Hong Kong’s Arrangements for the Surrender of Fugitive Offenders

An Outline of how Hong Kong Handles Requests from Abroad under the Fugitive Offenders Ordinance (Chapter 503, Laws of Hong Kong)

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Department of Justice
Hong Kong Special Administrative Region
Preface

The purpose of this publication is to give an overview of the handling of foreign requests to Hong Kong for the surrender of fugitive offenders (also referred to as extradition), with a view to:

(a) assisting foreign authorities in preparing and making requests to Hong Kong for surrender of fugitive offenders; and

(b) providing some general information on how these requests are processed in Hong Kong.

In addition to surrender of fugitive offenders, Hong Kong is also able to provide assistance in other areas of international legal co-operation. For example, Hong Kong is able, under its own bilateral agreements with foreign jurisdictions, to transfer and receive sentenced persons for the purpose of enabling them to serve out their sentence nearer home. Assistance may be obtained from Hong Kong for prosecution or investigation of offences in foreign jurisdictions. Assistance can include service of documents, taking of oral evidence before a magistrate, production of documentary evidence, search and seizure of material and enforcement of confiscation orders in respect of proceeds of crime.

The Department of Justice has also published guidelines for making applications under the Mutual Legal Assistance in Criminal Matters Ordinance (Chapter 525 of the Laws of Hong Kong) to obtain assistance in criminal cases. Copies of publications, and information regarding legal co-operation in criminal matters and negotiating agreements with Hong Kong, may be obtained from Law Officer (International Law), International Law Division, Department of Justice at 47th floor, High Block, Queensway Government Offices, 66 Queensway, Hong Kong (email address: ild@doj.gov.hk).

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PART 1 – THE FRAMEWORK

Chapter 1

Introduction

1.1 Hong Kong is committed to co-operating with foreign jurisdictions in combatting crime. It is able to provide the following types of international co-operation:

- Surrender of fugitive offenders (extradition)
- Mutual legal assistance in criminal matters
- Transfer of sentenced persons

1.2 This booklet focuses on how the Hong Kong authorities process requests which they receive for the surrender of fugitive offenders. The booklet has been prepared by the International Law Division of the Department of Justice. The functions of the International Law Division include:

(a) negotiating bilateral agreements on surrender of fugitives on behalf of Hong Kong; and

(b) through its Mutual Legal Assistance Unit, processing requests for the surrender of fugitive offenders under bilateral agreements and multilateral conventions.

1.3 When such requests are made to Hong Kong, they are handled in accordance with the Fugitive Offenders Ordinance (Chapter 503 of the Laws of Hong Kong). The full text of the Fugitive Offenders Ordinance, and of Hong Kong’s bilateral agreements on surrender of fugitives which are in force, can be accessed from the legislation database on the internet (“Bilingual Laws Information System”) maintained by the Department of Justice at http://www.legislation.gov.hk/index.htm and http://www.legislation.gov.hk/table4ti/htm.
The legislation

1.4 The Fugitive Offenders Ordinance (Chapter 503 of the Laws of Hong Kong) permits the surrender from Hong Kong of persons wanted abroad, either for prosecution or for the imposition of a sentence (or to serve a sentence previously imposed), for a wide range of offences.

International arrangements

1.5 Surrender is only permissible to places with which Hong Kong has arrangements for the surrender of fugitive offenders. The arrangements take the form either of Hong Kong’s own bilateral agreements for the surrender of fugitive offenders; or of multilateral conventions that are applied to Hong Kong. Under section 3(1) of the Fugitive Offenders Ordinance orders are made by the Chief Executive in Council directing the procedures of the Ordinance to apply between Hong Kong and the places with which the arrangements have been made.

1.6 At the date of going to press, Hong Kong had entered into bilateral agreements on surrender of fugitive offenders with 14 countries, namely Australia, Canada, Finland, India, Indonesia, Malaysia, Netherlands, New Zealand, Philippines, Portugal, Singapore, Sri Lanka, the United Kingdom and the United States of America. All of these agreements (except the one with Finland) have entered into force. The relevant multilateral conventions are listed at the beginning of Part 3 of this booklet.

