

BELIZE:

EXTRADITION BILL, 2023
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BELIZE:

BILL

for

AN ACT to repeal and replace the Extradition Act, Chapter 112 of the Substantive Laws of Belize, Revised Edition 2020; to simplify and expedite the procedure for extraditions; and to provide for matters connected therewith or incidental thereto.

(Gazetted2023).

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:

PART I

Preliminary

Short title.

1. This Act may be cited as the

EXTRADITION ACT, 2023.

Interpretation.

2.—(1) In this Act—

“appropriate authority” includes—

- (a) the Minister;
- (b) the court of committal;
- (c) the High Court on an application for *habeas corpus* or for the review of any proceedings under this Act;
- (d) the Court of Appeal on an appeal against any decision of the High Court under this Act;

“authority to proceed” means the Order of the Minister issued pursuant to a request for the surrender of a person under this Act made—

- (a) by a person recognised by the Minister as a diplomatic or consular representative of a foreign State or a dependency of a foreign State; or

(b) by or on behalf of the Government of a Commonwealth country or a dependency of that Commonwealth country;

“Commonwealth country” means a country, other than Belize, that is prescribed in Schedule I; Schedule I.

“court of committal” means the Magistrate Court;

“dependency” means a dependent territory including a protectorate and a protected State of a foreign State or a Commonwealth country in relation to a foreign State or Commonwealth country;

“extradition arrangements” means arrangements made with a foreign State under which extradition procedures are available as between Belize and that State;

“extradition request” means a request for the surrender of a person under this Act;

“foreign State” means any state, other than Belize, that is not a Commonwealth country;

“Interpol” means the International Criminal Police Organisation;

“Minister” means the Minister responsible for Foreign Affairs.

(2) For the purposes of this Act, a person convicted *in absentia* in a foreign State or any Commonwealth country shall be treated as a person accused of the offence of which that person is convicted.

PART II

Application

3.—(1) A person in Belize may be arrested and surrendered to a foreign State where extradition procedures are available as between Belize and a foreign State under Part IV if that person is— Liability to extradition.

(a) accused in that State of committing an extradition offence;
or

(b) alleged to be unlawfully at large after conviction of an extradition offence by a court in that State.

(2) Subject to the provisions of this Act, a person in Belize who is accused of an extradition offence in a Commonwealth country or who is alleged to be unlawfully at large after conviction of such an offence in any such country, may be arrested and surrendered to that country in accordance with the extradition procedures under Part IV.

Extradition
offence.

- 4.-(1) For the purposes of this Act, “extradition offence” means–
- (a) conduct in the territory of a foreign State or a Commonwealth country, which if it occurred in Belize, would constitute an offence which, on indictment or complaint, is punishable with imprisonment for a term of five years, or any greater punishment, and which, however described in the laws of the foreign State or Commonwealth country, is so punishable under those laws; or
 - (b) an extraterritorial offence against the laws of a foreign State or a Commonwealth country which, on indictment or complaint, is punishable under those laws with imprisonment for a term of five years or any greater punishment and satisfies the condition–
 - (i) that in corresponding circumstances, equivalent conduct would constitute an extraterritorial offence against the laws of Belize which, on indictment or complaint, is punishable with imprisonment for a term of five years or any greater period; or
 - (ii) that–
 - (aa) the foreign State or Commonwealth country bases its jurisdiction on the nationality of the offender;
 - (bb) the conduct constituting the offence occurred outside Belize; and
 - (cc) if the conditions constituting the offence occurred in Belize, it would constitute an offence against the Laws of Belize which, on indictment or complaint, would be punishable with imprisonment for a term of five years, or any greater punishment;
- (2) For the purposes of sub-section (1) (a) and (b)–
- (a) the laws of a foreign State or a Commonwealth country includes the law of any part of it; and
 - (b) conduct in a colony or dependency of a foreign State or a Commonwealth country, or a vessel, aircraft or hovercraft of a foreign State or a Commonwealth country, shall be treated as if it were conduct in the territory of that State or Commonwealth country;

5. Extradition arrangements may be—

Extradition
arrangements.

- (a) of a general nature made with one or more States and relating to the operation of extradition procedures under Part IV in this Act referred to as “general extradition arrangements”; or
- (b) relating to the operation of those procedures in particular cases, in this Act referred to as “special extradition arrangements”, made with a State with which there are no general extradition arrangements.

6.—(1) Where general extradition arrangements have been made, the Minister may, by order reciting and embodying the terms of arrangements, direct that this Act, so far as it relates to extradition procedures under Part IV, shall apply between Belize and any foreign State mentioned in the order with which they have been made, subject to the limitations, restrictions, exceptions and qualifications, if any, contained in the order.

Extradition
Order.

(2) An order under this section shall not be made unless the general extradition arrangements to which it relates—

- (a) provide for their determination after the expiration of a period of notice given by a party to them and not exceeding one year or for their denunciation by means of such notice; and
- (b) confirms with the provisions of this Act, and in particular, with the restrictions on surrender contained in Part III.

(3) An order under this section shall be conclusive evidence that the arrangements therein referred to complies with the provisions of this Act and that this Act, so far as it relates to extradition procedures under Part IV, applies in the case of a foreign State mentioned in the order.

(4) An order under this section is subject to negative resolution.

(5) An order under this section, which does not provide that a person may only be surrendered to the foreign State requesting that person’s surrender if the court of committal is satisfied that the evidence would be sufficient to warrant that person’s trial if the extradition offence had taken place within the jurisdiction of the court, is void.

7. The extradition of fugitive criminals between Belize and the United States of America shall be as directed in accordance with the Extradition Treaty between the Government of Belize and the Government of the United States of America signed on the 30th day of March 2000, a copy of which is prescribed in Schedule II.

United States
extradition
regulated.

Schedule II.

United Mexican States extradition regulated.

Schedule III.

Application to Commonwealth countries.

8. The extradition of fugitive criminals between Belize and the United Mexican States shall be as directed in accordance with the Extradition Treaty between the Government of Belize and the Government of the United Mexican States signed on the 29th day of August 1998, a copy of which is prescribed in Schedule III.

9.-(1) The Minister may, by Order published in the *Gazette*, direct that this Act shall have effect in relation to the surrender of a person to, or a person from, a Commonwealth country, subject to such exceptions, adaptations or modifications as may be specified in the Order.

(2) An Order under this section may contain such transitional or other incidental or supplementary provisions as may appear to the Minister to be necessary or expedient.

(3) For the purposes of an Order under sub-section (1), where any Commonwealth country is responsible for the external relations of a territory, that territory may be treated as part of that Commonwealth country, or, if the Government of the country so requests, as a separate country.

(4) An Order under this section is subject to negative resolution.

PART III

Restrictions on Surrender

General restrictions.

10.-(1) A person shall not be surrendered under Part IV, or committed, or kept in custody for the purposes of surrender, if it appears to an appropriate authority that—

- (a) the offence of which that person is accused or was convicted is an offence of a political character;
- (b) the offence of which that person is accused or was convicted is an offence under military law which is not also an offence under the general criminal law;
- (c) the request for his or her surrender, though purporting to be made on account of an extradition offence, is in fact made for the purpose of prosecuting or punishing that person on account of that person's race, place of origin, political opinions, colour, creed or sex;
- (d) if surrendered, that person would be prejudiced at trial or punished, detained or restricted in personal liberty by reason of that person's race, place of origin, political opinion opinions, colour, creed or sex;

- (e) final judgement has been given against the person in Belize or a third country for the offence;
- (f) the person has already been acquitted or pardoned in the country making the extradition request of Belize, or punished under the laws of that country or the Laws of Belize for the offence or another offence constituted by the same conduct as constitutes the extradition offence; or
- (g) the person has been or would be subjected in the country making the extradition request to torture or cruel, inhuman or degrading treatment or punishment.

(2) A person who is alleged to be unlawfully at large after conviction of an extradition offence shall not be surrendered to a foreign State, or committed or kept in custody for the purposes of surrender to a foreign State, if it appears to an appropriate authority that—

- (a) the conviction was obtained in that person's absence; and
- (b) it would not be in the interest of justice to surrender that person on the ground of that conviction.

(3) Belize shall not refuse to surrender a person because the person may be subjected to torture or cruel, inhuman or degrading treatment or punishment if the country making the extradition request and Belize are parties to—

- (a) the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment being the Convention of that title that was adopted by the General Assembly of the United Nations on 10 December 1984;
- (b) the International Covenant on Civil and Political Rights that was adopted by the General Assembly of the United Nations on 16 December 1966; or
- (c) any other like Convention which supersedes or replaces any of the conventions mentioned in paragraphs (a) and (b).

(4) A person shall not be surrendered, or committed or kept in custody for the purposes of such surrender, unless provision is made by relevant law, or by an arrangement with the country making the extradition request that the person will not, unless that person has first had an opportunity to leave it, be dealt with there for or in respect of any offence committed before that person's surrender to that country other than—

- (a) the offence in respect of which the person's surrender is ordered;

- (b) an offence which is disclosed by the facts in respect of which the person's surrender was ordered;
- (c) any other extradition offence in respect of which the Minister may consent to the person being dealt with.

(5) Any such arrangement as is mentioned in sub-section (4) which is made with a Commonwealth country may be an arrangement made for the particular case or an arrangement of a more general nature.

(6) For the purposes of sub-section (4) a certificate issued by or under the authority of the Minister confirming the existence of an arrangement with a Commonwealth country and stating its terms, shall be conclusive evidence of the matters contained in the certificate.

(7) The reference to an offence of a political character in sub-section (1) does not include—

- (a) an offence constituted by conduct of a kind referred to in any multilateral Convention to which Belize is a party, being an offence in respect of which the States which are parties thereto have an obligation to extradite or prosecute the person sought;
- (b) the offence of genocide;
- (c) an offence against the life of a Head of State or a member of that person's immediate family or any related offence;
- (d) an offence against the life or person of a Head of Government or of a Minister of Government or any related offence;
- (e) any other offence in respect of which agreement had been reached with another country that will not be treated as a political offence for the purpose of extradition.

PART IV

Procedure

11.—(1) Where an extradition request is made it shall be accompanied by—

- (a) as accurate a description as possible of the person whose extradition is sought, together with any other information that may help to establish the identity and nationality of the person;

Extradition
request and
authority to
proceed.

