

AZERBAIJAN – national procedures for extradition

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

<p>The competent authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:</p>	<p>1. International Co-operation Department of the Ministry of Justice of the Republic of Azerbaijan (under European Convention on Extradition, dated 13.12.1957) Tel: (+99412) 430 01 67; Fax: (+99412) 510 29 40; E-mail: international@justice.gov.az</p> <p>2. International Relations Department of the General Public Prosecutor's Office of the Republic of Azerbaijan (under Commonwealth of Independent States' Convention on Legal assistance and legal relations in civil, family and criminal matters, dated 22.01.1993) Tel: (+99412) 492 61 98; Fax: (+99412) 493 00 20; E-mail: intrelations@azdata.net</p>
<p>Language requirements:</p>	<p>Azeri language or one of the official languages of the Council of Europe by consent of the appropriate executive authority.</p>
<p>Time limits:</p>	<p>Maximum police custody – 48 hours; Time limit for presentation of formal extradition request: 18 days and no more than 40 days; Arrest if formal request received but extradition decision still pending: there's no time limit provided for by the legislation; Arrest if extradition decision made but surrender pending: 15 days.</p>
<p>Documentation required:</p>	<ul style="list-style-type: none"> - Extradition request; - the original or an authenticated copy of the conviction and sentence or detention order immediately enforceable or of the warrant of arrest; - a statement of the offences for which extradition is requested. The time and place of their commission, their legal descriptions and a reference to the relevant legal provisions; - a copy of the relevant enactments or, where this is not possible, a statement of the relevant law and as accurate a description as possible of the person claimed, together with any other information which will help to establish person's identity and nationality.
<p>Statutes of limitation for special offences:</p>	<p>According to the Law on Extradition of the Republic of Azerbaijan, adopted on 15 May 2001, extradition shall not</p>

	<p>be granted when the person claimed has, according to the law of either the requesting or the Republic of Azerbaijan, become immune by reason of lapse of time from prosecution or punishment (Article 3.1.6).</p> <p>Also according to this Law, extradition shall not be granted if the offence in respect of which it is requested is regarded by the Republic of Azerbaijan as a political offence or as an offence connected with a political offence (Article 3.1.3).</p> <p>Also according to this Law, extradition shall not be granted if the offence in respect of which it is requested is an offence under military law which is not an offence under ordinary criminal law (Article 3.1.7).</p>
Double criminality requirement:	Pursuant to the Law on Extradition of the Republic of Azerbaijan, extradition shall be granted in respect of offences punishable under the laws of the requesting country and of its own by deprivation of liberty or under a detention order for a maximum period of at least one year or by a more severe penalty (Article 2.1).
Provisions concerning extradition of nationals:	Pursuant to the Constitution of the Republic of Azerbaijan, extradition of nationals shall be refused (Article 53).
Possibility and requirements for simplified extradition:	under consideration
Means of communication:	It shall be communicated through the diplomatic channels, but other means of communication may be arranged by agreement.
Other particularly relevant information (such as national legislation, national guides on procedure, links to national web sites...):	Extradition cases are governed, other than international treaties including the European Convention on Extradition, by the Law on Extradition of the Republic of Azerbaijan, adopted on 15 May 2001, and Criminal Procedure Code of the Republic of Azerbaijan (Chapter LVII).