Czech Republic[1] – national procedures for extradition
Updated 01/01/2025

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.

CZECH REPUBLIC

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:	Ministry of Justice of the Czech Republic International Department for Criminal Matters Vyšehradská 16, 128 10 Praha 2 Tel No: +420 221 997 435 Fax No: +420 221 997 986 Email: mot@msp.gov.cz
If different from the Central Authority the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	-
Channels of communication for the request for extradition (directly, through diplomatic channels or other):	The request for extradition should be sent directly to the central authority unless communication through diplomatic channels is expressly requested or when there is no treaty between the requested and the requesting state.
Means of communication (eg. by post, fax, e-mail[2]):	Authorities of the Czech Republic may initiate proceeding on the basis of a request from an authority of a foreign state delivered by telephone, electronically, by fax, by the means of international police cooperation (INTERPOL), personally or otherwise, in accordance with the relevant legal provisions, provided they have no doubts regarding its authenticity and the case does not allow for delay. However, it is necessary for the original of the request to be submitted subsequently within the time limit determined by the requested authority.

[1] Updated 1 January 2025.
[2] Please indicate if encryption or electronic signature is required.

Language requirements:	Requests for extradition and supporting documents should be accompanied by translation into Czech language or one of the official languages of the Council of Europe.	
Documentation required:	The Czech Republic requires the documents stated in Article 12 Section 2 of the European Convention on Extradition.	
Provisional arrest:	Time limit for presentation of formal extradition request if the person is in provisional arrest	40 days since the person has been taken into provisional arrest
	Is there a need for an explicit request for prolongation of the provisional arrest beyond the 18 days mentioned in Article 16, paragraph 4 of the European Convention on Extradition (ETS No.24)?	No
Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the main differences:	Each type of the extradition procedure is triggered by apprehension of the person concerned by the extradition, or by requesting the necessary information. In case this preliminary investigation of the extradition procedure is initiated without an extradition request being received, the public prosecutor will immediately ask the Ministry of Justice to notify the competent foreign authority about the initiation of preliminary investigation and invite it to send a request for extradition. In the **formal extradition procedure,** in case the public prosecutor terminates the preliminary investigation by filling a petition, the court decides upon that petition whether the extradition is admissible. The final consent to the admissibility of the extradition must be expressed by the Minister of Justice. If a person sought expresses before the court his/her consent to be extradited, after being advised by the judge about the nature of the **simplified** extradition and consequences of his/her consent, no formal	

	proceedings is required. The judge only decides on taking the person into extradition custody or on conversion of preliminary custody into extradition custody. Under simplified procedure the rule of speciality does not apply and the competent foreign authority is not required to submit the original of the request for the extradition.
Detention before and after the receipt of the extradition request, (deadlines, conditional release, etc.):	If the ascertained matters of fact substantiate a concern that the person might flee, the judge may decide on taking the person into **preliminary custody** before the receipt of the extradition as well as after the receipt of that request. Unless stipulated by the European Convention on Extradition, Additional Protocols thereto or a bilateral treaty, the person concerned have to be released, if the request for extradition of a foreign state was not delivered to the Ministry of Justice within 40 days following the day of imposing the preliminary custody; this does not apply in case of simplified extradition. After the Minister of Justice decides to authorize extradition and in case of simplified extradition, the judge decides on taking the person into **extradition custody** or on conversion of preliminary custody into extradition custody. The extradition custody may not last longer than 3 months. The person must be released from extradition custody on the last day of this time period at the latest. In case the extradition could not be realized due to unforeseeable circumstances, that time limit can be extended up to 3 months. The total duration of extradition custody may not exceed 6 months.
Statutes of limitation for the purpose of prosecution and for the execution of sentences (general principles):	Period of limitation depends on sentence that might be imposed or was imposed. The most serious criminal offences are not subject to the statute of limitations. Relevant provisions are § 34 - § 35 and § 94 - § 95 of the Czech Criminal Code.
Provisions concerning extradition of nationals:	Extradition of nationals is prohibited. However, there are three exceptions to this rule: a) extradition under the

	European Arrest Warrant, b) surrender of a person to the International Criminal Court, and c) the person consents with his/her extradition.
Surrender (eg. deadlines):	The surrender should take place within 3 months since the decision of the judge on extradition custody.
Other particularly relevant information (such as, specific requirements concerning double criminality):	Specific rules concerning the double criminality apply in case of the European Arrest Warrant.
Links to national legislation, national guides on procedure,	Act on International Judicial Cooperation in Criminal Matters The Czech Criminal Code