- (b) the text of the law creating the offence, or where the offence is a common law offence, a statement of the offence and a statement of the penalty which can be imposed for the offence;
- (c) a statement of the conduct constituting the offence for which extradition is sought, together with details of the time and place of the commission of the offence;
- (d) in the case of a person accused of an offence, an original or authenticated copy of a warrant issued in the country making the extradition request for that person's arrest;
- (e) where the person has been convicted of the offence for which that person's surrender is sought, the original or authenticated copy of the judgement or other document setting out the conviction and the sentence imposed, if any, and a statement that the sentence is immediately enforceable; and
- (f) where the person has been convicted of the offence for which extradition is sought and no sentence has been imposed, the original or an authenticated copy of the judgement or other document setting out the conviction and a statement of intention to impose a sentence.

(2) Copies of the documents mentioned in sub-section (1) shall not be served on a person who is sought to be surrendered before that person is brought before the court of committal.

(3) Regulations under sections 35 may make provisions as to the procedure for service under sub-section (2).

(4) On receipt of any extradition request, the Minister may issue an authority to proceed unless it appears to the Minister that an order for the surrender of the person concerned could not lawfully be made, or could not in fact be made, in accordance with the provisions of the Act.

(5) An authority to proceed shall specify the offence under the Laws of Belize which it appears to the Minister would be constituted by equivalent conduct in Belize.

(6) In this section, "warrant", in the case of a foreign State, includes any judicial document authorising the arrest of a person accused of an offence.

12.—(1) For the purposes of this Part, a warrant for the arrest of a person may be issued—

Arrest for
committal.

- (a) on receipt of an authority to proceed by a Magistrate;

(b) without such an authority, by a Magistrate upon information from Interpol that the said person is, or is believed to be, in or on his way to, Belize.

(2) A warrant issued under sub-section (1)(b) is referred to as a “provisional arrest warrant” in this Act.

(3) A provisional warrant shall contain—

- (a) a description of the person sought;
- (b) the location of the person sought, if the person’s location is known;
- (c) a brief statement of the facts of the case, including, if possible, the time and location of the offence;
- (d) a description of the laws violated;
- (e) a statement of the existence of a warrant of arrest or a finding of guilt or judgment of conviction against the person sought; and
- (f) a statement that a request for extradition for the person will follow.

(4) A Magistrate empowered to issue a provisional warrant under this section shall issue such warrant if the Magistrate is supplied with such evidence as would, in the Magistrate’s opinion, justify issuing a warrant for the arrest of a person accused or, as the case may be, convicted within the magistrate’s jurisdiction and it appears to the magistrate that the conduct alleged would constitute an extradition offence.

(5) Where a provisional warrant is issued under this section the authority who issues it shall forthwith notify and transmit the information and evidence upon which it was issued to the Minister.

(6) The Minister shall, by Order published in the *Gazette*, cancel the warrant and if the person has been arrested under it, discharge that person from custody if the Minister decides not to issue an authority to proceed in respect of the person to whom the warrant relates.

Schedule IV.

(7) A warrant of arrest may be executed in any part of Belize and may be so executed by any member of the Belize Police Department.

(8) Where a warrant is issued under this section for the arrest of a person accused of the offence of stealing or receiving stolen property, a Magistrate shall have the like power to issue a warrant to search for the property as if the offence had been committed within his or her jurisdiction.

13.—(1) A person arrested pursuant to a warrant under section 12 shall, unless either previously discharged under section 12(6) or that person requests his surrender under section 16(7), be brought as soon as practicable before a Magistrate as may be directed by the warrant, as prescribed in Schedule V.

Committal
proceedings.
Schedule V.

(2) For the purposes of proceedings under this section, a court of committal in Belize shall have the like jurisdiction and powers, as nearly as may be, including power to remand in custody or admit to bail, as a Magistrate exercising jurisdiction in a preliminary inquiry.

(3) The court of committal shall not be furnished with evidence sufficient to warrant the trial of the arrested person if the extradition offence had taken place within the jurisdiction of the court where—

- (a) the extradition request is made by a foreign State; and
- (b) an order such as is mentioned in sub-section (7) is in force in relation to that State.

(4) Where the person arrested in custody by virtue of a provisional warrant and no authority to proceed has been received in respect of that person, the court of committal may fix a period, of which the court shall give notice to the Minister, after which that person shall be discharged from custody unless such authority to proceed has been received.

(5) In exercising the power conferred by sub-section (4) in a case where the extradition request is made under general extradition agreements, the court shall have regard to any period specified for the purpose in the order made under section 5 in relation to such general extradition arrangements.

(6) The court of committal may fix a reasonable period where—

- (a) the extradition request is made under a general extradition agreement but no period is specified; or
- (b) the application is made under a special extradition arrangement.

(7) Where an authority to proceed has been issued in respect of the person arrested and the court of committal is satisfied, after hearing any representations made in support of the extradition request or on behalf of such person, that the offence to which the authority relates is an extradition offence, and is further satisfied—

- (a) where that person is accused of the offence, unless an order under section 5 giving effect to the general extradition arrangements under which the extradition request was made otherwise provides, that the evidence would be sufficient to

warrant that person's trial if the extradition offence had taken place within the jurisdiction of the court; or

- (b) where that person is alleged to be unlawfully at large after conviction of the offence, that the person has been so convicted and appears to be at large,

the court, unless the person's committal is prohibited by any other provision of this Act, shall commit that person to custody or admit that person to bail—

- (i) to await the Minister's decision on the surrender of the person; or
- (ii) if the Minister decides that the person shall be surrendered, to await the surrender of that person.

Schedule VI.

(8) If the court commits a person under sub-section (7), it shall issue a warrant of committal as set out in Schedule VI.

(9) If the court commits a person to custody under sub-section (7), it may subsequently admit that person to bail if it considers it appropriate to do so.

(10) The court shall discharge a person if—

- (a) the court is not satisfied as mentioned in sub-section (7) in relation to the person arrested; or
- (b) the person's committal is prohibited by a provision of this Act.

Statement of case.

14.—(1) If the court of committal refuses to make an order in relation to a person under section 13 in respect of the offence or, as the case may be, any of the offence to which the authority to proceed relates, the foreign State or Commonwealth country seeking the surrender of that person to it, may question the proceedings on the ground that it is wrong in law by applying to the court to state a case for the opinion of the High Court on the question of law involved.

(2) If the foreign State or Commonwealth country seeking the surrender of a person immediately informs the court of committal that it intends to make such an application, the court shall make an order for the detention of the person to whom the authority to proceed relates, or directing that that person shall not be released except on bail.

(3) An order under sub-section (3) shall have effect as long as the case is pending.

(4) Rules of court may specify a period within which—

- (a) such an application shall be made; and
- (b) the court of committal must comply with such an application.

(5) Upon hearing an application under sub-section (1) within the period specified by rules of court, the High Court may on the application of the foreign State or Commonwealth country that applied for the case to be stated, make an order requiring the court to state a case and—

- (a) remit the case to the court of committal to decide it according to the opinion of the High Court on a question of law; or
- (b) dismiss the application.

(6) Where the High Court dismisses an application relating to an offence, it shall declare that the offence is not an offence in respect of which the Minister has power to make an order for surrender in respect of the person whose surrender was requested.

(7) A detention order made by the court of committal shall cease to have effect if—

- (a) the High Court dismisses the application in respect of the offence or all of the offences to which it relates; and
- (b) the foreign State or Commonwealth country does not within, seven days from the date of dismissal, inform the High Court that it intends to appeal to the Court of Appeal.

(8) The Court of Appeal may exercise any of the powers of the High Court under sub-section (5).

(9) Sub-section (6) shall apply to the Court of Appeal as it applies to the High Court.

(10) For the purposes of this section, a case is pending until, disregarding any power of a court to grant leave to take any step out of time, there is no step that that the foreign State of Commonwealth country can take.

Application for
habeas corpus,
etc..

15.—(1) Where a person is committed under section 11, the court shall inform that person in ordinary and simple language of that person's right to make an application for *habeas corpus* and shall forthwith give notice of the committal to the Minister.

- (2) A person committed shall not be surrendered—
 - (a) in any case, until the expiration of the period of fifteen days beginning with the day on which the order for that person's committal is made; or

(b) if an application for *habeas corpus* is made in that person's case, so long as proceedings on that application are pending.

(3) Without prejudice to any jurisdiction of the High Court apart from this section, the court shall order the applicant's discharge if it appears to the court in relation to the offence in respect of which the applicant's surrender is sought, that—

(a) by reason of the trivial nature of the offence;

(b) by reason of the passage of time since the applicant is alleged to have committed the offence or to have been unlawfully at large, as the case may be; or

(c) because the accusation against that person is not made in good faith in the interests of justice, it would, having regard to all the circumstances, be unjust or oppressive to surrender that person.

(4) On any such application, the court may receive additional evidence relevant to the exercise of its jurisdiction under section 10 or sub-section (3) of this section.

(5) Proceedings on an application for *habeas corpus* shall be treated for the purposes of this section as pending until, disregarding any power of the court to grant leave to appeal out of time, there is no further possibility of appeal.

Consent to
surrender.

16.—(1) If an authority to proceed has been issued in relation to a person, that person may inform a Magistrate that that person consents to being surrendered to the country requesting that person's extradition for the offence for which the surrender of that person is being sought.

(2) If—

(a) a person consents to being surrendered for an extradition offence; and

(b) the country requesting that person's extradition requests that the person also be surrendered for another offence that is not an extradition offence,

the Magistrate shall ask the person whether that person also consents to being surrendered for that other offence.

(3) If—

(a) a person informs the Magistrate that he consents to being surrendered; and

- (b) the Magistrate is satisfied that the consent was given voluntarily,

the Magistrate shall inform the person the effect of such consent.

(4) The effect of such consent given under sub-section (3) shall include—

- (a) that the person will be committed to prison without any proceeding being conducted under section 13 to determine whether that person should be surrendered for an extradition offence; and
- (b) that after the Minister issues a surrender warrant, the person shall be surrendered to the country requesting the extradition.

(5) The Magistrate shall—

- (a) by warrant, order that the person should be committed to prison; and
- (b) inform the Minister in writing that the person has been committed to prison and of the offence for which the person is to be surrendered,

where the person maintains their consent after being informed about the effect of such consent.

