

## Article 26

1. If criminal proceedings are instituted against a person whose extradition is requested or if he has been sentenced on account of another punishable act on the territory of the requested Contracting Party, extradition may be stayed until the termination of criminal proceedings or the execution of the penalty.

2. Should a stay of extradition lead to a prescription of criminal prosecution or engender difficulties in instituting criminal proceedings against a person whose extradition is requested, a substantiated request by either Contracting Party for a temporary extradition may be granted for instituting criminal proceedings. The requesting Party is obliged to return the extradited person immediately after the termination of proceedings and prior to the execution of the penalty.

## Article 27

In matters of taking over of criminal prosecution or extradition, communication takes place between the Ministry of Justice or the Procurator General of the German Democratic Republic and the Ministry of Justice of the Republic of Iraq through the diplomatic channel.

## Article 28

1. The following papers shall be attached to the requisition for extradition for the purpose of instituting criminal proceedings: the warrant of arrest, a description of the punishable act, a list of evidence, the text of the article of the law on which the requisition for extradition is based. If material damage had resulted from a punishable act, its value is to be indicated.

2. To a requisition for extradition for the purpose of executing a penalty an authentic copy of the final sentence and the text of the article of the law on which the sentence is based, are to be attached. If the convicted person has already served part of his penalty relevant indications have also to be made.

3. The requisition for extradition should, if possible, contain a description and a photograph of the person to be extradited as well as data on his citizenship and domicile, unless these data can be gathered from the warrant of arrest or the sentence.

4. The documents mentioned in paragraphs 1 to 3 of this article shall be sealed by the competent legal authorities and legalised on behalf of the German Democratic Republic only by the Ministry of Justice or by the Procurator General and on behalf of the Republic of Iraq only by the Ministry of Justice. These documents shall be translated into the language of the requested Party or into English.

## Article 29

1. The requested Contracting Party shall surrender to the requesting Contracting Party, if extradition takes place in accordance with article 24 of this Treaty, the objects which the offender has used for commission or obtained possession thereof through the commission of the punishable act. These objects shall be handed over even in case of death or escape of the person whose extradition has been granted or for other reasons.

2. The requested Contracting Party shall be entitled to retain temporarily the objects mentioned in par. 1.

of this article, if they are required for other criminal proceedings in its own territory.

3. Any rights of third parties regarding objects which are covered by par. 1. of this article shall not be affected. At the latest after the termination of criminal proceedings, the Contracting Party to whom the objects have been handed over, shall return them to the requested Contracting Party for handing over to their rightful owners, if any.

## Article 30

If the requisition for extradition lades the necessary data the requested Contracting Party is entitled to demand its completion and to set a time limit within which the supplementary data are to be provided. This time limit may be extended on application.

## Article 31

After receipt of the requisition for extradition and in case the extradition had been granted the requested Contracting Party shall take immediate measures for finding the person whose extradition is requested and, if necessary, order his arrest.

## Article 32

1. On application, a person may be arrested prior to receipt of a requisition for extradition if the competent authority of the requesting Party refers to a warrant of arrest or a final sentence, at the same time announcing the requisition for extradition. This application may be sent by cable, or in any other similar way. The requesting Party must provide all necessary papers for extradition mentioned in article 28 of this Treaty as soon as possible.

2. The competent authorities of either Contracting Party may arrest a person who stays on its territory, even without application according to par. 1. of this article if such a person is known to have committed a punishable act in respect of which extradition may be granted in accordance with article 24 of this Treaty, on the territory of the other Contracting Party.

3. The other Contracting Party shall be immediately notified of an arrest under the provisions of par. 1. and 2. of this article.

## Article 33

1. The requested Contracting Party shall close proceedings on extradition and release the arrested person if the required supplementary data have not been provided within the time limit to be determined according to article 30 of this Treaty.

2. A person who was arrested according to the provisions of article 32 of this Treaty, shall be released if the request has not arrived within two months from the day on which the other Contracting Party was notified of the arrest of this person.

## Article 34

In case of requests made by several States for the extradition of a person on account of a definite punishable act or of different punishable acts, the requested Contracting Party shall decide which of the requests should be granted, taking into consideration the citizenship of the person whose extradition is requested as well as the place and the seriousness of the punishable act.