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1 The Chief Executive is the head of the Hong Kong SAR and its Government. When exercising legislative functions, the Chief Executive must first consult the Executive Council.
Extradition offences

1.7 The Fugitive Offenders Ordinance contains a long list of the types of offences for which the surrender of a person from Hong Kong is permissible, provided that the offence for which the person is wanted is punishable with more than 12 months’ imprisonment in the place where he is wanted. In this publication, offences for which a person may be surrendered are referred to as “extradition” offences. The list of extradition offences is set out in Annex I in this booklet. The Ordinance provides that it is the conduct of the wanted person that will determine whether the offence for which he is wanted is an extradition offence – not the legal description of the offence.

1.8 In Hong Kong the processing of a request from abroad for the surrender of a wanted person includes both judicial and executive elements. The courts have to be satisfied that there is sufficient evidence to justify the surrender of the wanted person for the offence for which he is wanted. If they are so satisfied, the decision as to whether in fact to surrender the wanted person is a decision of the Chief Executive, though that decision is subject to judicial review on limited grounds.
PART 2 – SURRENDER UNDER BILATERAL AGREEMENTS

Chapter 2

Appropriate authority to make requests

2.1 A bilateral agreement usually provides that requests should be made by the appropriate authority in the requesting jurisdiction to the appropriate authority in the requested jurisdiction. In Hong Kong the authority is the Department of Justice, and requests to Hong Kong should therefore be addressed to the Secretary for Justice (who heads the Department).

2.2 Section 6 of the Fugitive Offenders Ordinance requires any request to Hong Kong to be made by a recognized person and through an approved channel. For the purpose of the Ordinance, Consuls General in Hong Kong, or appropriate authorities nominated under the bilateral agreements, are recognized as appropriate persons to make requests.

Confidentiality of requests

2.3 All requests, including requests for provisional arrest (which are discussed in Chapter 3 below), are treated in the strictest confidence until the wanted person has been arrested and appears in court. During the committal proceedings (also discussed in Chapter 3), the documents in support of the request will be tendered in open court and certain publicity may ensue.

Contents of the request

2.4 A request to Hong Kong from a foreign place can be set out in a note from its appropriate authority recognized by the Central People’s Government (as described in paragraph 2.2 above). The note should refer to the relevant
agreement and request the surrender of the wanted person for offences specified in the request.

2.5 Various documents should accompany a request. Any requirements set out in the relevant agreement have to be met, but usually the required documents include:

(a) as accurate a description as possible of the person sought, together with any other information which would help establish that person’s identity, nationality and location;

(b) a statement of each offence for which the person is wanted, and a statement of the acts and omissions which are alleged to constitute each offence; and

(c) the text of the legal provisions creating the offence, a statement of the penalty that can be imposed, and any time limit on the institution of proceedings.

2.6 Additional material will also be required, but will vary according to whether the wanted person is an accused person wanted for trial, or is a convicted person who is wanted in order to be sentenced or to serve a sentence that has already been imposed. A request for an accused person must be accompanied by:

(a) a copy of the warrant of arrest issued in the requesting place; and

(b) such evidence as, according to the law of Hong Kong, would justify committal for trial if the offence had been committed in Hong Kong; that is, such evidence as is sufficient to establish a prima facie case.
2.7 If the request relates to a person already convicted and sentenced, it must be accompanied by a statement indicating that the sentence is enforceable and how much of the sentence has still to be served. If the person has been convicted but not yet sentenced, and is wanted for the purpose of being sentenced, the request should be accompanied by a statement to that effect by the appropriate court and a copy of a warrant of arrest.

2.8 Authentication requirements for documents are discussed at paragraph 3.11 below.
Chapter 3

Bringing the wanted person before a magistrate

3.1 In urgent cases, a person may be provisionally arrested on the application of a requesting jurisdiction. The procedures for provisional arrest are outlined below. Where there is no such urgency, the prosecuting authorities in Hong Kong will seek –

(a) the Chief Executive’s authority to proceed against the wanted person; and

(b) a magistrate’s warrant for the arrest of the wanted person.

