

**No. 55145\***

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**Cyprus  
and  
United States of America**

**Instrument as contemplated by Article 3 (2) of the Agreement on extradition between the United States of America and the European Union signed 25 June 2003, as to the Application of the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Cyprus signed 17 June 1996 (with annex). Nicosia, 20 January 2006**

**Entry into force:** *1 February 2010, in accordance with paragraph 5 (a)*

**Authentic texts:** *English and Greek*

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**Chypre  
et  
États-Unis d'Amérique**

**Instrument tel que prévu au paragraphe 2 de l'article 3 de l'accord d'extradition entre les États-Unis d'Amérique et l'Union européenne signé le 25 juin 2003, relatif à l'application du Traité d'extradition entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République de Chypre signé le 17 juin 1996 (avec annexe). Nicosie, 20 janvier 2006**

**Entrée en vigueur :** *1<sup>er</sup> février 2010, conformément au paragraphe 5 (a)*

**Textes authentiques :** *anglais et grec*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Chypre, 1<sup>er</sup> avril 2018*

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**Instrument as contemplated by Article 3(2) of the Agreement on Extradition between the United States of America and the European Union signed 25 June 2003, as to the application of the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Cyprus signed 17 June 1996**

1. As contemplated by Article 3(2) of the Agreement on Extradition between the United States of America and the European Union signed 25 June 2003 (hereafter “the U.S.-EU Extradition Agreement”), the Governments of the United States of America and the Republic of Cyprus acknowledge that, in accordance with the provisions of this Instrument, the U.S.-EU Extradition Agreement is applied in relation to the bilateral Extradition Treaty between the Government of the United States of America and the Government of the Republic of Cyprus signed 17 June 1996 (hereafter “the 1996 Extradition Treaty”), under the following terms:

(a) Articles 5(1) and 7(1) of the U.S.-EU Extradition Agreement as set forth in Article 8(1) of the Annex to this Instrument shall govern the mode of transmission of the extradition request and supporting documents and shall provide for an alternative method for transmission of the request for extradition and supporting documents following provisional arrest;

(b) Article 5(2) of the U.S.-EU Extradition Agreement as set forth in Article 9 of the Annex to this Instrument shall govern the requirements concerning certification, authentication or legalization of the extradition request and supporting documents;

(c) Article 8(2) of the U.S.-EU Extradition Agreement as set forth in Article 8(5)(b) of the Annex to this Instrument shall govern the channel to be used for submitting supplementary information;

(d) Article 10 of the U.S.-EU Extradition Agreement as set forth in Article 14 of the Annex to this Instrument shall govern the decision on requests made by several States for the extradition or surrender of the same person;

(e) Article 13 of the U.S.-EU Extradition Agreement as set forth in Article 6 of the Annex to this Instrument shall govern extradition with respect to conduct punishable by death in the Requesting State; and

(f) Article 14 of the U.S.-EU Extradition Agreement as set forth in Article 8(8) of the Annex to this Instrument shall govern consultations where the Requesting State contemplates the submission of particularly sensitive information in support of a request for extradition.

2. The Annex reflects the integrated text of the provisions of the 1996 Extradition Treaty and the U.S.-EU Extradition Agreement that shall apply upon entry into force of this Instrument.

3. In accordance with Article 16 of the U.S.-EU Extradition Agreement, this Instrument shall apply to offenses committed before as well as after it enters into force.

4. This Instrument shall not apply to requests for extradition made prior to its entry into force.

5. (a) This Instrument shall be subject to the completion by the United States of America and the Republic of Cyprus of their respective applicable internal procedures for entry into force. The Governments of the United States of America and the Republic of Cyprus shall thereupon exchange instruments indicating that such measures have been completed. This Instrument shall enter into force on the date of entry into force of the U.S.-EU Extradition Agreement.

(b) In the event of termination of the U.S.-EU Extradition Agreement, this Instrument shall be terminated and the 1996 Extradition Treaty shall be applied. The Governments of the United States of America and the Republic of Cyprus nevertheless may agree to continue to apply some or all of the provisions of this Instrument.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Instrument.

DONE at Nicosia, in duplicate, this 20th day of January 2006, in the English and Greek languages, both texts being equally authentic. In case of divergence the English text shall prevail.

FOR THE GOVERNMENT OF  
THE REPUBLIC OF CYPRUS



Mr. DOROS THEODOROU  
Minister of Justice  
and Public Order

FOR THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA



Mr. RONALD L. SCHLICHER  
Ambassador Extraordinary  
and Plenipotentiary  
of the United States of America to  
the Republic of Cyprus

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

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**Article 1  
Obligation to Extradite**

The Contracting States agree to extradite to each other, pursuant to the provisions of this Treaty, persons sought for prosecution for or convicted of an extraditable offense.

**Article 2  
Extraditable Offenses**

1. An offense shall be an extraditable offense if it is punishable under the laws in both Contracting States by deprivation of liberty for a period of more than one year or by a more severe penalty.

2. Subject to paragraph 1 of this Article, an offense shall also be an extraditable offense if it consists of an attempt or a conspiracy to commit, aiding or abetting, counseling or procuring the commission of or being an accessory before or after the fact to, any offense described in paragraph 1.

3. For the purposes of this Article, an offense shall be an extraditable offense:

- (a) whether or not the laws in the Contracting States place the offense within the same category of offenses or describe the offense by the same terminology; or
- (b) whether or not the offense is one for which United States law requires the proof of such matters as interstate transportation, of 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 court.

4. If the offense was committed outside the territory of the Requesting State, extradition shall be granted if the laws in the Requested State provide for the punishment of an offense committed outside its territory in similar circumstances. If the laws in the Requested State do not so provide, extradition will still be granted if the executive authority of the Requested State, in its discretion, consents to the setting in motion of the extradition procedure.

5. If extradition has been granted for an extraditable offense, it shall also be granted for any other offense specified in the request, even if the latter offense is punishable by less than one year's deprivation of liberty, provided that all other requirements for extradition are met.