(6) The Minister shall issue an order to surrender a person under section 5.

(7) Where an extradition request is made and the person is arrested in pursuance of a warrant under section 12, the person may request the Minister to order his return without any proceedings before a Magistrate under section 13.

(8) Where the Minister consents to the request made by the person under sub-section (7) and is satisfied that that person understands the consequences of the request, the Minister shall, without any proceedings before a Magistrate under section 13, order such person to be committed to custody, to be kept for the purposes of return, and at any time thereafter the Minister shall, with the consent of the person, by warrant, order him to be returned to the state by which the extradition request was made.

(9) Where a person whose return has been ordered under sub-section (8) withdraws his consent to the order before his departure from Belize, the person shall be brought as soon as practicable before a magistrate for the purposes of proceedings under section 13, and thereupon shall be dealt with as if the Minister had not made the order.

Schedule VII. (10) A warrant issued under sub-section (8) shall be in the form as set out in Schedule VII.

Order of surrender. **17.**—(1) Where a person is committed under section 13 and is not discharged by order of the High Court, the Minister may by warrant order that person to be surrendered unless the surrender of that person is prohibited by this Act.

Schedule VIII. (2) A warrant issued under sub-section (2) shall be as set out in Schedule VIII.

(3) Without prejudice to Minister's discretion to issue a warrant for the surrender of a person to a foreign State or Commonwealth country, the Minister shall not issue a warrant for the surrender of any person if it appears to the Minister, having regard to all the circumstances, to be unjust or oppressive to surrender the person in relation to the offence in respect of which that person's surrender is sought—

- (a) by reason of its trivial nature; or
- (b) because the accusation against the person is not made in good faith in the interest of justice.

(4) The Minister may refuse to issue a warrant for the surrender of a person accused or convicted of an offence not punishable with death in Belize if the person could be or has been sentenced to death for that offence in the country by which the request for the surrender of that person is made.

(5) A warrant for surrender shall not be issued in the case of a person who is serving a sentence of imprisonment or detention, or is charged with an offence in Belize—

- (a) in the case of a person serving such a sentence, until the sentence has been served; and
- (b) in the case of a person charged with an offence, until the charge is disposed of or withdrawn or unless an order is made for it to lie on the file and, if it results in that person serving a term of imprisonment or detention, until the sentence is served.

(6) The Minister may not issue a warrant of surrender under this section for the surrender of a person committed in consequence of an extradition request, if another extradition request is made in respect of that person and it appears to the Minister that preference should be given to that other request, having regard to all the circumstances of the case and in particular—

- (a) the relative seriousness of the offence in question;

- (b) the date on which each such request was made; and
- (c) the nationality or citizenship of the person concerned and the person's ordinary place of residence.

(7) Notice of the issue of a warrant under this section for the surrender of a person to a Commonwealth country shall forthwith be given to the person to be surrendered.

18.—(1) The Minister shall give written notice to the person whom an order under section 17 would relate for the surrender to a foreign State, that the Minister is contemplating making such an order.

Surrender to
foreign State.

(2) The person to whom such an order would relate shall have a right to make representations, at any time before the expiration of the period of fifteen days commencing with the date on which the notice is given, as to why that person should not be surrendered to a foreign State, and unless that person waives that right, no such order shall be made before the end of that period.

(3) A notice under sub-section (1) shall explain in simple and ordinary language the right conferred by sub-section (2).

(4) The Minister shall consider any representations made in the exercise of the right conferred in sub-section (2).

(5) Unless the person to whom it relates waives the right conferred on that person by sub-section (6), that person shall not be surrendered to the foreign State until the expiration of the period of seven days commencing with the date on which the warrant is issued or such longer period as rules of court may specify.

(6) At any time within the period mentioned in sub-section (5), a person may apply for leave to seek judicial review of the Minister's decision to make the order.

(7) If a person applies for judicial review, that person may not be surrendered so long as the proceedings for judicial review are pending.

(8) For the purposes of this section, judicial review shall be treated as pending until, disregarding any power of the court to grant leave to appeal out of time, there is no further possibility of an appeal.

(9) A warrant under section 17 shall—

- (a) state in simple and ordinary language that the Minister has considered any representations made in the exercise of the right conferred by sub-section (2); and

- (b) explain in simple and ordinary language the rights conferred by this section on a person whose surrender to a foreign State has been ordered under section 17.

(10) A copy of the warrant issued under section 17 shall be given to the person to whom it relates as soon as the order for the surrender of the person is made.

Special
extradition
arrangements.

19.—(1) Where special extradition arrangements have been made in respect of a person, extradition procedures shall be available in the case of that person, as between Belize and that foreign State with which such arrangements have been made, subject to the limitations, restrictions, exceptions, and qualifications, if any, contained in the arrangements.

(2) If the Minister issues a certificate of special extradition arrangements, it shall be conclusive evidence of all matters stated therein.

(3) In sub-section (2), “certificate of special extradition arrangements” means a certificate—

- (a) that special extradition arrangements have been made in respect of a person as between Belize and a foreign State specified in the certificate; and
- (b) that extradition procedures are available in the case of that person as between Belize and that foreign State to the extent specified in the certificate.

Discharge in
case of delay.

20.—(1) If a person committed under section 13 is still in Belize after the expiration of the relevant period, that person may apply to the High Court for his discharge.

(2) Unless a person referred to in sub-section (1) has instituted proceedings for judicial review of the Minister’s decision to order the surrender of that person, the relevant period is—

- (a) the period of two months beginning with the first day on which that person could have been surrendered; or
- (b) where a warrant for the surrender of that person has been issued under section 15, the period of one month beginning with the day on which that warrant was issued.

(3) If the person referred to in sub-section (1) has instituted proceedings for judicial review of the Minister’s decision to order the surrender of that person, the relevant period is the period expiring one month after such proceedings have ended.

(4) If upon application under this section, the court is satisfied that reasonable notice of the proposed application has been given to the Minister, the court may, unless sufficient cause is shown to the contrary, by order, direct the applicant to be discharged and, if a warrant for the surrender of that person has been issued under section 15, quash that warrant.

21.—(1) A person remanded or committed to custody under this Part shall be committed to prison.

Custody.

(2) If a person who is in custody by virtue of a warrant under this Act escapes custody, that person may be retaken in like manner as a person escaping from lawful custody.

Schedule VI.

(3) A warrant for the surrender of any person shall be sufficient authority for all persons to whom it is directed and all members of the Police Department to receive that person, to keep that person in custody and convey that person to the jurisdiction to which the person is to be surrendered.

PART V

Treatment of Surrendered Persons

22. Where a person is surrendered to Belize by a foreign State in pursuance of extradition arrangements, that person shall not, unless that person has first been restored to that State or had an opportunity of leaving Belize, be triable or be tried for any offence committed prior to the surrender of that person other than—

Restrictions on proceedings for other offences committed by persons surrendered by foreign states.

- (a) an offence in respect of which that person was surrendered;
- (b) any offence disclosed by the particulars furnished to the foreign State which formed the basis for the surrender of that person; or
- (c) any other offence in respect of which the foreign State may consent to that person being tried.

23.—(1) This section applies to any person accused or convicted of an offence under the Laws of Belize who is surrendered to Belize from any Commonwealth country.

Restrictions on proceedings for other offences committed by persons surrendered by Commonwealth countries.

(2) A person to whom this section applies shall not, during the period described in sub-section (3), be dealt with in Belize for any offence committed before that person was surrendered to Belize other than—

- (a) the offence in respect of which that person was surrendered;

- (b) any lesser offence disclosed by the particulars furnished to the Commonwealth country which formed the basis for the surrender of that person; or
- (c) any other offence in respect of which the Government of the Commonwealth country from which that person was surrendered, may consent to that person being dealt with.

(3) The period referred to in sub-section (2) in relation to a person to whom this section applies, is the period beginning with the day of that person's arrival in Belize on the surrender of that person as mentioned in sub-section (1) and ending forty-five days after the first subsequent day on which that person has opportunity to leave Belize.

(4) Where a person to whom this section applies has been convicted, before the surrender of that person to Belize, of an offence for which the surrender of that person was not granted, any punishment for that offence shall, by virtue of this section, be remitted but conviction for the offence shall be treated as a conviction for all other purposes.

(5) In this section, "dealt with" means subjected to trial or surrendered to any country or detained with a view to such trial or surrender.

Restoration of
person not tried
or acquitted.

24.—(1) This section applies to any person accused of an offence under the Laws of Belize who is surrendered to Belize pursuant to extradition arrangements or is surrendered to Belize from a Commonwealth country.

- (2) If, in the case of a person to whom this section applies, either—
 - (a) proceedings against that person for the offence for which that was surrendered are not begun within the period of six months beginning with the day of the person's arrival in Belize on being surrendered; or
 - (b) on the trial of that person for that offence, that person is acquitted,

the Minister may, if he thinks fit, on the request of that person, arrange for him to be sent back free of charge, and with little delay as possible, to the jurisdiction of the foreign State or Commonwealth country from which that person was surrendered.

PART VI

Special Cases

Serving sentence
outside country
of conviction.

25.—(1) This section applies where a request is made for the arrest or surrender of a person in Belize who is alleged to be unlawfully at large from a prison in which that person was serving a sentence in pursuance of international arrangements for the repatriation of prisoners sentence in one country, “the country of conviction”, to serve their sentence in another, “the country of imprisonment” by—

- (a) a person recognised as a diplomatic or consular representative of a foreign State or a State with which Belize had made extradition arrangements; or
- (b) by or on behalf of the Government of a Commonwealth country or a dependency of such Commonwealth country.

(2) Where this section applies, the relevant provisions shall have effect and the question whether the person to whom the request relates is to be surrendered shall be determined, subject to sub-section (3), in accordance with the relevant provisions if the request is from—

- (a) the country of conviction, as if the person to whom the request relates were alleged to be unlawfully at large from a prison in that country; and
- (b) the country of imprisonment, as if the person were alleged to have been convicted of a corresponding offence under the law of that country committed there.

(3) A person shall not be surrendered under sub-section (2)(b) unless—

- (a) the offence was committed in the country of conviction; or
- (b) the offence was not committed in the country of conviction but was committed in circumstances in which that person might be surrendered on a request made by the country of his conviction.

