

**No. 5410**



**ISRAEL  
and  
UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND**

**Agreement for the reciprocal extradition of criminals.  
Signed at London, on 4 April 1960**

*Official texts: Hebrew and English.*

*Registered by Israel on 28 October 1960.*



**ISRAËL  
et  
ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD**

**Accord relatif à l'extradition réciproque des délinquants.  
Signé à Londres, le 4 avril 1960**

*Textes officiels hébreu et anglais.*

*Enregistré par Israël le 28 octobre 1960.*

No. 5410. AGREEMENT<sup>1</sup> BETWEEN ISRAEL AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE RECIPROCAL EXTRADITION OF CRIMINALS. SIGNED AT LONDON, ON 4 APRIL 1960

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The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the State of Israel ;

Desiring to make provision for the reciprocal extradition of criminals ;

Have agreed as follows :

*Article 1*

The Contracting Parties agree to extradite to each other, in the circumstances stated in the present Agreement, those persons who, being accused or convicted of any of the offences enumerated in Article 3 and committed within the territory of the one Party, or on the high seas on board a vessel registered in the territory of that Party, shall be found within the territory of the other Party.

*Article 2*

In relation to the Government of the United Kingdom of Great Britain and Northern Ireland, the territories to which the present Agreement shall apply are—

- (a) the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom"), the Channel Islands and the Isle of Man ;
- (b) Southern Rhodesia, Northern Rhodesia and Nyasaland, constituting the Federation of Rhodesia and Nyasaland ;
- (c) the State of Singapore ;
- (d) all Colonies (except Southern Rhodesia) for the international relations of which the Government of the United Kingdom are responsible ;
- (e) the following British Protectorates, that is to say, Bechuanaland Protectorate, British Solomon Islands Protectorate, Gambia Protectorate, Kenya Protectorate, Nigeria Protectorate, Sierra Leone Protectorate, Somaliland Protectorate, Swaziland, Uganda Protectorate and Zanzibar Protectorate ;
- (f) the following British-protected States, that is to say, Brunei and Tonga ;

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<sup>1</sup> Came into force on 26 October 1960, three months after the date of the exchange of the instruments of ratification which took place at Jerusalem on 26 July 1960, in accordance with article 18.

- (g) the following territories administered by the Government of the United Kingdom under the trusteeship system of the United Nations, that is to say, Cameroons under United Kingdom trusteeship and Tanganyika ; and
- (h) any other territory for the international relations of which the Government of the United Kingdom are responsible and to which the application of the present Agreement may be extended by common agreement between the Contracting Parties embodied in an Exchange of Notes.

*Article 3*

Extradition shall be reciprocally granted for the following offences :

1. Murder 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 sexual intercourse, or any attempt to have unlawful sexual intercourse, with a girl under sixteen years of age.
6. Indecent assault.
7. Kidnapping, abduction, or false imprisonment.
8. Stealing, abandoning, exposing or unlawfully detaining a child.
9. Procuration.
10. Maliciously wounding or inflicting grievous bodily harm.
11. Assault occasioning actual bodily harm.
12. Threats with intent to extort money or other things of value.
13. Perjury or subornation of perjury.
14. Bribery.
15. Arson.
16. Burglary or housebreaking, robbery or robbery with violence, larceny or embezzlement.
17. Fraud by a bailee, banker, agent, factor or trustee, or by a 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 uttering counterfeited or altered money, or attempting to commit any of these offences ;

- (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 ; or attempting to forge banknotes or to utter forged banknotes.
  21. Any malicious act done with intent to endanger the safety of any persons travelling upon a railway.
  22. Offences against bankruptcy law.
  23. Offences, or attempted offences, in connexion with the traffic in dangerous drugs.
  24. Malicious damage to property.
  25. Piracy by the law of nations.
  26. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
  27. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
  28. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.
  29. Dealing in slaves.

A person accused or convicted of any of the offences numbered 22 to 29 shall not be extradited therefor unless he is or was liable on conviction to a term of imprisonment exceeding three years.

