
STATUTORY INSTRUMENTS

1997 No. 2596

EXTRADITION

**The European Convention on Extradition
Order 1990 (Amendment) (No. 2) Order 1997**

Made - - - - 30th October 1997
Laid before Parliament 7th November 1997
Coming into force - - 1st December 1997

At the Court at Buckingham Palace, the 30th day of October 1997

Present,

The Queen's Most Excellent Majesty in Council

Whereas the European Convention on Extradition (“the Convention”)(1) opened for signature at Paris on 13th December 1957 entered into force for the United Kingdom on 14th May 1991:

And whereas the Convention entered into force in respect of Estonia on 27th July 1997 and Estonia made the declaration set out in article 2 of this Order:

And whereas the Convention entered into force in respect of Latvia on 31st July 1997 and Latvia made the declaration set out in article 2 of this Order:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 4(1) and 37(3) of the Extradition Act 1989(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the European Convention on Extradition Order 1990 (Amendment) (No. 2) Order 1997 and shall come into force on 1st December 1997.

2. The European Convention on Extradition Order 1990(3) (“the 1990 Order”) shall be amended as follows:

(a) In Part I of Schedule 2 (which names States parties to the Convention) at the appropriate place in the alphabetical order, the following entries shall be inserted—

(i) “Estonia”, and

(1) Cm. 1762.

(2) 1989 c. 33 to which there are amendments not relevant to this Order.

(3) S.I. 1990/1507 as amended by S.I. 1992/2663, 1993/2667, 1994/2796, 1994/3203, 1995/1624, 1995/1962, 1995/2703, 1996/2596, 1996/2875 and 1997/1759.

- (ii) “Latvia”.
- (b) In Schedule 3 (which sets out the reservations and declarations made by States parties to the Convention)—
 - (i) the following Part shall be inserted after Part 3—

“PART 3A
ESTONIA
DECLARATIONS

1. Pursuant to Article 6, paragraph 1, sub-paragraph (b) of the Convention, the Republic of Estonia declares that the term “national” within the meaning of this Convention means nationals of the Republic of Estonia;
2. Pursuant to Article 6, paragraph 1, sub-paragraph (a) of the Convention, the Republic of Estonia reserves the right to refuse extradition of one of her own nationals, if the national has not consented to it;
3. Pursuant to Article 23 of the Convention, the Republic of Estonia declares that requests and their annexes presented to the Republic of Estonia shall be accompanied by a translation into English.”; and

- (ii) the following Part shall be inserted after Part 11—

“PART 11A
LATVIA
DECLARATIONS

In pursuance of paragraph 1 of Article 6 of the Convention on Extradition of 1957 the Republic of Latvia defines that within the meaning of the Convention, the term “nationals” relates to citizens of the Republic of Latvia and non-citizens who are subjects of the law on the status of former USSR citizens who are not citizens of Latvia or any other State.”.

- (c) In Schedule 5, at the end, there shall be added the following Part, namely—

“PART 6
ORDERS REVOKED WITH EFFECT FROM 1ST DECEMBER 1997

Order in Council dated 12th October 1925 directing that the Extradition Acts shall apply in the case of the Republic of Latvia (S.R. and O. [1925/1029](#)).

Order in Council dated 28th June 1926 directing that the Extradition Acts shall apply in the case of the Republic of Estonia (S.R. and O. [1926/840](#)).”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

N. H. Nicholls
Clerk of the Privy Council

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st December 1997, amends the European Convention on Extradition Order 1990 by adding Estonia and Latvia to the States parties to the European Convention on Extradition listed in Schedule 2 to the 1990 Order. It also adds the declarations made by Estonia and Latvia to the reservations and declarations set out in Schedule 3 to the 1990 Order, and has the effect of revoking the Orders in Council embodying the extradition treaties between the United Kingdom and Estonia and between the United Kingdom and Latvia to the extent that they applied to the United Kingdom, the Channel Islands and the Isle of Man.