26.—(1) Except as provided by sub-section (5), this section has effect where general extradition arrangements have not been made with a foreign State which is Party to a Convention to which this section applies.

Application to
Acts giving
effect to
international
Conventions.

(2) The Conventions to which this section applies are—

- (a) the Convention on Offences and certain other Acts committed on Board Aircraft, which was signed at Tokyo on 14th September 1963, “the Tokyo Convention”;
- (b) The United Nation Convention Against Transnational Organized Crime, which was signed on 15th November 2000, (“The Palermo Convention”); and

- (c) such other Convention, to which Belize is Party, as may be designated by the Minister by order.

(3) Where this section has effect, an order applying this Act may be made by the Minister as if a Convention to which this section applies that is specified in the order, constituted general extradition arrangements between Belize and the foreign State, or any other foreign State which is Party to the Convention; but where the Act is so applied, it shall have effect only in respect of—

- (a) the relevant offences;
- (b) an attempt to commit a relevant offence;
- (c) counselling, procuring, commanding, aiding or abetting a relevant offence; and
- (d) being accessory before or after the fact to a relevant offence.

(4) For the purposes of sub-section 3 (a), the “relevant offences” are—

- (a) in relation to the Tokyo Convention, any offence committed on board an aircraft in flight; and
- (b) in relation to a Convention designated under sub-section (2) (c), any offence specified in the order designating the Convention.

(5) An order such as is mentioned in sub-section (3) may not provide that a court dealing with a person arrested for an offence shall not be under a duty to determine whether the evidence would be sufficient to warrant his or her trial of the offence had taken place within the jurisdiction of the court.

(6) For the purposes of general extradition procedures under Part III, in their application, whether or not by virtue of such an order, as between Belize and any other foreign State, any conduct, wherever it takes place shall be deemed to be an offence committed within the territory of that foreign State if it constitutes—

- (a) a relevant offence mentioned in sub-section (4); and
- (b) an offence against the Laws of that foreign State.

27.—(1) For the purposes of this Act, no offence which, if committed in Belize would be punishable as an offence under the Genocide Act, or as an attempt, conspiracy or incitement to commit such an offence, shall be regarded as an offence of a political character, and no proceedings in respect of such an offence shall be regarded as a criminal matter of a political character.

(2) It shall be an objection to any proceedings against a person under this Act in respect of an offence which, if committed in Belize, would be punishable as an offence of genocide or an attempt, conspiracy or incitement to commit such an offence, that under the law in force at the time when, and in the place where, that person is alleged to have committed the act of which that person is accused of, or which the person was convicted, that person could not have been punished for it.

PART VI

General Provisions Relating to Search, Seizure and Transit

28.—(1) If a police officer who arrests a person under a warrant issued under this Act has reasonable grounds for suspecting that property in the vicinity of the person that is in the apparent control of that property—

Search and seizure on arrest.

- (a) may be material as evidence in proving an offence for which the warrant was issued; or
- (b) has been acquired by the person as the result of the offence for which the warrant was issued,

the police officer may seize the property.

(2) A police officer may search the person, the clothing the person is wearing or property and may seize anything found as a result of the search if the police officer—

- (a) arrests a person under a warrant issued under this Act; and
- (b) has reasonable grounds for suspecting that there is on the person, in the clothing that the person is wearing or in or on any property in the vicinity of the person that is under the apparent control of the person, anything, including a sum of money, that—
 - (i) may be material evidence in proving any offence in relation to which the warrant was issued or for which surrender of the person is sought; or
 - (ii) has been acquired by the person as a result of that offence.

(3) A police officer shall search only a person of the same sex.

(4) A police officer shall retain any property or thing seized in safe keeping pending a direction from the court which issued the warrant about how the thing is to be dealt with.

(5) Nothing in this section prevents or restricts the search of a person or of clothing worn by, or of property under the immediate control of, a person after the person is admitted to a prison having been charged with an offence.

(6) The powers conferred by this section are in addition to and not in derogation of, any other powers conferred by law.

Search and
seizure warrants.

29.—(1) A Magistrate may issue a warrant where the Magistrate is informed, by affidavit, that there are reasonable grounds for suspecting that there may be in a place a thing that—

- (a) may be material as evidence in proving an offence for which a provisional arrest warrant has been issued or surrender of a person is sought; or
- (b) has been acquired by a person as a result of such an offence.

(2) If satisfied under sub-section 1, the Magistrate may issue a warrant authorising a police officer named in the warrant to—

- (a) seize the thing;
- (b) enter the place and seize the thing; or
- (c) enter the place, search the place for a thing of that kind and to seize anything of that kind found in the place.

(3) The Magistrate shall not issue a warrant unless the Magistrate—

- (a) has been furnished further information by affidavit regarding the grounds on which the warrant is being sought; and
- (b) is satisfied that there are reasonable grounds for issuing the warrant.

(4) The warrant shall state—

- (a) the purpose for which it is issued, including a reference to the nature of any offence referred to in sub-section 1(a);
- (b) whether it authorizes entry at any time of the day or night or during specified hours of the day or night;
- (c) the kind of things that may be seized; and
- (d) that it ceases to have effect on a specified day, not being later than one month after the day it is issued.

(5) The warrant is deemed to authorize the police officer to seize a thing if in the course of searching with the warrant the police officer—

- (a) finds a thing that the police believes, on reasonable grounds, to be connected with the offence, even though that thing is not of a kind stated in the warrant; and
- (b) believes on reasonable grounds that it is necessary to seize that thing in order to prevent its concealment, loss or destruction.

(6) The police officer shall retain a thing seized under sub-section (5) in safe keeping pending a direction from the court which issued the warrant regarding how it is to be dealt with.

(7) A police officer may execute a warrant issued to him with such assistance and by using such force as may be necessary and reasonable in the circumstances.

(8) In this section—

“place” includes a public place, area of water, premises, vessel, aircraft, or vehicle in any part of Belize; and

“thing” includes a vessel, aircraft or vehicle.

30. The Minister may direct that any property seized under section 29(1) be returned to the country that sought the surrender if that property may—

Return of seized property.

- (a) provide evidence of an offence for which surrender had been ordered; or
- (b) have been acquired as a result of an offence referred to in paragraph (a).

31.—(1) The Minister shall permit a country, hereinafter referred to as “second country” to transport through Belize, a person who has been surrendered to the secondary country by a third country if—

Transit.

- (a) the second country asked for transit permission before the person entered Belize; and
- (b) the secondary country is a—
 - (i) Commonwealth country or a foreign State with which Belize has extradition arrangements; or
 - (ii) foreign State approved by the Minister for the purposes of the request.

- (2) If transit permission is given under sub-section (1)–
- (a) a police officer in Belize may give assistance, if requested, to the foreign official escorting the person who has been surrendered; and
 - (b) the person who has been surrendered may be held in custody in Belize until that person’s journey can continue.
- (3) If it is necessary to hold a person in custody under sub-section (2), that person shall be brought before a Magistrate who may issue a warrant to commit that person to custody.

PART VIII

Miscellaneous

Authentication
of foreign
documents.

32.–(1) In extradition proceedings in relation to a person whose surrender has been requested by a foreign State, foreign documents may be authenticated by the oath of a witness, but shall in any case be deemed duly authenticated if they purport to be–

- (a) signed by a Judge, Magistrate or officer of the foreign State where they were issued; and
- (b) certified by being sealed with the official seal of the Minister responsible for Legal Affairs, or some other Minister of the foreign State.

(2) Judicial notice shall be taken of such certification as is mentioned in sub-section (1)(b), and documents authenticated by such certification shall be received in evidence without further proof.

Evidence
relating to
commonwealth
countries.

33.–(1) In any proceedings under this Act in relation to a person whose surrender has been requested by a Commonwealth country, including proceedings on an application for *habeas corpus* in respect of a person in custody under any provision of this Act–

- (a) a document, duly authenticated, which purports to set out evidence given on oath in that Commonwealth country shall be admissible as evidence of the matters stated therein;
- (b) a document, duly authenticated, which purports to have been received in evidence, or to be a copy of a document so received in evidence in any proceedings in that Commonwealth country, shall be admissible in evidence; and

(c) a document, duly authenticated, which certifies that a person was convicted, on a date specified in the document, of an offence against the laws of any such Commonwealth country, shall be admissible as evidence of the fact and date of the conviction.

(2) A document shall be deemed to be duly authenticated for the purposes of this section—

(a) in the case of a document purporting to set out evidence given as mentioned in sub-section (1)(a), if that document purports to be certified by a Judge or Magistrate in or of a Commonwealth country in question, to be the original document containing or recording that evidence, or a true copy of such a document;

(b) in the case of a document which purports to have been received in evidence as mentioned in sub-section (1)(b), or to be a copy of such a document, if that document purports to be certified as mentioned in paragraph (a) to be a true copy of that document; and

(c) in the case of a document which certifies that a person was convicted as mentioned in sub-section (1)(c), if that document purports to be certified as mentioned in paragraph (a).

(3) A document is deemed to be authenticated either by the oath of a witness or by the official seal of a Minister of that Commonwealth country or, in the case of a dependency of that Commonwealth country, the Governor or a Minister, Secretary or other officer administering a department of the government of such dependency, as the case may be.

(4) Nothing in this section shall preclude or prejudice the admission in evidence of any document which is admissible in evidence apart from this section.

34. Where a written law empowers a person or authority to do an act or thing, all such powers shall be deemed to be also given as are reasonably necessary to enable that person or authority to do that act of thing.

Implied powers.

35.—(1) The Minister may make such regulations as are necessary for the purpose of giving effect to the provision of this Act and for its due administration.

Regulations.

(2) Without limiting the generality of sub-section (1), the Minister may by such regulations prescribe the form of any document required for the purposes of this Act and the form of any warrant or order to be issued under this Act.

(3) The Chief Justice may make such rules of court as are necessary for the purpose of giving effect to the provisions of this Act.

Amendment of
Schedule I.

36. The Minister may, by Order, amend Schedule I.

Repeal.

37.—(1) The Extradition Acts, 1870 to 1935, of England, which are in force in Belize as applied law, and any other laws relating to extradition that were in force in Belize immediately before the commencement of this Act shall, on coming into operation of this Act, cease to apply to Belize.

Schedule IX.

