

**Agreement on the extradition of criminals
between the Great Socialist People's Libyan Arab Jamahiriya
and the Hashemite Kingdom of Jordan**

The Great Socialist People's Libyan Arab Jamahiriya and the government of the Hashemite Kingdom of Jordan, hereafter referred to as the parties:

- Out of their desire to develop the ties of friendship and cooperation between the two countries;
- To implement the essential principles of Arab cooperation as stipulated in the Pact of the League of Arab States;
- To strengthen the fraternal ties between two Arab countries;
- Out of their desire to establish organized and effective cooperation between each other in the field of extradition of criminals;

have agreed to the following:

Article (1)

The parties shall undertake to extradite persons within their territory that have been indicted by competent judicial bodies or that have been convicted by either party, in conformity with the rules and provisions contained therein.

Article (2)

Extradition shall be prohibited in the following cases:

1. If the person whose extradition is requested is a citizen of the party from which extradition is requested. In this case, the petitioned party shall prosecute this person on the basis of the petitioning party's request. It shall rely therein on any investigations that may have been performed by the petitioning party.
2. If the crime is political.
3. If the crime for which extradition is requested is limited to violation of military discipline and conduct and the like.
4. If all or part of the crime for which extradition is requested was committed within the territory of the party from which extradition is requested.
5. If the party from which extradition is requested has issued a final verdict with regards to the crime.
6. If the case has expired or the penalty inflicted has expired by prescription by virtue of the laws in force in the party requesting extradition at the time that the extradition is received.
7. If the crime for which extradition is requested is committed outside of the territory of either party, and the law in the party from which extradition is requested prohibits indictment for such crimes in the event that they are committed by a foreigner outside of its territory.
8. If a general amnesty is issued by the party requesting extradition.
9. If the person whose extradition is requested has been prosecuted or is under investigation or prosecution for the crime for which his extradition is requested, whether in the party from which extradition is requested or the party in whose territory the crime was committed.
10. If the person whose extradition is requested has had a final verdict issued against him for the same crime by a third country.

Article (3)

The following shall not be considered political crimes, even if politically motivated:

- a. Crimes of assault or attempted assault against a leader, king, crown prince, or representative thereof in either party, or their ascendants and descendants.
- b. Crimes of premeditated homicide and robbery against individuals or authority, means of transportation, and public transportation personnel.
- c. Crimes of terrorism.
- d. Crimes that prejudice the safety, security, and interests of the country.

Article (4)

Extradition shall be mandatory in the following cases:

1. If the person whose extradition is requested is indicted for a felony or a misdemeanour punishable in the legislation of either party with a custodial penalty for a period of one year or another more severe penalty.
2. If the crime was committed within the territory of the petitioning party or outside of the territory of either party, and if the laws of the parties punish the same action when committed outside of their territory.
3. If the person whose extradition is requested is convicted by the courts of the petitioning party to a custodial penalty for a period of six months or a more severe sentence.

Article (5)

The extradition request shall be submitted in writing by the competent body in the petitioning party to the competent body in the party from which extradition is requested attached with the following:

- a. A statement containing adequate clarifications on the identity, nationality, and description of the person whose extradition is requested, as well as a picture of him if possible.
- b. The original conviction ruling, arrest warrant, or any other papers that have the same force and are issued in accordance with the circumstances prescribed in the law of the party requesting extradition, or an official copy thereof.
- c. A statement of the actions committed for which extradition is requested, the place and date they were committed, and their judicial characterisation with indication of the legal articles applicable thereto and the provisions of these articles.
- d. A statement from the competent body responsible for the case indicating that the crime has not been abated or the penalty extinguished on the basis of the law of the petitioning party.

Article (6)

In urgent cases and on the basis of a request from the competent body in the petitioning party, the person whose extradition is requested may be arrested or temporarily detained until the receipt of the extradition request. Notification of this request shall be either through the post or a different means that may be drafted in writing in accordance with the conditions stipulated in the previous article and such as enables the extradition request to meet the legal conditions thereof under the provisions of this agreement. In such cases, the period of detainment may not exceed 60 days and he may be released on bail during this period.

The release of the person whose extradition is requested shall not preclude his re-arrest and extradition if the extradition request is completed later.

Article (7)

If the party from which extradition is requested requires additional information to confirm that the conditions stipulated in this agreement have been met, it shall notify the party requesting extradition

thereof before refusing the request. A date shall be appointed for providing this information that shall not exceed 60 days.

Article (8)

If multiple countries request extradition for the same crime, priority in extradition shall be granted to the country whose safety and interests were harmed by this crime, following by the country in which the crime was committed, then the country of which the person whose extradition is requested is a citizen. If the circumstances coincide, priority shall be granted to the country that requested the extradition before the others. If the extradition request is for multiple crimes, then preference shall be granted on the basis of the circumstances, danger, and prescribed penalty for the crime, as well as the place it was committed, to be decided by the party from which extradition is requested.

