

**UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND**
(acting on behalf of His Highness the Sheikh of Koweit)
and
SAUDI ARABIA

Agreement for the extradition of offenders (with Exchange of Notes relating to smuggling offences). Signed at Jedda, on 20 April 1942

English and Arabic official texts communicated by the Permanent United Kingdom Representative to the United Nations. The filing and recording took place on 31 October 1947.

**ROYAUME-UNI DE GRANDE-BRETAGNE ET
D'IRLANDE DU NORD**
(agissant au nom de Son Altesse le Cheik du Koweit)
et
ARABIE SAOUDITE

Accord relatif à l'extradition des délinquants et criminels (avec échange de notes relatif aux infractions en matière de contrebande). Signé à Djeddah, le 20 avril 1942

Textes officiels anglais et arabe communiqués par le représentant permanent du Royaume-Uni auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 31 octobre 1947.

No. 56. AGREEMENT¹ FOR THE EXTRADITION OF OFFENDERS BETWEEN THE SHEIKHDOM OF KOWEIT AND THE KINGDOM OF SAUDI ARABIA. SIGNED AT JEDDA, ON 20 APRIL 1942

The Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter called the Government of the United Kingdom) acting on behalf of His Highness the Sheikh of Koweit, of the one part, and the Government of Saudi Arabia, of the other part, being desirous of concluding an agreement for the extradition of offenders, fugitives from justice, who escape from Koweit into Saudi Arabia, or from Saudi Arabia into Koweit, have appointed as their Representatives for this purpose:

The Government of the United Kingdom:

Francis Hugh William Stonehewer-Bird, C.M.G., O.B.E., His Majesty's Envoy Extraordinary and Minister Plenipotentiary in the Kingdom of Saudi Arabia,

The Government of Saudi Arabia:

His Excellency Sheikh Yusuf Yasin, Head of the Political Section and Private Secretary to His Majesty the King of Saudi Arabia,

who, having examined their credentials and found them to be in good and due form, have agreed as follows:—

Article 1

The Government of Koweit shall surrender to the Government of Saudi Arabia any person in the territory of Koweit who is a national of Saudi Arabia or of a third Arab State and who has committed within the boundaries of Saudi Arabia any of the crimes mentioned in Article 3 of this Agreement.

Article 2

The Government of Saudi Arabia shall surrender to the Government of Koweit any person in the territory of Saudi Arabia who is a national of Koweit or of a third Arab State and who has committed within the boundaries of Koweit any of the crimes mentioned in Article 3 of this Agreement.

¹ Came into force on 1 May 1943, upon the exchange of the instruments of ratification at Jedda, in accordance with Article 9.

Article 3

(1) There shall be no extradition for political offences.

(2) The offences for which extradition shall be granted are highway robbery, theft, robbery, plunder, murder, wounding, raiding, smuggling and violent assault, whether the offence be committed by a single person or by several persons and whether the offence is directed against a single person or against several persons or against the local authorities or any means of transport or communication. In no circumstances shall the offences mentioned in this sub-section be deemed to be political offences.

(3) Similarly, any attempt against or attack on the person of either His Majesty the King of Saudi Arabia or His Highness the Sheikh of Koweit, or of any member of their respective families, shall not be deemed a political offence.

Article 4

(1) Surrender of an offender by the Government from whose territory it is desired to extradite him shall be effected upon presentation by the other Government of a demand for extradition. The demand for extradition shall contain:—

- (a) A description of the offender and any information which may assist in his identification.
- (b) A short summary of the offence committed by the offender.
- (c) A copy of the judgment passed by the court of the country asking for extradition, if judgment has already been passed on the offender.

(2) All the above documents shall bear the seal or stamp of the competent authorities.

(3) The demand for extradition shall be presented by the Government of Saudi Arabia to the Government of Koweit through the British Legation in Jedda; similarly, the Government of Koweit shall present any demand for extradition by the Government of Saudi Arabia through the British Legation in Jedda.