Authority to proceed

3.2 The Chief Executive’s authority to proceed is required in all cases before a magistrate can hold a hearing into the evidence. The Chief Executive’s decision to give authority to proceed is based on the content of the request for surrender and the material that is submitted in support of it. Authority to proceed is issued in a form that is prescribed in the Fugitive Offenders (Forms) Regulations (subsidiary legislation made under the Fugitive Offenders Ordinance). The statutory form is reproduced in Annex II in this booklet (Form 1).

3.3 When the wanted person is arrested, a date will promptly be set for a committal hearing to take place before the magistrate.

Provisional arrest in urgent cases

3.4 Where a magistrate in Hong Kong is satisfied that a person is believed to be in or on his way to Hong Kong, and is wanted for an extradition offence in a place with which arrangements are in force for the surrender of fugitive offenders, a provisional warrant of arrest may be issued.
without first awaiting the Chief Executive’s authority to proceed\(^2\).

3.5 Hong Kong’s agreements for the surrender of fugitive offenders usually provide that an application for provisional arrest should be forwarded through Interpol, or through the same channels as a request for surrender (that is, through the appropriate authorities nominated to forward requests under the agreement), and should contain:

- (a) an indication of the intention to request the surrender of the person;
- (b) the text of the warrant of arrest against the person, or the certificate of conviction, in the requesting jurisdiction;
- (c) a statement of the penalty for the offence;
- (d) a summary of facts; and
- (e) information concerning the description and whereabouts of the person sought.

3.6 When a wanted person is provisionally arrested, he will be brought before a magistrate, who will then fix a period after which the person will be discharged from custody unless an “authority to proceed” has been received from the Chief Executive. For this purpose, agreements will normally specify a period of either 45 or 60 days after the date of arrest. After that the detention will be terminated unless the request and supporting documents have been received\(^3\).

\(^2\) Section 7(1)(b) of Fugitive Offenders Ordinance and see prescribed form of a provisional warrant of arrest at Annex II (Form 3).

\(^3\) See “Order for cancellation of provisional warrant of arrest” at Form 4 in Annex II.
Seizure of property

3.7 The relevant agreement may provide for seizure of any property which may serve as evidence of the offence for which surrender is requested, or which is derived from the offence. A Hong Kong magistrate may issue a search warrant \(^4\) authorizing any authorized officer to seize such property, and the property will be retained until disposal orders are made.

Bail

3.8 A court is not permitted to grant bail to the wanted person unless there are special circumstances justifying it\(^5\).

Committal

3.9 Where an authority to proceed has been issued the magistrate must determine whether:

   (a) the offence to which the authority relates is an extradition offence (that is, one for which a person may be surrendered under Hong Kong law);

   (b) the supporting documents in relation to the offence have been produced and are duly authenticated; and

   (c) in a case where the person is wanted for prosecution, the evidence would be sufficient to commit for trial in Hong Kong;

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\(^4\) Sections 8 and 9 of the Fugitive Offenders Ordinance; and see Form 5 in Annex II.

\(^5\) Section 10(5) of the Fugitive Offenders Ordinance.
(d) in a case where the person is wanted for sentencing, or to serve a prison sentence, there is an intention to impose a sentence or, as the case may be, at least six months’ imprisonment remains to be served.

3.10 If the magistrate is satisfied of these matters, he will commit the wanted person to custody to await the decision of the Chief Executive on surrender, unless surrender is prohibited by any other provision of the Fugitive Offenders Ordinance. The form of an order of committal is prescribed under section 22 of the Fugitive Offenders Ordinance and the Fugitive Offenders (Forms) Regulations 6. This form is reproduced in Annex II in this booklet (Form 6).

Requirements for authentication

3.11 The authentication requirements for the supporting documents are contained in section 23 of the Fugitive Offenders Ordinance and may be supplemented by provisions in the relevant agreement. Generally, the documents must be signed or certified by a magistrate, judge or officer of the requesting jurisdiction and be under the seal of a competent authority of that jurisdiction.

