

(2) If the postponement of the extradition could lead to lapse of time for the prosecution or render the proceedings against the person claimed more difficult, a motivated request of the Contracting State for provisional extradition may be allowed. The requesting Contracting State shall be obliged to return the extradited person at least three months from the day of surrender. In motivated cases this limit may be prolonged.

Article 55

Limits of Prosecution

(1) An extradited person shall not, without the consent of the requested Contracting State, be prosecuted for another offence committed before extradition and not included in the requested State's consent to extradition nor made subject to execution of penalty nor extradited to a third State for the purpose of prosecution or execution of penalty.

(2) The consent of the requested Contracting State shall not be required:

1. if the extradited person who is not a citizen of the requesting Contracting State has not left the territory of the requesting Contracting State within one month from the day of the end of the proceedings or the execution of the penalty. This limit shall not include the time when the extradited person was, against his wish, unable to leave the territory of this Contracting State.⁴
2. if the extradited person has left the territory of the Contracting State to which he has been extradited but returned to its territory voluntarily.

Article 56

Surrender of the Person Claimed

(1) The requested Contracting State that agrees to extradition shall inform the other Contracting State of place and time of the person's extradition.

(2) Any person whose extradition was allowed shall be released unless the requesting Contracting State has taken over this person within 15 days from the date appointed for surrender.

Article 57

Repeated Extradition

If the extradited person flees from prosecution or execution of the penalty and returns to the territory of the requested Contracting State he shall be arrested at request without the transmission of the documents under Article 50 of the present Treaty being required.

Article 58

Handing Over of Property

(1) The requested Contracting State shall, at request, hand over:

1. property which has been acquired as a result of the extraditable offence;
2. property which may be required as evidence for proceedings, even if extradition cannot be carried out owing to the death of the person claimed or other reasons.

(2) When the property, the handing over of which is requested, is required by a court or Procurator's Office of the requested Contracting State in proceedings it may be retained till the end of the proceedings.

Article 59

Information on the Result of the Proceedings

The requesting Contracting State shall inform the requested Contracting State of the result of the proceedings against the extradited person.

Article 60

Transit

(1) The Contracting States shall, at request, grant each other transit through their respective territories of persons who are being extradited by one of the Contracting States to a third State, provided that the persons concerned are not citizens of the requested Contracting State.

(2) The Contracting State through the territory of which transit is requested shall keep the person concerned under arrest during transit

(3) The Contracting State through the territory of which transit is requested shall not take any measures of prosecution or execution of penalty against the person concerned for previous offences.

(4) A request for transit shall be submitted and dealt with like a request for extradition.

The requested Contracting State shall grant transit in the way it regards most appropriate.

Article 61

Expenses of Extradition and Transit

(1) Expenses of extradition and transit shall be borne by the Contracting State in whose territory they have incurred.

(2) If extradition is carried out by aircraft, expenses shall be borne by the requesting Contracting State.

Chapter VIII

Final Provision»

Article 62

The present Treaty shall not prejudice any legal provisions of the Contracting States concerning import and export of property as well as foreign exchange operations and international payments and clearing systems.

Article 63

This Treaty shall be ratified. The instruments of ratification shall be exchanged in Mogadishu.

Article 64

(1) The present Treaty shall come into force on the thirtieth day after the exchange of the instruments of ratification.

(2) Any of the Contracting States may denounce the present Treaty in writing. Denouncement shall take effect three months after being conveyed to the other Contracting State.

Done at Berlin, on September 20th, 1976
in two originals, each in the German and the English languages, both texts being equally authentic.

IN WITNESS WHEREOF the Plenipotentiaries of the Contracting States have signed and sealed the present Treaty.

For the **German Democratic Republic** Hans-Joachim Heusinger Dr.
For the **Somali Democratic Republic** Abdisalam Sheikh Hussein