Article 5

With the object of pursuing the offender and preventing his flight from the country in which he has taken refuge, the competent authorities in the two countries may correspond with each other by the most speedy means available with a view to ensuring the detention of the offender until the arrival of the documents of the demand as provided in Article 4.

Article 6

No person shall be surrendered under this Agreement for any offence committed before the date of its coming into force.

Article 7

No offender surrendered under this Agreement shall be tried for any offence other than the offence in respect of which his surrender was demanded, unless he has been given sufficient opportunity to leave the country, and has not left it. This provision shall not apply to offences committed after the surrender has been effected.

Article 8

The provisions of this Agreement shall apply to the area on the Nejd-Koweit Frontier hereinafter termed the Neutral Zone, whose limits were laid down in the Protocol of Uqair, dated the 2nd December, 1922 (13th Rabi' al Thani, 1341), upon the following conditions:—

- (1) Where an offence, as defined in Article 3 of this Agreement, has been committed in either of the two territories and the offender has fled to the Neutral Zone, the offender shall be deemed to be still within the territory in which the offence was committed, and may be arrested and tried by the Government thereof.
- (2) Where an offence, as defined in Article 3 of this Agreement, has been committed in the Neutral Zone and the offender escapes to the territory of the Government of which he is a national, he shall be deemed to have committed the offence within the territory of his own Government and shall be liable to arrest and trial by that Government.
- (3) Where an offence, as defined in Article 3 of this Agreement, has been committed in the Neutral Zone, and the offender, being a national of one of the two Governments, escapes into the territory of the other, he shall be deemed to have committed the offence within the territory of the Government of which he is a national, and shall be liable to extradition proceedings under this Agreement.

Article 9

This Agreement has been drawn up in duplicate in English and Arabic, both texts having equal force. Instruments of ratification shall be exchanged by the two Contracting Parties as soon as possible. It shall come into force as from the date of the exchange of instruments of ratification and shall be valid for a period of five years from that date.

If neither of the two Contracting Parties gives notice to the other Party six months before the expiry of the period of five years that it wishes to terminate or to amend the Agreement, it shall remain in force and shall not be held to have terminated until six months have elapsed from the day on which one of the two Parties shall have given notice to the other Party of its desire to terminate it or to amend it.

IN FAITH WHEREOF the undersigned Plenipotentiaries have signed the present Agreement.

DONE at Jeddah the twentieth day of April, 1942, corresponding to the fourth day of the month of Rabi' al Thani in the year 1361 of the Hijra.

For the Government of the United Kingdom:
F. H. W. STONEHEWER-BIRD

For the Government of Saudi Arabia:
YUSUF YASIN

EXCHANGE OF NOTES

I

BRITISH LEGATION

Jeddah, 20th April, 1942

Your Excellency,

I have the honour to define for your Excellency the procedure which we have agreed upon as applicable to smuggling mentioned in Article 3 of the Extradition Agreement signed this day.

If a person in Saudi Arabian territory is suspected of having brought in goods from Koweit in contravention of the Trade Agreement signed on 20th April 1942¹, between the two Governments and escapes into Koweit territory, the competent authorities in Koweit, on receipt of the news thereof, shall arrest him and seize any goods in his possession. If he is a Koweit national, the Koweit authorities shall take the necessary action in regard to him; if he is a national of Saudi Arabia or of a third Arab State they shall surrender him to the Saudi Arabian authorities with the goods found in his possession.

I would request your Excellency to let me have a reply agreeing to this.

I have, &c.

F. H. W. STONEHEWER-BIRD

His Excellency Sheikh Yusuf Yasin

¹ See page 151 of this volume.

II

Jedda, 20th April, 1942 (4th Rabi' al Thani, 1361)

M. le Ministre,

I have received your letter of this day's date in which you confirm the meaning of smuggling offences as agreed between us in the Extradition Agreement signed this day and the circumstances in which extradition is to be granted for such offences.

I agree to what you say, which is what we agreed to; and the procedure shall be according to it.

Accept, &c.

YUSUF YASIN

His Excellency His Britannic Majesty's Envoy Extraordinary
and Minister Plenipotentiary, Jedda
