

No. 50792

**United States of America
and
South Africa**

Extradition Treaty between the Government of the United States of America and the Government of the Republic of South Africa (with annex). Washington, 16 September 1999

Entry into force: *25 June 2001 by the exchange of the instruments of ratification, in accordance with article 24*

Authentic text: *English*

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**États-Unis d'Amérique
et
Afrique du Sud**

Traité d'extradition entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République sud-africaine (avec annexe). Washington, 16 septembre 1999

Entrée en vigueur : *25 juin 2001 par l'échange des instruments de ratification, conformément à l'article 24*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**EXTRADITION TREATY
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**

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The Government of the United States of America and the Government of the Republic of South Africa;

Recalling the Treaty Relating to the Reciprocal Extradition of Criminals, signed at Washington December 18, 1947,

Noting that both the Government of the United States of America and the Government of the Republic of South Africa currently apply the terms of that Treaty, and

Desiring to provide for more effective cooperation between the two States in the fight against crime, and, for that purpose, to conclude a new treaty for the extradition of offenders;

Hereby agree as follows:

Article 1

Obligation to Extradite

The Parties agree to extradite to each other, pursuant to the provisions of this Treaty, persons whom the authorities in the Requesting State have charged with or convicted of an extraditable offence.

Article 2

Extraditable Offences

- 1. An offence shall be an extraditable offence if it is punishable under the laws in both States by deprivation of liberty for a period of at least one year or by a more severe penalty.**
- 2. An offence shall also be an extraditable offence if it consists of attempting or conspiring to commit, or aiding, abetting, inducing, counseling or procuring the commission of, or being an accessory before or after the fact to, any offence described in sub-article 1.**
- 3. For the purposes of this Article, an offence shall be an extraditable offence whether or not the:**
 - (a) laws in the Requesting and Requested States place the offence within the same category of offences or describe the offence by the same terminology; or**
 - (b) offence is one for which United States federal law requires the showing of such matters as interstate transportation, or use of the mails or of other facilities affecting interstate or foreign commerce, such matters being merely for the purpose of establishing jurisdiction in a United States Federal court.**
- 4. If an offence has been committed outside the territory of the Requesting State, extradition shall be granted where the laws in the Requested State provide for the punishment of an offence committed outside its territory in similar circumstances. Where**