

No. 46590

**Latvia
and
United States of America**

Extradition Treaty between the Government of the Republic of Latvia and the Government of the United States of America. Riga, 7 December 2005

Entry into force: *15 April 2009 by the exchange of instruments of ratification, in accordance with article 21*

Authentic texts: *English and Latvian*

Registration with the Secretariat of the United Nations: *Latvia, 12 October 2009*

**Lettonie
et
États-Unis d'Amérique**

Traité d'extradition entre le Gouvernement de la République de Lettonie et le Gouvernement des États-Unis d'Amérique. Riga, 7 décembre 2005

Entrée en vigueur : *15 avril 2009 par échange des instruments de ratification, conformément à l'article 21*

Textes authentiques : *anglais et letton*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 12 octobre 2009*

[ENGLISH TEXT – TEXTE ANGLAIS]

EXTRADITION TREATY
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LATVIA
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of the Republic of Latvia and the Government of the United States of America (hereinafter referred to as "the Parties"),

Recalling the Treaty of Extradition between Latvia and the United States of America, signed at Riga on October 16, 1923, and the Supplementary Extradition Treaty, signed at Washington October 10, 1934;

Noting that both the Government of the Republic of Latvia and the Government of the United States of America currently apply the terms of these Treaties;

Mindful of obligations set forth in the Agreement on Extradition between the United States of America and the European Union signed at Washington, D.C. on June 25, 2003;

Having due regard for rights of individuals and the rule of law;

Mindful of the guarantees under their respective legal systems which provide an accused person with the right to a fair trial, including the right to adjudication by an impartial tribunal established pursuant to law; and

Desiring to provide for more effective cooperation between the Parties in the fight against crime, and, for that purpose, to conclude a new treaty for the extradition of persons;

Have agreed as follows:

Article 1

Obligation to Extradite

The Parties agree to extradite to each other, pursuant to the provisions of this Treaty, persons whom the authorities in the Requesting State have charged with, or convicted of, an extraditable offense.

Article 2

Extraditable Offenses

1. An offense shall be an extraditable offense if it is punishable under the laws in both States by deprivation of liberty for a period of more than one year or by a more severe penalty.

2. Where the request for extradition is for enforcement of a sentence of a person convicted of an extraditable offense, the sentence to be served must be at least four months.

3. An offense shall also be an extraditable offense if it consists of an attempt or a conspiracy to commit, or participation in the commission of, any offense described in paragraph 1.

4. For the purposes of this Article, an offense shall be an extraditable offense:

- (a) whether or not the laws in the Requesting and Requested States place the offense within the same category of offenses or describe the offense by the same terminology;

- (b) whether or not the offense is one for which United States federal law requires the showing of such matters as interstate transportation, or use of the mails or of other facilities affecting interstate or foreign commerce, such matters being merely for the purpose of establishing jurisdiction in a United States Federal court; and
- (c) in criminal cases relating to taxes, customs duties, currency control and the import or export of commodities, regardless of whether the laws of the Requesting and Requested States provide for the same kinds of taxes, customs duties, or controls on currency or on the import or export of the same kinds of commodities.

5. If the offense has been committed outside the territory of the Requesting State, extradition shall be granted, subject to the other applicable requirements for extradition, if the laws of the Requested State provide for the punishment of an offense committed outside its territory in similar circumstances. If the laws of the Requested States do not provide for the punishment of an offense committed outside its territory in similar circumstances, the executive authority of the Requested State, at its discretion, may grant extradition provided that all other applicable requirements for extradition are met.

6. If extradition has been granted for an extraditable offense, it shall also be granted for any other offense specified in the request even if the latter offense is punishable by one year's deprivation of liberty or less, provided that all other requirements for extradition are met.