

LIECHTENSTEIN

National Procedures for Extradition

Updated on 07/10/2020

The Central Authority responsible for extradition	<p>Office of Justice P.O. Box 684 9490 Vaduz Liechtenstein</p> <p>Fax: +423 236 7581 Mail: mla.aju@lv.li</p> <p>Contacts: Mr. Harald Oberdorfer, +423 236 6590 Mr. Hubert Wachter, +423 236 7427</p>
If different from the Central Authority, the authority to which the request should be sent	
Channels of communication for the request for extradition: (directly, through diplomatic channels or other)	Direct communication between foreign Ministries of Justice and the Office of Justice.
Means of communication (eg. by post, fax, e-mail ¹):	Liechtenstein authorities accept any means of communication that are in capacity of producing written records and allow to establish the authenticity of the document.
Language requirements:	Extradition requests and the relevant documents have to be accompanied by a translation into German language.
Documentation required:	Liechtenstein requires the documents mentioned in Article 12 para 2 of the European Convention on Extradition.

¹ Please indicate if encryption or electronic signature is required.

Provisional arrest:	<p>In cases of provisional arrest pending extradition the request for extradition should be forwarded within the time-limit mentioned in Article 16 of the European Convention on Extradition, ETS No. 24.</p> <p>The time-limit of 40 days according to Article 16 para 4 of the European Convention on Extradition cannot be exceeded.</p>
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Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the main differences:	
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Detention before and after the receipt of the extradition request: (deadlines, conditional release, etc)	<p>In normal extradition procedures the competent Higher Court decides on the admissibility of extradition. The decision can be appealed before the Supreme Court. In addition, the person concerned may lodge an appeal against the decision of the Supreme Court to the Constitutional Court, if issues under the European Convention on Human Rights or Rights granted by the Liechtenstein Constitution are concerned. Finally, the Minister of Justice decides on extradition. If the courts declared the extradition inadmissible the Minister of Justice is bound by that decision and has to decline extradition. If the courts found the extradition admissible the Minister of Justice may decline extradition only with regard to international obligations or interests of the Principality of Liechtenstein.</p> <p>If the person sought consents to extradition the Princely Court forwards the file together with the protocol stating the consent of the person sought to extradition to the Minister of Justice, who orders the surrender of the person concerned.</p>
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Statutes of limitation for the purpose of prosecution and for the execution of sentences: (general principles)	<p>The detention of the person sought before the receipt of the extradition request (provisional arrest) may not exceed 40 days. After 6 months detention with a view to extradition may only be prolonged if this is inevitable due to the exceptional difficulty or complexity of the case.</p> <p>The periods of limitation for all offences can be found in Articles 57 seq. of the Liechtenstein Criminal Code (Strafgesetzbuch, StGB, LGBL. 1988 Nr. 37, LR 311.0).</p>
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Provisions concerning extradition of nationals:	<p>Liechtenstein does not extradite its own nationals (as an exception the extradition of nationals is possible if the person sought has given its consent and to international criminal courts).</p>
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Surrender: (eg. deadlines)	Surrender should take place as soon as possible after the extradition has been granted. No specific deadlines apply.
Other relevant information: (such as specific requirements concerning double criminality)	The main national legislation is contained in the Law of 15 September 2000 on International Mutual Assistance in Criminal Matters (Legal Assistance Law, LGBl. 2000 Nr. 215, LR 351).
Links to national legislation, national guides on procedure:	Liechtenstein legislation can be found at www.gesetze.li A non-binding translation of the Legal Assistance Law and the Criminal Code into English can be found at www.regierung.li/law