

In addition, it shall provide information as to what is known about possible heirs, their domicile or abode and the nature of the estate, as well as about the existence of a will. If it is known to the authority that the deceased person has left property in another State, it shall indicate this, too.

2. If an authority ascertains in probate proceedings that the heirs are citizens of the other Contracting Party, it is obliged to notify the diplomatic or consular mission of this Contracting Party of this fact.

3. If the diplomatic or consular mission obtains knowledge of the death first it has to notify the competent authority for the purpose of securing the estate.

Article 17

If a citizen of either Contracting Party dies during a temporary stay on the territory of the other Contracting Party the effects he had with him, together with a list of those effects, shall be handed over without further procedure to the diplomatic or consular mission of the Contracting Party whose citizen the deceased person was.

Chapter V

Judicial Cooperation in Criminal Matters and Extradition

1. Judicial Cooperation

Article 18

1. The Contracting Parties undertake to grant each other judicial cooperation in criminal matters subject to conditions laid down in this Treaty.

2. Judicial cooperation in criminal matters comprises the serving of papers and evidence and the execution of letters rogatory concerning interrogation of offenders, hearing of witnesses or experts, searching of homes and persons, investigation, arrest, and seizure.

Article 19

1. In granting judicial cooperation, the Ministry of Justice or the Procurator General of the German Democratic Republic and the Ministry of Justice of the Republic of Iraq shall communicate with each other through the diplomatic channel.

2. In general, the provisions of articles 3 to 10 of this Treaty shall apply likewise to the granting of judicial cooperation in criminal matters.

Article 20

Judicial cooperation in criminal matters apart from the cases listed in article 5 of this Treaty shall not be granted either if judicial cooperation is requested on account of an act which is not punishable according to the laws of the requested Contracting Party or if judicial cooperation is requested in respect of a punishable act which is not subject to extradition.

Article 21

1. The Contracting Parties undertake to notify each other at the beginning of each year of final sentences pronounced by their courts against citizens of the other Contracting Party in the course of the preceding year.

2. At the request of either Contracting Party the other Contracting Party shall provide information about

all other sentences (including sentences which have not yet become final) which have been passed by its courts against citizens of the requesting Contracting Party.

Article 22

1. The Contracting Parties undertake to institute, in conformity with their respective laws at the request by the other Contracting Party, criminal proceedings against the citizens of the requested Party who have committed a punishable act on the territory of the other Contracting Party mentioned in article 24 of this Treaty.

2. The request for instituting criminal proceedings is to be supplemented by the result of investigations as well as further evidential material which are available regarding the punishable act.

3. The requested Contracting Party shall notify the other Contracting Party of the result of the criminal proceedings. If a sentence has been pronounced a copy of the final decision is to be attached.

2. Extradition

Article 23

The Contracting Parties undertake, in accordance with the following provisions of this Treaty, to extradite, if requested, to each other such persons who stay on their territory and against whom criminal proceedings are to be instituted or penalties to be executed.

Article 24

1. Extradition for the purpose of instituting criminal proceedings applies only to such acts which are, according to the laws of both Contracting Parties, punishable with imprisonment of more than one year.

2. Extradition for the purpose of executing penalties applies only to such acts which are punishable according to the laws of both Contracting Parties and if the person concerned has been sentenced to imprisonment for more than one year.

Article 25

1. Extradition shall be refused if

- a) the person whose extradition is requested is a citizen of the requested Contracting Party;
- b) the punishable act was committed on the territory of the requested Contracting Party and no request for criminal prosecution is made according to article 22 par. 1. of this Treaty;
- c) criminal proceedings cannot be instituted according to the laws of the requested Contracting Party or a sentence cannot be executed because of statutory limitation or for any other legal reason;
- d) extradition is inadmissible according to the laws of the requested Contracting Party;
- e) a final sentence relating to the same punishable act has already been pronounced against the person whose extradition is requested on the territory of the requested Contracting Party or if proceedings have finally been closed.

2. If extradition does not take place, the requested party shall notify the requesting Party of the fact by stating the reasons for the refusal of extradition.