose extradition is requested shall be extradited if he is wanted, accused, or convicted for any of the crimes stipulated in Article (3) and if this crime is committed within or outside of the territory of the country requesting the extradition, on the condition that said action is punishable by the law of both parties.

Article (3)

Extradition request cases:

- a. If the action is punishable by imprisonment for a period of no less than one year and is considered a crime in accordance with the law of both parties.
- b. If the person whose extradition is requested is sentenced to imprisonment for a period of no less than six months for an act punishable under the law of both parties.

Article (4)

1. Rejection of extradition request cases:

- a. If the action constitutes a political or military crime or is related thereto.
- b. If the person whose extradition is requested is a citizen of the party from which extradition is requested.
- c. If the action on which the extradition request is based was committed within the territory of the party from which the extradition is requested, or outside of the territory thereof and the person whose extradition is requested is undergoing investigation or trial.
- d. If the crime or penalty is extinguished or expires pursuant to the law of both parties.
- e. If the person whose extradition is requested has previously been tried for the same crime for which his extradition is requested.

2. If the person whose extradition is requested is undergoing investigation or trial for a different crime, the adjudication of the extradition request shall be postponed until completion of the trial and execution of the sentence that he received.

3. Extradition may be refused if the act for which extradition is requested was committed within the territory of a third country, and the person whose extradition is requested is not a citizen of the party requesting the extradition.

Article (5)

The extradition request shall be submitted through diplomatic means. The competent bodies shall adjudicate the same in accordance with the law of both parties.

Article (6)

The following documents shall be attached to the extradition request:

1. If the request pertains to a person under investigation:
 - a. Extradition request certificate.
 - b. An arrest warrant for the suspect and a statement indicating the date, place, and legal description of the crime issued by the competent judicial authorities.
 - c. A copy of the investigation reports certified by the competent authority for investigation if possible, or a document containing the text of the indictment and the evidence in detail certified by the same authority.
2. If the request pertains to a convicted person:

In addition to the documents mentioned in Paragraph (a), an official copy of the final verdict shall be attached.

3. The party requesting the extradition shall send the requested missing information within a maximum period of 60 days of the date of arrest of the suspect or convict.

Article (7)

In the event of urgency, the extradition request may be submitted by telegraph, phone, or through the international police (Interpol). The required documents indicated above shall be sent at a later date.

Article (8)

The party from which the extradition is requested shall take all precautionary measures, including the arrest and provisional detention of the suspect for a period of no more than 30 days. He shall be released if the extradition request is not fulfilled within the designated period. The other party shall be notified thereof.

The period of provisional detention may be extended on the basis of a request submitted by the party requesting the extradition, provided that it submits the reason behind the delay in providing the necessary documents. This shall be for a period of no more than 30 days.

In the event that the necessary documents are provided, the detention of the person whose extradition is requested shall continue until he is extradited.

Article (9)

The release of the person whose extradition is requested shall not preclude his re-arrest in the event that the necessary documents are provided.

In all cases, the period of the provisional detention shall be deducted from the sentence received by the person whose extradition is requested.

Article (10)

As an exception to the provision of Article (4), Paragraph (2), the suspect or convict may be temporarily extradited if the case for which the extradition is requested so requires. He shall be returned within a period of no more than three months from the date of his extradition.

Article (11)

- a. The party requesting the extradition shall be expeditiously informed of the decision issued with regards to the extradition.

- b. In the extradition request is approved, the party requesting extradition shall be informed of the place and date of the extradition of the person whose extradition is requested, and of the period for which he was arrested or provisionally detained. The extradition period shall be determined through the agreement of the parties and shall be no less than ten days.
- c. The person whose extradition is requested shall be released if the party requesting the extradition does not submit a request within 48 hours of the expiration of the agreed-upon period for the extension of the aforementioned period by a period of no more than 15 days.
- d. The party from which extradition is requested may reject the extradition request after releasing the person whose extradition is requested.
- e. In the event of the flight of the person whose extradition is requested, the party requesting the extradition may renew the request for his extradition.

Article (12)

The documents pertaining to the person whose extradition is requested shall be in accordance with the law of both countries. They may be written in the national language or in English.

Article (13)

The person whose extradition is requested may not be arrested or investigated if he has been convicted for the action for which extradition is requested in the country from which extradition is requested.

Article (14)

If multiple extradition requests are submitted from numerous countries for the same suspect, the country from which extradition is requested shall take an appropriate decision subject to the following:

- a. The extent of damages caused by the crime to the interests of the country requesting extradition.
- b. The place the crime was committed.
- c. The nationality of the person whose extradition is requested.
- d. The date the extradition requested is received.

Article (15)

The party requesting extradition shall receive everything found in the possession of the person whose extradition is requested when he was arrested, as well as anything that may be used as evidence in the crime, in accordance with the laws of the country from which extradition is requested.

These items shall be transferred to the party requesting extradition along with the person whose extradition is requested or, in the event of his flight or death, after the completion of the extradition procedures.

Article (16)

The party requesting extradition shall bear responsibility for the expenses accrued by all extradition request execution procedures, including the delivery of the items transferred with the person whose extradition is requested and his transit expenses.

Article (17)

Each of the parties may request facilitation of the transit of criminals through the territory of a third country. Permission therefor shall be granted in accordance with the provisions of this agreement.

Article (18)

The extradited person shall only be tried for the crime for which the extradition request was submitted, and only for actions related thereto, provided that they were not committed after his extradition.

Article (19)

The result of the measures taken and the final verdict issued against the extradited person shall be reported by the party to which he was extradited.

Article (20)

This agreement shall enter into effect one month after exchange of the ratification papers therefor between the two parties.

Either party may cancel the effect of the agreement six months after notifying the other party thereof.

Article (21)

This agreement was executed in Arabic and Turkish with each copy of equivalent force on 17 Dhu al-Qaada 1394 FDP corresponding to 5 August 1985 in Ankara.

**On behalf of the General People's
Committee for Justice**

Ammar al-Mabrouk al-Taif

On behalf of the Turkish delegation

**Erdoğan Sanalan
Ambassador**