

## Article 44

(1) The request for taking over shall be accompanied by:

1. information on the person and his citizenship;
2. a statement on the circumstances;
3. any evidence relating to the offence;
4. a copy of the legal provisions applicable to the offence under the law in force in the place of commission of the offence; ■
5. in addition, in cases of violations of road traffic regulations, a copy of the regulations in force in the place of commission of the violation.

(2) Requests for taking over of proceedings and annexes shall be drawn up in the language of the requesting Contracting State.

(3) The requested Contracting State is obliged to notify the requesting Contracting State of the result of the proceedings.

(4) Article 39 shall apply with regard to the transmission of requests.

### 3. Extradition

## Article 45

#### Granting of Extradition

The Contracting States undertake to surrender to each other, subject to the provisions laid down in the present Treaty, any person staying in their respective territories and against whom the authorities of the requesting Contracting State are proceeding for an offence or for the execution of a sentence.

## Article 46

#### Extraditable Offences

(1) Extradition for the purpose of proceedings shall be granted for offences punishable under the law of both Contracting States as well as for offences mentioned in Paragraph 2 of Article 42, provided that the minimum punishment is one year or any heavier punishment.

(2) Extradition for the purpose of execution of a penalty shall be granted for the offences mentioned in Paragraph 1 provided that the finally pronounced penalty is at least six months of imprisonment.

(3) If the request for extradition is motivated by different offences, each of which to be punished by imprisonment under the laws of the Contracting States, some of them, however, do not meet the standards, applied to extraditable offences, extradition may be granted for these offences, too.

## Article 47

#### Refusal of Extradition

(1) Extradition shall not be granted:

1. if the person claimed is a citizen of the requested Contracting State;
2. if, under the law of the requested Contracting State, criminal prosecution cannot be carried out or the sentence cannot be enforced by reason of lapse of time or any other legal reason;
3. if an authority of the requested Contracting State has issued a final sentence in the same criminal matter against the person claimed or if the proceedings have been finally terminated;
4. if extradition is not allowed under the laws of the requested Contracting State.

(2) Items 2 and 3 of Paragraph 1 shall not apply if extradition is demanded for an offence to be prosecuted by the two Contracting States on grounds of international agreements.

(3) Extradition may be refused if the offence motivating the request for extradition has been committed in the territory of the requested Contracting State.

## Article 48

#### Conditional Extradition

If a person is claimed to serve a penalty who has been sentenced by a court of the requesting Contracting State in absence extradition may be connected with the condition that a new trial be effected with the person claimed present.

## Article 49

#### Communication

In matters of extradition, the Ministries of Justice and the Procurators General of the Contracting States shall communicate within the framework of their competence. Requests shall be transmitted through diplomatic channels.

## Article 50

#### Requests for Extradition

(1) The request for extradition shall be supported by: data relating to the person and his citizenship, the warrant of arrest with a statement of the offence, a description of the evidence motivating the urgent suspicion, the text of the penal law on grounds of which the offence motivating the request for extradition is judged. If the offence caused any material damage, its amount shall be indicated.

(2) The request for extradition for the purpose of executing a penalty shall be supported by an authenticated copy of the final sentence.

(3) The request for extradition and the annexes thereto shall be translated in the language of the requested Contracting State or in the English language.

## Article 51

#### Supplementary Information

If the request for extradition does not include the necessary information, the requested Contracting State may demand supplementary information and may fix a time-limit for the receipt thereof. This time-limit may be prolonged at request

## Article 52

#### Provisional Arrest

(1) The requested Contracting State shall after receipt of the request for extradition without delay take measures for the identification of the person claimed and shall, if necessary, arrange for his arrest, especially if there is danger that the person might flee from the extradition or the extradition procedure.

(2) The requested Contracting State shall terminate the extradition procedure and release the arrested person unless the demanded supplementary information is communicated within the time-limit according to Article 51 of the present Treaty.

## Article 53

#### Conflicting Requests

If extradition of a person is requested by more than one State either for the same offence or for different offences, the requested Contracting State shall make its decision having regard to the citizenship of the person claimed as well as the place of commission and the seriousness of the offence and the chronological sequence of receiving the requests.

## Article 54

#### Postponed or Provisional Extradition

(1) If the requested Contracting State proceeds against a person claimed or if this person has already been convicted for another offence in the territory of the requested Contracting State, extradition may be postponed till the end of the proceedings or the execution of the penalty.