

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RECOMMENDATION No. R (80) 9

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES
CONCERNING EXTRADITION TO STATES NOT PARTY
TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

*(Adopted by the Committee of Ministers on 27 June 1980
at the 321st meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Desirous of strengthening the protection of human rights in cases concerning extradition requested by states not party to the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 ;

Having regard to the provisions of Article 3, paragraph 2, of the European Convention on Extradition of 13 December 1957,

Recommends the governments of member states :

1. not to grant extradition where a request for extradition emanates from a state not party to the European Convention on Human Rights and where there are substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing the person concerned on account of his race, religion, nationality or political opinion, or that his position may be prejudiced for any of these reasons ;

2. to comply with any interim measure which the European Commission of Human Rights might indicate under Rule 36 of its Rules of Procedure, as, for instance, a request to stay extradition proceedings pending a decision on the matter.