



Albania No. 1 (2018)

Agreement

between the United Kingdom of Great Britain and Northern Ireland and
the Republic of Albania Supplementing the European Convention on
Extradition 1957

Tirana, 5 April 2017

[The Agreement is not in force]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
May 2018*



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ISBN 978-1-5286-0377-5

CCS0518579200 05/18

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

**AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE REPUBLIC OF
ALBANIA SUPPLEMENTING THE EUROPEAN CONVENTION ON
EXTRADITION 1957**

The United Kingdom of Great Britain and Northern Ireland and the Republic of Albania (hereinafter referred to as the “Contracting States”);

HAVING DUE REGARD for human rights and the rule of law;

MINDFUL of the guarantees under their respective legal systems which provide an accused person with the right to a fair trial, including the right to adjudication by an impartial tribunal established pursuant to law;

DESIRING to supplement the provisions of the European Convention on Extradition of 13 December 1957 (“the European Convention on Extradition”) and to facilitate its operation between the Contracting States, specifically regarding the extradition of their respective nationals;

IN CONSEQUENCE OF the declaration made by Albania in relation to Article 6(1) of the European Convention on Extradition and contained in its instrument of ratification deposited on 19 May 1999, to the effect that Albania refuses to extradite its nationals unless otherwise provided for in an international agreement to which Albania is a party (‘the Albanian Declaration’);

INTENDING, within the framework of and compliant with the Albanian Declaration, to remove legal barriers to the extradition of nationals of the Requested State wanted for prosecution or to serve a sentence in the Requesting state, by making provision for the extradition of such nationals;

HAVE agreed as follows:

ARTICLE 1

Extradition of Nationals

1. The Contracting Parties agree that Article 6(1)(a) of the European Convention on Extradition (right to refuse extradition of nationals) shall not apply as between them in performance of their mutual obligations under the Convention.
2. Extradition shall not therefore be refused on the ground that the person sought is a national of the Requested State.

ARTICLE 2

Extradition Procedures

1. Requests for extradition are exchanged directly between the central authorities: on behalf of the United Kingdom of Great Britain and Northern Ireland from the UK Central Authority, International Criminality Unit at the Home Office; on behalf of the Republic of Albania from the Ministry of Justice, General Directorate on Judicial Matters.

ARTICLE 3

Temporal Application

1. This Agreement shall apply to offences committed before or after the date on which it enters into force.
2. This Agreement shall not apply to extradition requests received before the date on which it enters into force.
3. In the event of termination of this Agreement in accordance with Article 4, extradition requests received before the date on which the Agreement ceases to have effect will continue to be governed by this Agreement notwithstanding its termination.

ARTICLE 4

Territorial Application

This Agreement shall apply:

- (a) (i) to the United Kingdom of Great Britain and Northern Ireland;
- (ii) to the Channel Islands and the Isle of Man, and to any other territory for the international relations of which the United Kingdom is responsible and to which the application of the European Convention on Extradition has been extended by agreement between the Contracting Parties.
- (b) to Albania.

ARTICLE 5

Ratification, Entry into Force and Termination

1. This Agreement shall enter into force on the date on which both the Contracting States have notified each other through diplomatic channels that their respective requirements for the entry into force of this Agreement have been complied with.
2. Either Contracting State may terminate this Agreement at any time by giving notice in writing to the other. In that case the Agreement shall cease to have effect six (6) months after the date of the receipt of that notification.
3. Upon the entry into force of this Agreement, any provision of the Extradition Treaty between the United Kingdom and Albania signed at Tirana on July 22nd 1926 which, notwithstanding the application of Article 28(1) of the European Convention on Extradition, remains in force (“the Prior Treaty”) shall cease to have any effect as between the Contracting Parties, except in the case of extradition requests received before the date on which the Agreement enters into force.

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

DONE at Albania on fifth day of April 2017, in duplicate, in the English and Albanian languages, both texts being equally authentic.

For the United Kingdom of Great Britain
and Northern Ireland:

BEN WALLACE

For the Republic of Albania:

PETRIT VASILI

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978-1-5286-0377-5