

Israel – National Procedures for Extradition

Updated 12/09/19

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.

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| <p>The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:</p>   | <p>Department of International Affairs, Office of the State Attorney<br/>                 Ministry of Justice, State of Israel<br/>                 7 Mahal St. Ma'alot Dafna P.O. Box 49123 Jerusalem 9776316<br/>                 Tel: 073-3928261/2 Fax: 02-6467044<br/>                 E-mail: <a href="mailto:dia@justice.gov.il">dia@justice.gov.il</a></p> |
| <p>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):</p> | <p>Ministry of Foreign Affairs, State of Israel<br/>                 9 Yitzhak Rabin Blvd.<br/>                 Kiryat Ben-Gurion, Jerusalem 9103001<br/>                 Tel: 02-5303111 Fax: 02-5303367</p>  |
| <p>Channels of communication for the request for extradition (directly, through diplomatic channels or other):</p>  | <p>Diplomatic Channels; Advanced copies may be emailed or faxed to the Department of International Affairs</p>   |
| <p>Means of communication (e.g. by post, fax, e-mail<sup>1</sup>):</p>  | <p>E-mail: <a href="mailto:dia@justice.gov.il">dia@justice.gov.il</a><br/>                 Fax: 02-6467004</p>   |

<sup>1</sup> Please indicate if encryption or electronic signature is required.

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| Language requirements:   | A certified translation into Hebrew or English is required, when the original request is in a language other than English.   |   |
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| Documentation required:  | In addition to the required documents according to Article 12 of the European Convention on Extradition, the State of Israel requires that prima facie evidence be submitted with the request for extradition.   |   |
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| Provisional arrest:  | Time limit for presentation of formal extradition request if the person is in provisional arrest   | In accordance with Article 7 of the Israeli Extradition Law, the time limit for a provisional arrest is up to 20 days. The court may extend the time period for up to 60 days. If, after the request for extradition has been submitted, the Attorney General deems the case as fit to file a petition in court, the court may extend the provisional arrest for no more than an additional 10 days, in order to submit the petition. |
|  | 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)?  | However, in accordance with Article 16.4 of the European Convention on Extradition, a provisional arrest pursuant to the Convention shall not exceed 40 days.<br><br>Within the period of the provisional arrest, a notification on the status of preparation of the request for extradition may be required.   |
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| Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the | The extradition process begins with the Minister of Justice ordering to file a petition with the District Court in Jerusalem requesting to declare the requested person as "extraditable". After the legal proceedings have ended, and following the appellate phase, the Minister of Justice signs a warrant of surrender. This warrant is subject to judicial review. At any stage in the process, the requested person may ask to voluntarily return to the requesting country or consent to extradition. |   |

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| main differences:  |   |
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| Detention before and after the receipt of the extradition request, (deadlines, conditional release, etc.):     | <p>For Provisional Arrest proceedings – see above.</p> <p>After the petition for extradition has been filed in the Jerusalem District Court, the court may order the detention of the requested person until a decision has been rendered in the petition for declaring him or her extraditable. Once the court has decided to declare the requested person extraditable, the court may extend the detention until the warrant of surrender has been executed. Throughout the entire process, the court may decide that the requested person be released under restricted conditions.</p> |
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| Statutes of limitation for the purpose of prosecution and for the execution of sentences (general principles): | The State of Israel will extradite a requested person only if the offences for which the request was submitted have not been barred by time pursuant to the statute of limitations under Israeli law.   |
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| Provisions concerning extradition of nationals:  | When the extradition of an Israeli citizen who is also a resident, is requested, Israel requires a preliminary commitment that the requested person will be allowed to serve the prison sentence, if imposed, in Israel. While Israel will not grant extradition for the purpose of enforcement of a sentence concerning an Israeli national who is also a resident, it will consider the enforcement of the sentence in Israel, provided a proper request is submitted.  |
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| Surrender (e.g. deadlines):  | The surrender shall be carried out within 60 days from the time the courts' decision to declare the requested person as "extraditable" has become final. However, under certain circumstances, this period may be extended.   |
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| Other particularly relevant information (such as, specific requirements concerning double                      |   |

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| criminality):  |   |
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| Links to national legislation, national guides on procedure, | <a href="https://www.gov.it/en/departments/topics/international_affairs_department">https://www.gov.it/en/departments/topics/international_affairs_department</a> |