(2) The Acts set out in Schedule IX are hereby repealed.

Savings.

38.—(1) Notwithstanding the provisions of section 37—

Cap 112.

(a) the Extradition Acts, 1870 to 1935, of England and the Extradition Act of Belize, shall continue to apply to any extradition proceedings pending before any court on the coming into operation of this Act;

(b) an Order in Council made under the Extradition Acts, 1870 to 1935, of England shall have effect as if those Acts were still in force and

(c) an extradition treaty remains in force and is deemed to be an extradition arrangement for the purposes of this Act if the extradition treaty—

(i) is one to which Belize is party immediately before the commencement of this Act; or

(ii) otherwise binds Belize immediately before the commencement of this Act.

(2) Forms and documents prescribed under the Extradition Acts, 1870 to 1935, of England shall continue to be in force and applied, *mutatis mutandis*, until they are replaced.

Commencement.

39. This Act comes into force on date to be appointed by the Minister by Order published in the Gazette.

SCHEDULE I
[section 2]

Commonwealth Countries

Antigua and Barbuda	Ghana	Mozambique	Singapore
Australia	Grenada	Namibia	South Africa
The Bahamas	Guyana	Nauru	Sri Lanka
Bangladesh	India	New Zealand	Swaziland
Barbados	Jamaica	Nigeria	Tanzania
Botswana	Kenya	Pakistan	Tonga
Brunei Darussalam	Kiribati	Papua New Guinea	Trinidad and Tobago
Cameroon	Lesotho	St. Kitts and Nevis	Tuvalu
Canada	Malawi	St. Lucia	Uganda
Cyprus	Malaysia	St. Vincent and the Grenadines	United Kingdom
Dominica	Maldives	Samoa	Vanuatu
Fiji	Malta	Seychelles	Zambia
The Gambia	Mauritius	Sierra Leone	Zimbabwe

SCHEDULE II
[section 7]

**Extradition Agreement between Government of Belize and
Government of the United States of America**

The Government of Belize and the Government of the United States of America,

Recalling the Extradition Treaty between the United Kingdom of Great Britain and Northern Ireland and the United States of America, signed at London June 8, 1972, and

Noting that both the Government of Belize and the Government of the United States of America currently apply the terms of that Treaty, and

Desiring to provide for more effective cooperation between the two States in the suppression of crime, and, for that purpose, to conclude a new treaty for the extradition of offenders;

Have agreed as follows,

Article 1

Obligation to Extradite

The Contracting States agree to extradite to each other, pursuant to the provisions of this Treaty, persons sought for prosecution or convicted of an extraditable offense by the authorities in the Requesting State.

Article 2

Extraditable Offenses

1. An offense shall be an extraditable offense if it falls within any of the descriptions listed in the Schedule annexed to this Treaty, which is an integral part of the Treaty, or any other offense, provided that in either case the offense is punishable under the laws in both Contracting States by deprivation of liberty for a period of more than one year or by a more severe penalty.
2. An offense shall also be an extraditable offense if it consists of an attempt or a conspiracy to commit, aiding or abetting, counseling or procuring the commission of, or being an accessory before or after the fact to, any offense described in paragraph 1.
3. For the purposes of this Article, an offense shall be an extraditable offense,

Extradition

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

4. If the offense was committed outside of the territory of the Requesting State, extradition shall be granted in accordance with this Treaty if the laws in the Requested State provide for punishment of an offense committed outside of its territory in similar circumstances.

5. 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.

*Article 3**Nationality*

Extradition shall not be refused on the ground that the person sought is a national of the Requested State.

*Article 4**Political and Military Offenses*

1. Extradition shall not be granted if the offense for which extradition is requested is a political offense.
2. For the purposes of this Treaty, the following offenses shall not be considered to be political offenses,
 - (a) a murder or other wilful crime against the person of a Head of State of one of the Contracting States, or of a member of the Head of State's family;
 - (b) an offense for which both Contracting States have the obligation pursuant to a multilateral international agreement to extradite the person sought or to submit the case to their competent authorities for decision as to prosecution; and
 - (c) a conspiracy or attempt to commit any of the foregoing offenses, or aiding or abetting a person who commits or attempts to commit such offenses.

3. Notwithstanding the terms of paragraph 2 of this Article, extradition shall not be granted if the executive authority of the Requested State determines that the request was politically motivated.

4. The executive authority of the Requested State may refuse extradition for offenses under military law which are not offenses under ordinary criminal law.

Article 5

Prior Prosecution

1. Extradition shall not be granted when the person sought has been convicted or acquitted in the Requested State for the offense for which extradition is requested.

2. Extradition shall not be precluded by the fact that the authorities in the Requested State have decided not to prosecute the person sought for the acts for which extradition is requested, or to discontinue any criminal proceedings which have been instituted against the person sought for those acts.

Article 6

Extradition Procedures and Required Documents

1. All requests for extradition shall be submitted through the diplomatic channel.

2. All requests shall be supported by,

(a) documents, statements, or other types of evidence which describe the identity, and probable location of the person sought;

(b) evidence describing the facts of the offense and the procedural history of the case;

(c) evidence as to,

(i) the provisions of the laws describing the essential elements of the offense for which extradition is requested;

(ii) the provisions of the law describing the punishment for the offense; and

(iii) the provisions of law describing any time limit on the prosecution; and

- (d) the documents, statements, or other types of evidence specified in paragraph 3 or paragraph 4 of this Article, as applicable.

3. A request for extradition of a person who is sought for prosecution shall also be supported by,

- (a) a copy of the warrant or order of arrest, if any, issued by a judge or other competent authority of the Requesting State;
- (b) a document setting forth the charges; and
- (c) such evidence as would be found sufficient, according to the law of the Requested State, to justify the committal for trial of the person sought if the offense of which the person has been accused had been committed in the Requested State.

4. A request for extradition relating to a person who has been convicted of the offense for which extradition is sought shall, in addition to the materials listed in paragraph 2 of this Article, be supported by,

- (a) a copy of the judgment of conviction or, if such copy is not available, a statement by a judicial authority that the person has been convicted;
- (b) evidence establishing that the person sought is the person to whom the conviction refers;
- (c) a copy of the sentence imposed, if the person sought has been sentenced, and a statement establishing to what extent the sentence has been carried out; and
- (d) in the case of a person who has been convicted in absentia, the documents required by paragraph 3 of this Article.

Article 7

Admissibility of Documents

The documents which accompany an extradition request shall be received and admitted as evidence in extradition proceedings if,

- (a) in the case of a request from the United States, they are authenticated by an officer of the United States Department of State and are certified by the principal diplomatic or consular officer of Belize resident in the United States;
- (b) in the case of a request from Belize, they are certified by the principal diplomatic or consular officer of the United States

resident in Belize, as provided by the extradition laws of the United States; or

- (c) they are certified or authenticated in any other manner accepted by the law of the Requested State.

Article 8

Lapse of Time

Extradition shall not be denied because of the prescriptive laws of either the Requesting State or the Requested State.

Article 9

Provisional Arrest

1. In case of urgency, a Contracting State may request the provisional arrest of the person sought pending presentation of the request for extradition. A request for provisional arrest may be transmitted through the diplomatic channel or directly between the United States Department of Justice and the Attorney General in Belize. Such a request may also be transmitted through the facilities of the International Criminal Police Organization (INTERPOL), or through such other means as may be settled by arrangement between the Contracting States.

2. The application for provisional arrest shall contain,

- (a) a description of the person sought;
- (b) the location of the person sought, if known;
- (c) a brief statement of the facts of the case, including, if possible, the time and location of the offense;
- (d) a description of the laws violated;
- (e) a statement of the existence of a warrant of arrest or a finding of guilt or judgment of conviction against the person sought; and
- (f) a statement that a request for extradition for the person sought will follow.

3. The Requesting State shall be notified without delay of the disposition of its application and the reasons for any denial.

4. A person who is provisionally arrested may be discharged from custody upon the expiration of sixty (60) days from the date of provisional

arrest pursuant to this Treaty if the executive authority of the Requested State has not received the formal request for extradition and the supporting documents required in Article 6. The person arrested pursuant to this Article shall have the right of access to the courts for such remedies and recourses as are provided by the law of the Requested State.

5. The fact that the person sought has been discharged from custody pursuant to paragraph 4 of this Article shall not prejudice the subsequent re-arrest and extradition of that person if the extradition request and supporting documents are delivered at a later date.

Article 10

Decision and Surrender

1. Extradition shall be granted only if the evidence is found sufficient according to the law of the Requested State either to justify the committal for trial of the person sought if the offense of which the person is accused had been committed in the territory of the Requested State or to prove that the person is the identical person convicted by the courts of the Requesting State.

2. The Requested State shall promptly notify the Requesting State through the diplomatic channel of its decision on the request for extradition.

3. If the request is denied in whole or in part, the Requested State shall provide an explanation of the reasons for the denial. The Requested State shall provide copies of pertinent judicial decisions upon request.

4. If the request for extradition is granted, the authorities of the Contracting State shall agree on the time and place for the surrender of the person sought.

5. If the person sought is not removed from the territory of the Requested State within the time prescribed by the law of that State, that person may be discharged from custody, and the Requested State may subsequently refuse extradition for the same offense.

Article 11

Temporary and Deferred Surrender

1. If the extradition request is granted in the case of a person who is being proceeded against or is serving a sentence in the Requested State, the Requested State may temporarily surrender the person sought to the Requesting State for the purpose of prosecution. The person so surrendered shall be kept in custody in the Requesting State and shall be returned to the Requested State after the conclusion of the proceedings against that person, in accordance with conditions to be determined by mutual agreement of the Contracting States.

2. The Requested State may postpone the extradition proceedings against a person who is being prosecuted or who is serving a sentence in that State. The postponement may continue until the prosecution of the person sought has been concluded or until such person has served any sentence imposed.

Article 12

Requests for Extradition Made by Several States

If the Requested State receives requests from the other Contracting State and from any other State or States for the extradition of the same person, either for the same offense or for different offenses, the executive authority of the Requested State shall determine to which State it will surrender the person. In making its decision, the Requested State shall consider all relevant factors, including but not limited to,

- (a) whether the requests were made pursuant to treaty;
- (b) the place where each offense was committed;
- (c) the respective interests of the Requesting States;
- (d) the gravity of the offenses;
- (e) the nationality of the victim;
- (f) the possibility of further extradition between the Requesting States; and
- (g) the chronological order in which the requests were received from the Requesting States.