Article (9)

With maintaining the rights of the party from which extradition is requested or third party rights, the items possessed by the person whose extradition is requested as a result of having committed the crime for which he is wanted, the instruments used to commit said crime, and all items that assisted in accomplishing said crime shall be submitted to the petitioning party, in the event of the approval of the party from which extradition is requested. If extradition is not possible due to the death or flight of the person whose extradition is requested or the inability to arrest him, and the party from which extradition is requested or a third party have acquired rights over these items, they shall be returned as quickly as possible after the completion of the procedures within the territory of the petitioning party and at no expense.

In all cases, these items shall be submitted to the petitioning party.

Article (10)

Either party's competent body shall decide on extradition requests in accordance with the legal circumstances in effect at the time of submission of the request.

Article (11)

1. The party requesting extradition shall be notified by the competent body of the decision taken with regards to the extradition.
2. In the event of rejection, the wanted person – if arrested – shall immediately be released. The reasoning of the rejection decision must be provided.
3. In the event of acceptance, the petitioning party shall be informed of the place and date of extradition.
4. The party requesting extradition shall receive the person whose extradition is requested at the place and date designated therefor.
5. If the person is not received at the place and date designated therefor, he may be released 30 days after the date designated for extradition. In all cases, he shall be released 40 days after such date. The extradition thereof may not be requested again for the same action or actions for which the extradition was requested.
6. If exceptional circumstances preclude the extradition or reception of the wanted person, the other party shall be notified thereof before the expiration of the dates. A new date and, if necessary, a new place, shall be agreed upon. In this case, the provisions of the previous two articles shall apply.

Article (12)

1. If the person whose extradition is requested is accused or convicted of a crime other than the one for which his extradition is requested, the extradition request shall be decided and the country requesting extradition shall be notified of the decision taken in this regard.
2. In the event of acceptance, the extradition of the person shall be postponed until completion of his trial or execution of the sentence to which he was convicted. In this case, the provisions of items 4, 5, and 6 of the previous article shall be followed.
3. The provisions of the previous item shall not preclude the possibility of sending the person whose extradition is requested and in whose regard the conditions for extradition have been met, to appear before the judicial authorities of the party requesting extradition, who shall explicitly commit to returning him once a decision is issued in his regard.

Article (13)

If an amendment is made to the characterisation of the action constituting the crime that is grounds for extradition while procedures are being taken against the person whose extradition is requested, he may not be indicted or tried unless the elements constituting the crime under its new characterisation permits extradition in accordance with the provisions of this agreement.

Article (14)

The person who was extradited may not be indicted, tried in person, detained in execution of a sentence, or held in custody in execution of a sentence he received for a crime that was committed before the date of extradition, except the one for which he was extradited and crimes related thereto, or for crimes he committed after extradition, except in the following cases:

1. If the extradited person is freed and provided with a means to exit the territory of the party to which he was extradited. If he does not leave within 30 days of his final release, or if he exits therefrom and returns thereto of his own volition.
2. If the party that extradited him agrees thereto, on the condition that a new request is submitted with the documents stipulated in Article (5) of this agreement attached thereto, and with a judicial report containing the statements of the extradited person concerning the extension of the extradition. It shall indicate that he received the opportunity to submit a defence memorandum to the competent bodies of the party from which extradition is requested.

Article (15)

With the exception of the case stipulated in Article (14), Paragraph (2) of this agreement, the party from which extradition is requested shall approve to permit the party requesting extradition to extrude the person extradited thereto to a third country. The petitioning party shall send a request to the party from which extradition is requested accompanied by a copy of the documents submitted by the third country.

Article (16)

Both parties shall permit passage of the person that is to be extradited to either of them through their territory. This shall be based on a request sent thereto through the competent body. The request shall be supported by the documents required to document that the matter is related to a crime that may lead to extradition.

Article (17)

This agreement shall be ratified in conformity with the constitutional rules in effect in both parties.

Article (18)

This agreement shall enter into effect thirty days after the exchange of the ratification papers therefor. It shall remain in effect for a period of five years from the date of its entry into effect. It shall be automatically renewed for equivalent periods, unless one of the parties notifies the other party in writing of its desire to amend or cancel it at least six months before its expiration. This shall not affect the requests that were previously submitted.

This agreement was executed and signed in two original copies in Arabic at the Dead Sea in the Hashemite Kingdom of Jordan on 23 January 1376 FDP corresponding to 2008 AD.

On behalf of

**The Great Socialist People's Libyan Arab
Jamahiriya**

Mustafa Abdul Jalil

**Secretary of the General People's
Committee for Justice**

On behalf of

The Hashemite Kingdom of Jordan

Ayman Yahya Odeh

Minister of Justice