

No. 5146. EUROPEAN CONVENTION ON EXTRADITION. DONE AT PARIS, ON 13 DECEMBER 1957¹

RATIFICATION

Instrument deposited with the Secretary-General of the Council of Europe on :
29 May 1961

GREECE

(To take effect on 27 August 1961.)

With the following reservations, contained in the *procès-verbal* of the instrument of ratification :

[TRANSLATION² — TRADUCTION³]

Article 6

The provisions of Article 6 will be applied subject to the application of Article 438 (a) of the Greek Code of Criminal Procedure, which prohibits extradition of nationals of the requested Party.

Article 438 of the Greek Code of Criminal Procedure will also be applied in relation to paragraph 1 (c). Under that Article, the date of commission of the offence will on no account be taken into consideration in establishing the nationality of the wanted person.

Article 7

Paragraph 1 will be applied subject to the provisions of Article 438 (b) of the Greek Code of Criminal Procedure.

Article 11

Article 437 (1) of the Greek Code of Criminal Procedure will continue to be applied in place of Article 11 of the Convention. Under that clause, extradition of a foreign national for an offence punishable by death under the law of the requesting Party is authorised only if Greek criminal law prescribes the same penalty for the offence in question.

Article 18

The last sentence of Article 18 (4) of the Convention is accepted, with the addition of the following clause from Article 454 of the Greek Code of Criminal Procedure : “ provided that the new request is based on the same facts ”.

¹ United Nations, *Treaty Series*, Vol. 359, p. 273.

² Translation by the Secretariat General of the Council of Europe.

³ Traduction du Secrétariat général du Conseil de l'Europe.

Article 19

This Article is accepted subject to the provisions of Article 441 of the Greek Code of Criminal Procedure.

Certified statement was registered by the Council of Europe on 21 August 1961.