Article 13

Seizure and Surrender of Property

1. To the extent permitted under its law, the Requested State may seize and surrender to the Requesting State all articles, documents, and evidence connected with the offense in respect of which extradition is granted. The items mentioned in this Article may be surrendered even when the extradition cannot be effected due to the death, disappearance, or escape of the person sought.

2. The Requested State may condition the surrender of the property upon satisfactory assurances from the Requesting State that the property will be returned to the Requested State as soon as practicable. The Requested State

may also defer the surrender of such property if it is needed as evidence in the Requested State.

3. The rights of third parties in such property shall be duly respected.

Article 14

Rule of Speciality

1. A person extradited under this Treaty may not be detained, tried, or punished in the Requesting State except for,

- (a) the offense for which extradition has been granted or a differently denominated offense based on the same facts on which extradition was granted, provided such offense is extraditable, or is a lesser included offense;
- (b) an offense committed after the extradition of the person; or
- (c) an offense for which the executive authority of the Requested State consents to the person's detention, trial, or punishment. For the purpose of this subparagraph,
 - (i) the Requested State may require the submission of the documents called for in Article 6; and
 - (ii) the person extradited may be detained by the Requesting State for 90 days, or for such longer period of time as the Requested State may authorize, while the request is being processed.

2. A person extradited under this Treaty may not be extradited to a third State for an offense committed prior to his surrender unless the surrendering State consents.

3. Paragraphs 1 and 2 of this Article shall not prevent the detention, trial, or punishment of an extradited person, or the extradition of that person to a third State, if,

- (a) that person leaves the territory of the Requesting State after extradition and voluntarily returns to it; or
- (b) that person does not leave the territory of the Requesting State within 10 days of the day on which that person is free to leave.

Article 15

Waiver of Extradition

If the person sought consents to surrender to the Requesting State, the Requested State may surrender the person as expeditiously as possible without further proceedings.

Article 16

Transit

1. Either Contracting State may authorize transportation through its territory of a person surrendered to the other State by a third State. A request for transit shall be transmitted through the diplomatic channel or directly between the Department of Justice in the United States and the Attorney General in Belize. Such a request may also be transmitted through the facilities of the International Criminal Police Organization (INTERPOL), or through such other means as may be settled by arrangement between the Contracting States. It shall contain a description of the person being transported and a brief statement of the facts of the case. A person in transit may be detained in custody during the period of transit.

2. No authorization is required where air transportation is used and no landing is scheduled on the territory of the Contracting State. If an unscheduled landing occurs on the territory of the other Contracting State, the other Contracting State may require the request for transit as provided in paragraph 1. That Contracting State may detain the person to be transported until the request for transit is received and the transit is effected, so long as the request is received within 96 hours of the unscheduled landing.

Article 17

Representations and Expenses

1. The Requested State shall advise, assist, appear in court on behalf of the Requesting State, and represent the interests of the Requesting State, in any proceeding arising out of a request for extradition.

2. The Requesting State shall bear the expenses related to the translation of documents and the transportation of the person surrendered. The Requested State shall pay all other expenses incurred in that State by reason of the extradition proceedings.

3. Neither State shall make any pecuniary claim against the other State arising out of the arrest, detention, examination, or surrender of persons sought under this Treaty.

Article 18

Consultation

Extradition

The Department of Justice of the United States and the Attorney General of Belize may consult with each other directly in connection with the processing of individual cases and in furtherance of maintaining and improving procedures for the implementation of this Treaty.

Article 19

Application

This Treaty shall apply to offenses committed before as well as after the date it enters into force, provided that extradition shall not be granted for an offense committed before this Treaty enters into force which was not an offense under the laws of both Contracting States at the time of its commission. Nothing in this Treaty shall be construed to criminalize any conduct that was not subject to criminal sanctions at the time the offense was committed.

Article 20

Ratification and Entry into Force

1. This Treaty shall be subject to ratification, the instruments of ratification shall be exchanged as soon as possible.
2. This Treaty shall enter into force upon the exchange of the instruments of ratification.
3. Upon the entry into force of this Treaty, the Extradition Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, signed at London June 8, 1972, shall cease to have any effect between the United States and Belize. Nevertheless, the prior Treaty shall apply to any extradition proceedings in which the extradition documents have already been submitted to the courts of the Requested State at the time this Treaty enters into force, except that Article 15 of this Treaty shall be applicable to such proceedings. Article 14 of this Treaty shall apply to persons found extraditable under the prior Treaty.

Article 21

Termination

Either Contracting State may terminate this Treaty at any time by giving written notice to the other Contracting State, and the termination shall be effective six months after the date of receipt of such notice.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments have signed this Treaty.

Done at Belize, in duplicate, this 30th day of March, 2000.

FOR THE GOVERNMENT OF FOR THE GOVERNMENT BELIZE: OF
THE UNITED STATES
OF AMERICA:

SCHEDULE

List of Offenses Referred to in Treaty

1. Murder; attempt to murder, including assault with intent to commit murder;
2. Manslaughter;
3. Malicious wounding; maiming; inflicting grievous bodily harm; assault occasion in actual bodily harm; unlawful throwing or application of any corrosive or injurious substance upon the person of another;
4. Offenses of a sexual nature, including rape, sexual assault, indecent assault, unlawful sexual acts upon children or persons with mental disabilities;
5. Procuring a person for immoral purposes; living on the earnings of prostitution;
6. Bigamy;
7. Kidnapping and abduction; false-imprisonment;
8. Offenses relating to children, including neglecting, ill- treating, abandoning, exposing, stealing or exploiting a child, whether for sexual or other purposes;
9. Obtaining property, money, valuable securities or other pecuniary advantage by false pretense or other forms of deception; theft; larceny; embezzlement; any other offense in respect of property involving fraud;
10. Robbery; assault with intent to rob;
11. Burglary, housebreaking, shopbreaking, or similar offenses;
12. Receiving or otherwise handling any goods, money, valuable securities or other property, knowing the same to have been stolen or unlawfully obtained;
13. Criminal intimidation; blackmail; extortion;
14. Offenses against the laws relating to corporations or companies, including false statements and other offenses committed by company directors, promoters, and other officers;


15. False accounting;
16. Fraud, including fraud against the Government or against individuals, including behavior which has the effect of depriving the Government, its agencies, or its citizens of money, valuable property, or the ability to conduct their affairs free from false statements and deceit;
17. Offenses against bankruptcy laws;
18. Any offense relating to counterfeiting; any offense against the laws relating to forgery or uttering what is forged;
19. Offenses against the law relating to bribery of persons, including the corrupt offering, paying, or making of inducements to any foreign official or foreign political party, official thereof, or candidate for foreign political office to assist such person in obtaining or retaining business for himself or in directing business to any other person; soliciting bribes, offering or accepting bribes;
20. Perjury and subornation of perjury; false statement; attempting to pervert or obstruct the course of justice;
21. Arson;
22. Malicious damage to property;
23. Money laundering;
24. Offenses relating to the wilful issuance of a bad (illicit) check, including the issuance of a check under a false name or without having made arrangements with financial institution, or after transactions have been suspended by such an institution; and the wilful failure to honor the check;
25. An offense against the law relating to consumer protection;
26. An offense against the law relating to firearms, weapons, or explosive of;
27. An offense relating to the protection of public health or the environment, including conduct directed at the destruction, defacing, deterioration, or harming of the earth's environment;
28. An offense against the laws relating to protection of intellectual property, copyrights, patents, or trademarks;
29. Offenses relating to fiscal matters, taxes or duties, including tax evasion or fiscal fraud, notwithstanding that the law of the Requested State does not impose the same kind or duty or does not contain a tax,

duty, or customs regulation of the same kind as the law of the Requesting State;

30. Smuggling; an offense against the law relating to the control of exportation or importation of goods of any type, or the intentional transfer of funds;
 31. Immigration offenses, including alien smuggling;
 32. An offense relating to gambling or lotteries;
 33. Piracy, mutiny or other mutinous acts committed on board a vessel at sea;
 34. Unlawful use, destruction, possession, control, seizure or hijacking of aircraft, vessels or other means of transportation;
 35. Any malicious act done with intent to endanger the safety of persons travelling or being upon a railway;
 36. Genocide or direct and public incitement to commit genocide;
 37. Offenses under multilateral intentional conventions, binding on the Requesting and Requested States, for which fugitive offenders may be prosecuted or surrendered;
 38. Impeding the arrest, detection or prosecution of a person who has or is believed to have committed an offense for which surrender may be granted under this Treaty;
 39. An offense relating to escape from custody, or flight to avoid prosecution;
 40. An offense relating to the law against terrorism.
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SCHEDULE III
[section 8]

EXTRADITION AGREEMENT BETWEEN THE GOVERNMENT
OF BELIZE AND THE GOVERNMENT OF THE UNITED MEXICAN STATES



EXTRADITION TREATY
BETWEEN
THE GOVERNMENT OF THE
UNITED MEXICAN STATES
AND THE GOVERNMENT OF BELIZE

— * * * —


INSTRUMENT OF RATIFICATION

WHEREAS a Treaty on Extradition was signed at Mexico City on the 29th day of August, One Thousand nine hundred and eighty-eight by representatives of the Government of the United Mexican States and the Government of Belize which Treaty is, word for word, contained in the Schedule attached hereto;

The Government of Belize having considered the Treaty aforesaid hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS WHEREOF this Instrument of Ratification is signed and sealed by the Minister of Foreign Affairs of the Government of Belize.

DONE at Belmopan this 25th day of May, One thousand nine hundred and eighty-nine.


DEAN O. BARRON
Minister of Foreign Affairs

EXTRADITION TREATY
BETWEEN
THE GOVERNMENT OF THE
UNITED MEXICAN STATES
AND THE GOVERNMENT OF BELIZE

----- * * * * -----
INSTRUMENT OF RATIFICATION

WHEREAS a Treaty on Extradition was signed at Mexico City on the 29th day of August, One Thousand nine hundred and eighty-eight by representatives of the Government of the United Mexican States and the Government of Belize which Treaty is, word for word, contained in the Schedule attached hereto;

The Government of Belize having considered the Treaty aforesaid hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS WHEREOF this Instrument of Ratification is signed and sealed by the Minister of Foreign Affairs of the Government of Belize.