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

Extradition may also be granted at the discretion of the requested Party in respect of any other offences for which it can be granted according to the laws of both Parties.

Extradition may be refused if, under the law of the requesting Party, the person claimed is liable to the death penalty for the offence on which the request for his extradition is based but the law of the requested Party does not provide for the death penalty in a similar case.

#### *Article 4*

Extradition shall not take place if the person claimed has already been tried and acquitted or found guilty or is still under trial, in the territory of the requested Party, for the offence for which his extradition is requested.

If the person claimed is under trial or under punishment in the territory of the requested Party for any other offence, his extradition shall be deferred until the conclusion of the trial and the full execution of any punishment awarded to him.

Extradition shall not take place if the person claimed has already been tried and acquitted, or undergone his punishment, in a third State for the offence for which his extradition is requested.

*Article 5*

Extradition shall not take place if, subsequently to the commission of the offence or the institution of the prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the territory from which or to which extradition is desired, or if the authorities of the latter territory have granted the person claimed a pardon or remitted the remainder of his punishment for the offence.

*Article 6*

A person claimed shall not be extradited if the offence in respect of which his extradition is requested is one of a political character, or if he proves that the request for his extradition has, in fact, been made with a view to try or punish him for an offence of a political character.

*Article 7*

A person extradited can in no case be kept in custody, or be brought to trial, in the territory of the requesting Party for any other offence, or on account of any other matters, than those for which the extradition shall have taken place, nor shall he be extradited by that Party to a third State, until he has been restored, or until the expiration of sixty days after he has had an opportunity of returning, to the territory of the requested Party.

This stipulation does not apply to offences committed or other matters arising after the extradition.

*Article 8*

Subject to the provisions of Article 17, the request for extradition shall be made through the diplomatic channel.

The request shall be accompanied by a description of the person claimed, a statement and particulars of the offence for which his extradition is requested, the text of the enactment, if any, creating the offence, and a statement of the punishment which can be imposed therefor.

If the request relates to a person accused, it must also be accompanied by a warrant of arrest issued by a judge, magistrate or other competent authority of the requesting Party and by such evidence as, according to the laws of the territory where the accused is found, would justify his arrest if the offence had been committed there.

If the request relates to a person already convicted, it must be accompanied by the judgment of conviction and sentence passed against him in the territory of the requesting Party and by a statement showing how much of the punishment has not yet been carried out.

*Article 9*

On receipt of a request for extradition in accordance with the provisions of this Agreement the requested Party shall take the necessary steps to secure the arrest of the person claimed.

*Article 10*

In case of urgency a Contracting Party may apply for the provisional arrest of the person claimed, pending the presentation of the request for extradition through the diplomatic channel. The application shall contain an indication of intention to request the extradition of the person claimed and a statement of the existence of a warrant of arrest or a judgment of conviction against that person, and such further information, if any, as would be necessary to justify the issue of a warrant of arrest had the offence been committed, or the person claimed been convicted, in the territory of the requested Party.

On receipt of such an application the requested Party shall take the necessary steps to secure the arrest of the person claimed.

A person arrested upon such an application shall be set at liberty upon the expiration of sixty days from the date of his arrest if a request for his extradition shall not have been received. However, this stipulation shall not prevent the institution of proceedings with a view to extraditing the person claimed if the request is subsequently received.

*Article 11*

Extradition shall take place only if the evidence be found sufficient, according to the laws of the territory from which extradition is desired, either to justify the committal of the person claimed for trial, if the offence of which he is accused had been committed in that territory, or to prove that he is the identical person convicted by the courts of the requesting Party.

If the requested Party considers that the evidence produced or information supplied is not sufficient in order to enable a decision to be taken as to the request, additional evidence or information shall be submitted within such time as that Party shall require.

