

SCHEDULE 1

THE AGREEMENT

The Agreement between the Member States of the European Communities on the Simplification and Modernisation of Methods of Transmitting Extradition Requests

THE MEMBER STATES OF THE EUROPEAN COMMUNITIES, hereinafter referred to as “the Member States”,

DESIRING to improve mutual assistance in criminal matters in relations between them regarding extradition.

WHEREAS it is desirable to speed up the procedures for transmitting extradition requests and accompanying documents; whereas modern transmission techniques should therefore be used,

HAVE AGREED as follows:

ARTICLE 1

1. For the purpose of applying the extradition agreements in force between Member States, each Contracting State shall designate the central authority or, where the constitutional system so requires, the central authorities responsible for transmitting and receiving extradition requests and the necessary supporting documents, as well as any other official correspondence relating to extradition requests.

2. Each Member State shall designate its authority in accordance with paragraph 1 when ratifying, approving or accepting this Agreement and may alter the designation at any time thereafter. The depositary of the Agreement shall inform each Contracting State of the authorities designated and of any subsequent alterations.

ARTICLE 2

The extradition request and the documents referred to in Article 1(1) may be sent by facsimile transmission. Each authority designated under Article 1 shall be equipped with a facsimile machine for transmitting and receiving such documents and shall ensure that it is kept in proper working order.

ARTICLE 3

1. In order to ensure the authenticity and confidentiality of the transmission, a cryptographic device fitted to the facsimile machine possessed by the authority under Article 1 shall be in operation when the equipment is being used to apply this Agreement.

2. The Contracting States shall consult each other on the practical arrangements for applying this Agreement.

ARTICLE 4

In order to guarantee the authenticity of extradition documents, the authority designated by the requesting State under Article 1 shall state in its request that it certifies that the documents transmitted in support of the request correspond to the originals and shall describe the pagination. Where the party addressed disputes that the documents correspond to the originals, the authority designated by the State addressed in accordance with Article 1 shall be entitled to require the authority designated

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by the requesting State to produce the original documents or a true copy thereof within a reasonable period through either diplomatic channels or any other mutually agreed channel.

ARTICLE 5

1. This Agreement shall be open for signature by the Member States. It shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Spanish Foreign Ministry.

2. This Agreement shall enter into force 90 days after the deposit of the instruments of ratification, acceptance or approval by all the States which are members of the European Communities at the date on which this Agreement is opened for signature.

3. Each State may, when depositing its instrument of ratification, acceptance or approval, or at any later date until the entry into force of this Agreement, declare that this Agreement will apply to it in its relations with other States that have made the same declaration after the date of deposit.

4. A State that has not made such a declaration may apply the Agreement with other Contracting States on the basis of bilateral agreements.

5. The Spanish Foreign Ministry shall notify all the Member States of any signature, deposit of instruments or declaration.

ARTICLE 6

This Agreement shall be open for accession by any State which becomes a Member of the European Communities. The instruments of accession shall be deposited with the Spanish Foreign Ministry.

This Agreement shall enter into force for any State acceding thereto 90 days after the deposit of its instrument of accession.

The Spanish Ministry of Foreign Affairs shall transmit a certified copy to all the signatory Governments.