

SCHEDULE 5

THE CONVENTION RELATING TO EXTRADITION BETWEEN MEMBER STATES OF THE EUROPEAN UNION (“THE 1996 CONVENTION”)

ARTICLE 16

TRANSIT

In the case of transit, under the conditions laid down in Article 21 of the European Convention on Extradition and Article 21 of the Benelux Treaty, through the territory of one Member State to another Member State, the following provisions shall apply:

- (a) any request for transit must contain sufficient information to enable the Member State of transit to assess the request and to take the constraint measures needed for execution of the transit vis-à-vis the extradited person.

To that end, the following information shall be sufficient:

- the identity of the person extradited;
 - the existence of an arrest warrant or other document having the same legal effect or of an enforceable judgement;
 - the nature and the legal description of the offence;
 - a description of the circumstances in which the offence was committed, including the date and place;
- (b) the request for transit and the information provided for in point (a) may be sent to the Member State of transit by any means leaving a written record. The Member State of transit shall make its decision known by the same method;
- (c) in the case of transport by air without a scheduled stopover, if an unscheduled landing occurs, the requesting Member State shall provide the transit Member State concerned with the information provided for in point (a);
- (d) subject to the provisions of this Convention, in particular Articles 3, 5 and 7, the provisions of Article 21 (1), (2), (5) and (6) of the European Convention on Extradition and Article 21 (1) of the Benelux Treaty shall continue to apply.