*Article 12*

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the requested Party shall admit as valid evidence

the sworn depositions or the affirmations of witnesses taken in the territory of the requesting Party, or copies thereof, and likewise the warrants, judgments of conviction and sentences issued, given or passed therein, or copies thereof, and certificates of, or judicial documents stating the fact of, a judgment of conviction or sentence, provided that the same are authenticated as follows :

1. A warrant, or copy thereof, must purport to be signed by a judge, magistrate or other competent authority of the requesting Party, or purport to be certified under the hand of such a judge, magistrate or authority as aforesaid to be a true copy thereof, as the case may require.
2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a judge, magistrate or other competent authority of the requesting Party to be the original depositions or affirmations, or to be true copies thereof, as the case may require.
3. A judgment of conviction or sentence must purport to be given or passed by a judge or magistrate of the requesting Party ; and a copy or certificate of, or judicial document stating the fact of, a judgment of conviction or sentence must purport to be certified by a judge, magistrate or other competent authority of that Party to be a true copy of the document in question or purport to be signed by such a judge, magistrate or authority as aforesaid, as the case may require.

In every case the warrant, deposition, affirmation, copy, certificate or judicial document must be authenticated, either by the oath of some witness, or by being sealed with the official seal of the Minister of Justice or some other Minister of the requesting Party, or by any other mode of authentication for the time being permitted by the law of the territory from which extradition is desired.

#### *Article 13*

If the person claimed by one of the Contracting Parties in pursuance of the present Agreement should also be claimed by another State or States, his extradition shall be granted to the State whose claim is earliest in date, unless that claim is waived.

#### *Article 14*

A person claimed shall not be extradited until the expiration of fifteen days, in the case of a person to be extradited by the Government of the United Kingdom, or thirty days, in the case of a person to be extradited by the Government of the State of Israel, from the date on which he has been held judicially to be liable to extradition or, if an appeal has been lodged or proceedings for a writ of habeas corpus brought, until after the final decision of the competent court has been given.

If extradition is granted, the person claimed shall be sent by the authorities of the requested Party to the frontier or port of embarkation in the territory of that Party which the diplomatic or consular agent of the requesting Party shall indicate.

If a warrant or order for the extradition of a person claimed has been issued by the competent authority and he is not removed from the territory from which his extradition is desired within such time as may be prescribed by the law of that territory, he may be set at liberty.

#### *Article 15*

In so far as may be permitted by the law of the territory of the requested Party, the following articles shall be handed over to the authorities of the other Party, if that Party so requests :

1. All articles which may serve as proof of the offence.
2. All other articles which were in the possession of the person to be extradited and were taken from him at the time of his arrest unless they appear to the requested Party to belong to persons in the territory of that Party.

Articles handed over in accordance with this Article shall on request be returned to the requested Party free of charge after the trial.

These provisions shall not prejudice any rights of persons, other than the person to be extradited, in respect of the articles in question.

#### *Article 16*

A Contracting Party which has consented to extradite a person in pursuance of the present Agreement shall defray the expenses occasioned by his arrest and detention and by his conveyance to the frontier or port of embarkation indicated in accordance with Article 14.

#### *Article 17*

A request on the part of the Government of the State of Israel for the extradition of a person who is found in any of the territories mentioned in paragraphs (b) to (h) inclusive of Article 2 of this Agreement shall be transmitted by the appropriate diplomatic or consular officer of the State of Israel to the Governor or chief authority of that territory, who may, if he thinks fit, refer the matter to the Government of the United Kingdom.

#### *Article 18*

The present Agreement shall be ratified, and the instruments of ratification shall be exchanged as soon as possible. It shall come into force three months after the date of the exchange of ratifications, and shall apply to all offences committed, or convictions which have taken place, not earlier than three years before the date of signature.



Either of the Contracting Parties may at any time give notice to the other through the diplomatic channel of its desire to terminate the present Agreement and, if notice is given, the Agreement shall cease to have effect six months after the date of the receipt of the notice of termination.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate at London this fourth day of April, 1960, corresponding to the seventh day of Nissan, 5720, in the English and Hebrew languages, both texts being equally authoritative.

(Signed) Selwyn LLOYD

(Signed) Arthur LOURIE