

## **Article 8: Extradition arrangements**

8.1 The position remains essentially as explained in paragraphs 46 to 48 of the initial report and paragraphs 79 and 80 of the second report. The Government has negotiated 18 bilateral agreements on the surrender of fugitive offenders<sup>3</sup> under authorisations from the Central People's Government.

8.2 The Fugitive Offenders (Torture) Order remains in full force. The Order applies the procedures in the Fugitive Offenders Ordinance (Cap. 503) to requests for surrender of fugitive offenders by jurisdictions to which the Convention applies for offences created by the Convention. This enables the Government to surrender such offenders to all such jurisdictions. Surrender may be granted even if the jurisdiction requesting it is exercising extra-territorial jurisdiction in respect of the offence<sup>4</sup>. At the time of drafting this report, there had been no such requests.

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<sup>3</sup> Including the Netherlands, Canada, Australia, Malaysia, the USA, Singapore, New Zealand, India, the Philippines, Indonesia, the UK, Sri Lanka, Portugal, Finland, Germany, Republic of Korea, Ireland and South Africa.

<sup>4</sup> Thus, for example, if a state were to seek the surrender of a fugitive offender, the HKSAR Government would do so, provided that the state in question had jurisdiction over that person by virtue of its laws or of any treaties it had entered into. Surrender would proceed even if the person's offence had been committed outside the requesting state.