DONE at Belmopan this 25th day of May, One thousand nine hundred and eighty-nine.


DEAN G. BARRON

Minister of Foreign Affairs

EXTRADITION TREATY BETWEEN THE GOVERNMENT OF
BELIZE AND THE GOVERNMENT OF THE UNITED MEXICAN STATES

The Government of Belize and the Government of the United Mexican States;

Desiring to cooperate more closely in the fight against crime and, to this end, to mutually render better assistance in matters of extradition;

Have agreed as follows:

ARTICLE I

Obligation to Extradite

1. The Contracting Parties agree to mutually extradite, subject to the provisions of this Treaty, persons whom the competent authorities of the requesting Party have charged with an offence or have found guilty of committing an offence, or who are wanted by the said authorities to complete a judicially pronounced penalty of deprivation of liberty for an offence committed within the territory of the requesting Party.
2. For an offence committed outside the territory of the requesting Party, the requested Party shall grant extradition if:
 - a) Its laws would provide for the punishment of such an offence committed in similar circumstances, or
 - b) the person sought is a national of the requesting Party and that Party has jurisdiction under its own laws to try that person.

ARTICLE 2

Extraditable Offences

1. Extradition shall be granted for an act or omission the facts of which disclose an offence within any of the descriptions listed in the Schedule annexed to this Treaty, which is an integral part of the Treaty.
2. Extradition shall also be granted for any other offence which, although not included in the Schedule, is punishable, in accordance with the laws of both Contracting Parties, by imprisonment or other form of detention for more than one year, or in the case of Belize and subject to Article 8, to the death penalty.
3. Extradition shall also be granted for any attempt or conspiracy to commit an offence within paragraphs 1 and 2 of this Article if such attempt or conspiracy is one for which extradition may be granted under the laws of both Parties and is punishable under the laws of both Parties by imprisonment or other form of detention for more than one year, or in the case of Belize and subject to Article 8, to the death penalty.
4. A person convicted of and sentenced for an offence shall not be extradited therefor unless he was sentenced to imprisonment or other form of detention for a period of six months or more, or in the case of Belize and subject to Article 8 to the death penalty.

ARTICLE 3

Evidence Required

Extradition shall be granted only if the evidence be found suf-

ficient, according to the laws of the requested Party, either to justify the committal for trial of the person sought if the offence of which he has been accused had been committed in the territory of the requested Party, or to prove that he is the identical person convicted by the courts of the requesting Party.

ARTICLE 4

Territorial Application

1. For the purposes of this Treaty, the territory of a Contracting Party shall include all the territory under the jurisdiction of that Contracting Party, including airspace and territorial waters and vessels and aircraft registered in the territory of that Contracting Party if any such aircraft is in flight when the offence is committed.
2. For the purposes of this Treaty, an aircraft shall be considered to be in flight at any time from the moment when all its external doors are closed following the embarkation until the moment when any such door is opened for disembarkation.

ARTICLE 5

Political and Military Offences

1. Extradition shall not be granted when the offence for which it is requested is political or of a political character.
2. If any question arises as to the application of the foregoing paragraph, the competent authority of the requested Party shall decide the same.
3. For the purpose of this Treaty, the following offences shall not

be considered to be offences included in paragraph 1:

- a) Murder or other offence against the life or person of a Head of State or Head of Government or of his family, including attempts to commit any such offence.
- b) An offence which the Contracting Parties may have the obligation to prosecute by reason of any international agreement.

4. Extradition shall not be granted when the offence for which extradition is requested is a purely military offence.

ARTICLE 6

Non Bis in Idem

Extradition shall not be granted when the person sought has been prosecuted or has been tried and convicted or acquitted by the requested Party for the offence for which extradition is requested.

ARTICLE 7

Lapse of Time

Extradition shall not be granted when the prosecution or the enforcement of the penalty for the offence for which extradition has been requested has become barred by lapse of time according to the laws of the requesting or requested Party.

ARTICLE 8

Capital Punishment

If the offence for which extradition is requested is punishable by death under the laws of the requesting Party, but the laws of the

requested Party do not permit such punishment for that offence, extradition may be refused unless the requesting Party furnishes such assurances as the requested Party considers sufficient that the death penalty shall not be executed.

ARTICLE 9

Extradition of Nationals

1. Either Contracting Party may, in its absolute discretion, refuse to extradite its own nationals.

2. If extradition is refused pursuant to paragraph 1 of this Article, the requested Party shall submit the case to its competent authority for the purpose of prosecution, provided that Party has jurisdiction over the offence.

ARTICLE 10

Extradition Procedures and Required Documents

1. The request for extradition shall be made through the diplomatic channel.

2. The request for extradition shall contain the description of the offence for which extradition is requested and shall be accompanied by:
 - a) a statement of the facts of the case;

 - b) the text of the legal provisions describing the essential elements of the offence;

 - c) the text of the legal provisions describing the punishment for

the offence;

d) the text of the legal provisions relating to the time limit on the prosecution or the execution of the punishment of the offence;

e) the facts and personal information of the person sought which will permit his identification and, where possible, information concerning his location.

3. In addition, when the request for extradition relates to a person who has not yet been convicted, it shall be accompanied by:

a) a certified copy of the warrant of arrest issued by a judge, magistrate or other competent authority of the requesting Party;

b) Evidence which, in accordance with the laws of the requested Party, would justify the apprehension and committal for trial of the person sought if the offence had been committed in the territory of the requested Party including evidence that the person sought is the person to whom the warrant of arrest refers.

4. When the request for extradition relates to a convicted person, it shall be accompanied by a certified copy of the judgment of conviction imposed by a court of the requesting Party.

If the person was found guilty but not sentenced, the request for

extradition shall be accompanied by a certificate to that effect and a certified copy of the warrant of arrest.

If such person has already been sentenced, the request for extradition shall be accompanied by a certificate of the sentence imposed and a statement indicating which part of the sentence has not been carried out.

5. All the documents that must be presented by the requesting Party in accordance with the provisions of this Treaty shall be accompanied by a translation in the language of the requested Party.

6. The documents which, according to this Article, shall accompany the request for extradition, shall be received in evidence in any proceedings for extradition when:

a) in the case of a request emanating from Belize, they are certified by the principal diplomatic or consular officer of Belize in the United Mexican States.

b) in the case of a request emanating from the United Mexican States, they are certified by the principal diplomatic or consular officer of the United Mexican States in Belize.

ARTICLE 11

Provisional Arrest

1. In the case of urgency, either Contracting Party may request through the diplomatic channel, the provisional arrest of an accused or convicted person. The application shall contain a description of the

offence for which the extradition is requested, a description of the person sought and his whereabouts, and undertaking to formalize the request for extradition, and a declaration of the existence of a warrant of arrest issued by a competent authority or a judgment of conviction made against the person sought.

2. On receipt of such a request, the requested Party shall take necessary steps to ensure the arrest of the person sought.

3. Provisional arrest shall be terminated if, within a period of sixty days after the apprehension of the person sought, the competent authority of the requested Party has not received the formal request for extradition and the documents mentioned in Article 10.

4. The fact that the provisional arrest is terminated pursuant to paragraph 3, shall not prejudice the extradition of the person sought if the formal request for extradition and the necessary documents mentioned in Article 10 are received at a later date.

ARTICLE 12

Additional Evidence

If the competent authority of the requested Party considers that the evidence furnished in support of the request for extradition is not sufficient in order to fulfill the requirements of this Treaty, that Party shall request the presentation of the necessary additional evidence.

ARTICLE 13

Procedure

1. The request for extradition shall be processed in accordance with

the laws of the requested Party.

2. The requested Party shall make all arrangements necessary for internal procedures arising out of the request for extradition.

3. The competent legal authorities of the requested Party shall be authorized to employ all legal means within their power to obtain from the judicial authorities the decisions necessary for compliance with the request for extradition.

ARTICLE 14

Decision and Surrender

1. The requested Party shall promptly communicate to the requesting Party through the diplomatic channel its decision on the request for extradition.

2. In the case of complete or partial rejection of a request for extradition, the requested Party shall give the reasons on which it was based.

3. If the extradition is granted, the surrender of the person sought shall take place within such time as may be prescribed by the laws of the requested Party. The competent authorities of the Contracting Parties shall agree on the date and place of the surrender of the person sought.

4. If the competent authority has issued the warrant or order for the extradition of the person sought and he is not removed from the territory of the requested Party within the prescribed period, he shall be set at liberty and the requested Party may subsequently refuse to extra

dite him for the same offence.

ARTICLE 15

Delayed Surrender

The requested Party, after granting the extradition, may defer the surrender of the person sought when that person is being proceeded against or is serving a sentence in the territory of the requested Party for a different offence, until the conclusion of the proceeding or the full execution of the punishment that has been imposed.

ARTICLE 16

Requests for extradition made by

Third States

If the extradition of a person is requested concurrently by one of the Contracting Parties and by one or more Third States, either for the same offence or for different offences, the requested Party shall make its decision, in so far as its law allows, having regard to all the circumstances, including the provisions in this regard in any Agreements in force between the requested Party and the requesting States, the relative seriousness and the place of commission of the offences, the respective dates of the requests, the nationality of the person sought and the possibility of subsequent extradition to another State.

ARTICLE 17

Rule of Speciality

1. A person extradited under the present Treaty shall not be detained, tried or punished in the territory of the requesting Party for an offence other than that for which extradition has been granted nor extra-

dited by that Party to a third State unless:

- a) he has left the territory of the requesting Party after his extradition and has voluntarily returned to it;
- b) he has not left the territory of the requesting Party within 60 days after being free to do so, or
- c) the requested Party has given its consent to his detention, trial, punishment or extradition to a third State for an offence other than that for which the extradition was granted.

These stipulations shall not apply to offences committed after the extradition.

2. If, subsequent to the extradition of the person sought, the classification of the offence for which that person was extradited, is changed, he shall be tried and sentenced on the condition that the offence, in its new legal form:

- a) is based on the same set of facts established in the request for extradition and in the documents presented in its support; and
- b) is punishable with the same maximum sentence as the crimes for which he was extradited or with a lesser sentence.

ARTICLE 18

Summary Extradition

If the person sought informs the competent authorities of the

requested Party that he agrees to be extradited, that Party may grant his extradition without further proceedings, and shall take all measures under its laws to expedite the extradition. In such cases Article 17 shall not be applicable.

ARTICLE 19

Surrender of Property

1. To the extent permitted under the laws of the requested Party and subject to the rights of third parties, which shall be duly protected, all articles, instruments, objects of value or documents related to the offence, whether or not used for its commission, or which in any manner may be material evidence for the prosecution, shall be surrendered upon the granting of the extradition even when extradition cannot be effected due to the death, disappearance or escape of the person sought.
2. The requested Party may condition the surrender of articles on receiving satisfactory assurance from the requesting Party that the articles shall be returned to the requested Party as soon as possible.

ARTICLE 20

Transit

1. Each Contracting Party shall, subject to its laws, allow a person who is not its own national and who has been surrendered to the other Contracting Party by a third State, to be transported through its territory upon presentation made through the diplomatic channel of a certified copy of the decision on extradition, provided that reasons of public order are not opposed to the transit.
2. The authorities of the transit State shall be in charge of the

custody of the extradited person while that person is in its territory.

3. The Party to which the person has been extradited shall reimburse to the Party through whose territory such person is transported all expenses incurred by the latter in connection with such transportation.

ARTICLE 21

Expenses

The requested Party shall bear the expenses of the arrangements referred to in Article 13, with the exception that the expenses incurred in the translation of documents and, if applicable, for the transportation of the person extradited shall be paid by the requesting Party.

ARTICLE 22

Scope of Application

1. This Treaty shall apply to the offences specified in Article 2 and the annexed Schedule committed before or after this Treaty enters into force, provided that extradition shall not be granted for an offence committed before this Treaty enters into force which was not an offence under the laws of both Contracting Parties at the time of its commission.

2. Requests for extradition that are under process on the date of entry into force of this Treaty, shall be resolved in accordance with the provisions of the Treaty of 7th September, 1886, between the United Kingdom of Great Britain and Ireland and the United Mexican States.

ARTICLE 23

Ratification, Entry into Force, Termination

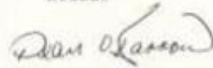
1. This Treaty shall be subject to ratification; the exchange of instruments of ratification shall take place in Belmopan as soon as possible.
2. This Treaty shall enter into force on the date of exchange of instruments of ratification.
3. On entry into force of this Treaty, the Treaty of Extradition dated the 7th September, 1986, between the United Kingdom of Great Britain and Ireland and the United Mexican States, shall cease to have effect between Belize and the United Mexican States subject to the provisions of Article 22.
4. Either of the Contracting Parties may terminate this Treaty at any time by giving notice to the other through the diplomatic channel. In that event the Treaty shall cease to have effect six months after the receipt of the notice.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

Done in two originals, in the English and Spanish languages each


of which is equally authentic, at Mexico City this 29th day of August,
one thousand nine hundred and eighty-eight.

For the Government of
Belize



Dean O. Barrow
Attorney General Minister of
Foreign Affairs and Economic
Development

For the Government of the
United Mexican States



Bernardo Sepulveda Amor
Minister of Foreign Affairs

SCHEDULE

LIST OF OFFENCES REFERRED TO IN ARTICLE 2

1. Murder, manslaughter, patricide, infanticide, abortion, unlawfully administering drugs or using instruments with intent to procure the miscarriage of a woman.
2. Intentionally wounding or inflicting dangerous or grievous bodily harm.
3. Abandoning or stealing a child.
4. Kidnapping, abduction, false imprisonment.
5. Rape, indecent assault, carnal knowledge, including illicit sexual acts committed with children.
6. Pimping, procuring a woman or young person for immoral purposes, living on the earnings of prostitution.
7. Robbery, theft, assault with intent to rob, burglary or house-breaking.
8. Fraud in all its forms.
9. Embezzlement, misuse of public funds, maladministration of property.
10. Crimes relating to forgery and falsification in all their forms.

11. Blackmail and extortion.
12. Receiving or otherwise handling any goods, money, valuable securities or other property, knowing or believing the same to have been stolen or unlawfully obtained.
13. Arson, destroying or damaging property.
14. All offences against the law relating to narcotic drugs, cannabis sativa L, hallucinogenic or psychotropic drugs, opium, cocaine and its derivatives, and other dangerous drugs or dangerous chemical products.
15. Crimes relating to the control of poisonous chemical products or the control of substances harmful to health.
16. Piracy.
17. Crimes against the security of the means of transport, including any act which endangers the safety of persons travelling or being upon any transport.
18. Hijacking or other unlawful seizure of trains, aircrafts, ships or other means of transport.
19. Crimes relating to prohibited arms, and control of firearms, ammunition, explosives, incendiary apparatus or nuclear materials.
20. Crimes against international commerce and crimes relating to international transmission of funds and precious metals.

21. Crimes relating to the importation, exportation, or transaction or conveyance of international assets, merchandise or articles, including historical or archaeological objects.
22. Crimes relating to customs.
23. Crimes relating to the control of mercantile societies and partnerships, bank institutions and other trustees.
24. Crimes relating to stock markets, including sale of shares, bonds and certificates of credit.
25. Crimes relating to bankruptcy or suspension of payments of a mercantile society or a partnership.
26. Crimes relating to monopolies and unfair practices.
27. Crimes relating to the protection of industrial property and the rights of the author.
28. Crimes relating to the abuse of authority.
29. Bribery, including soliciting, offering or accepting bribes.
30. Perjury, subornation of perjury, making false statutory declarations or other false statements without oath.
31. All crimes relating to the obstruction of justice, including the harbouring of a criminal or a suspected criminal, and the destruction of evidence.

SCHEDULE IV
[section 12(7)]

WARRANT OF APPREHENSION BY ORDER OF AN AUTHORITY
TO PROCEED

To all and each Police Officer of the Belize Police Department

Whereas, by order under his hand and seal, hath signified to me that requisition hath been duly made to him or her for the surrender of _____ late of _____ accused [or convicted] of the commission of the crime of _____ within the jurisdiction of _____: _____. This in therefore to command you in His majesty's name forthwith to apprehend the said _____ pursuant to the Extradition Act, (Act No. _____ of 2022), wherever he or she may be found in Belize and bring him or her before me or some other [Magistrate sitting in this court], to show cause why he or she should not be surrendered in pursuance of the said Extradition Act, for which this shall be your warrant.

Given under my hand and seal at _____, this day of _____, 20__.

SCHEDULE V
[section 13(1)]

WARRANT TO BRING A PRISONER BEFORE A MAGISTRATE

To Police Officers of the Belize Police Department of _____

Whereas _____ accused [or alleged to be convicted of] the commission of the crime of within the jurisdiction of _____ has been apprehended and brought before the undersigned and whereas by the Extradition Act, (Act No. of 2022), he or she is required to be brought before a Magistrate. This therefore to command you the said constable in His Majesty's name forthwith to take and convey the said _____ to the Magistrates Court [of the said Judicial District] and there carry him or her before a Magistrate to show cause why he should not be surrendered in pursuance of the Extradition Act, (Act No. of 2022), and otherwise to be dealt with in accordance with law, for which this shall be your warrant.

Given under my hand and seal at _____ this day
of 20.

SCHEDULE VI
[section 13(8)]

WARRANT OF COMMITTAL

To all or any member of the Belize Police Department and the Superintendent of Prisons

Be it remembered that on this day _____ of _____,
20 ____

_____ is brought before me [or any other Magistrates] to show cause why he should not be surrendered pursuant to the Extradition Act, (Act No. of 2022), on the ground of his being accused [or convicted] of the commission of a crime of _____ [the crime/s must be described according to the laws of Belize setting out the facts on which the offence consists, avoiding any generalized description of the foreign term which may be wider than the Belizean counterpart], within the jurisdiction of _____ [stating the date of the offence] and forasmuch as no sufficient cause has been shown to me why he should not be surrendered in pursuance of the said Act:

And it appears to me necessary to commit the said _____

This is therefore to command you the Police Officer forthwith to convey and deliver _____ into the custody of the Superintendent of Prisons, and you the said Superintendent of Prisons receive the said _____ into your custody, and to keep him there safely until he is thence delivered pursuant to the provisions of the said Extradition Act, for which this shall be your warrant.

Given under my hand this ___ day of _____ in the Year of Our Lord _____ at _____.

SCHEDULE VII
[section 16 (10)]

WARRANT FOR COMMITTAL (BY CONSENT)

To the keeper of _____.

Whereas _____

having been arrested pursuant to a warrant issued under section 12 of the Extradition Act, (Act No. of 2023) and having requested the Attorney General to order his return without and proceeding before magistrate under section 13 of that Act.

And the Attorney General having consented to that request of _____.

Now I do hereby, in pursuance of the said Act, order you the said keeper to deliver the body of the said _____ into the custody of the said _____, and I command you the said _____ to receive the said _____, and there place him in the custody of any person or persons appointed by the said _____ to receive him, for which this shall be your warrant.

Dated day of 20 __.

(Signed)

.....
Minister

SCHEDULE VIII
[section 17 (2)]

WARRANT FOR SURRENDER OF FUGITIVE

To the keeper of _____ and to _____ .

Whereas _____
accused [or convicted] of the commission of the crime of
_____ within the jurisdiction
of _____, was delivered into the custody of you
the keeper of Kolbe Foundation by warrant dated _____
pursuant to the Extradition Act, (Act No. of 2022).

Now I do hereby, in pursuance of the said Act, order you the said keeper
to deliver the body of the said
into the custody of the said _____, and I command you the said
to receive the said _____, and there place him in the custody of any
person or persons appointed by the said _____ to receive
him, for which this shall be your warrant.

Given under the hand and seal of Minister _____

This _____ day of _____ 20 _____ .

SCHEDULE IX
[section 37 (2)]

Acts to be Repealed

Acts of England

Extradition Act, 1870, c. 52

Extradition Act, 1873, c. 60

Extradition Act, 1895, c. 33

Extradition Act, 1906, c. 15

Extradition Act, 1932, c. 39

The Counterfeit Currency (Convention) Act, 1935, c.25.

Act of Belize

Extradition Act, Chapter 112 of the Substantive Laws of Belize, Revised Edition 2020.