Sufficiency of evidence and prohibitions on surrender

3.12 Evidence is regarded as sufficient to commit a person for trial if it amounts to a prima facie case, such that a court could properly convict the accused person. An accused person is not entitled to adduce evidence for the purpose of disputing allegations of criminal conduct that have been made against him. He may, however, adduce evidence showing he is not the person identified in the request for surrender.

6 Chapter 503, subsidiary legislation M1.
3.13 The prohibitions on surrender which the magistrate has jurisdiction to consider are set out in section 5 of the Fugitive Offenders Ordinance. (They are summarised in paragraph 4.5 (a) – (e) below).

Committal by consent of the wanted person

3.14 The wanted person may consent at any time (for example, immediately following his provisional arrest) to an order committing him to custody. There will then be no need for a contested hearing before the magistrate. But before the person can be surrendered, notification must still be given to the Central People’s Government, and the Chief Executive must still consider the case and make an order for surrender (see Chapter 4 below).

Challenging magistrates’ decisions

3.15 If the magistrate hearing the case refuses to make an order for committal, the requesting jurisdiction may appeal within 15 days on the ground that the refusal was wrong in law. The appeal is instituted by making an application to the magistrate to “state a case” to the Court of First Instance. An appeal from the Court of First Instance may be brought by either side to the Court of Appeal, and there is also provision for a further appeal to the Court of Final Appeal, as well as for the wanted person to be detained in custody meantime.

3.16 Conversely, if the magistrate makes an order for committal, the wanted person may within 15 days apply for habeas corpus to the Court of First Instance. Thereafter, there is provision for appeal to the Court of Appeal and the Court of Final Appeal.

Legal representation of requesting jurisdiction

3.17 Counsel in the Mutual Legal Assistance Unit of the International Law Division normally conduct all court proceedings on behalf of the requesting jurisdiction.
Chapter 4

Notification to the Central Government

4.1 It is a requirement of Hong Kong law that, immediately after an order of committal is made by a magistrate, the Central People’s Government of the People’s Republic of China must be notified of the proceedings that have been instituted for the surrender of a person from Hong Kong.

4.2 The notice is given by the Mutual Legal Assistance Unit of Department of Justice, to the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in Hong Kong. It must contain: (i) a copy of the request for surrender, (ii) copies of supporting documents; and (iii) a summary of material facts supporting the request. Other documents relevant to the procedures may also be requested by the Central Government.

4.3 The Central Government may then give instructions to the Chief Executive to take, or not to take, action in respect of a request for surrender, and he must comply with such instructions if the defence or foreign affairs of China would otherwise be significantly affected.

Declining to surrender

4.4 Under Hong Kong law and its agreements for the surrender of fugitive offenders, there are various grounds for refusing a request. The grounds may be either mandatory or discretionary.

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7 Section 24(1) of the Fugitive Offenders Ordinance and Part 2 of the Schedule to the Fugitive Offenders (Notification Procedures) Regulations (Cap. 503 sub. leg. L1).
8 See Part 1 of the Schedule to the Fugitive Offenders (Notification Procedures) Regulations (Cap. 503 sub. leg. L1).
9 Section 24(3) of the Fugitive Offenders Ordinance.
Mandatory grounds

4.5 An order for surrender cannot lawfully be made under the Fugitive Offenders Ordinance:

(a) if the offence is of a political character;

(b) if the wanted person was convicted in his absence without the opportunity of being present at his trial, and if surrendered, he would not have an opportunity of attending a retrial;

(c) if the request is made for the purpose of punishing the wanted person on account of his race, religion, nationality or political opinions; or the wanted person may be prejudiced at trial by virtue of these matters;

(d) where the rule of *autrefois acquit* or *convict* applies;\(^\text{10}\);

(e) if specialty\(^\text{11}\) and re-surrender guarantees\(^\text{12}\) are not contained either in the relevant agreement or the domestic law of the requesting place; or

(f) where the offence is punishable with the death penalty\(^\text{13}\) (unless the requesting jurisdiction gives an assurance that it will not be carried out).

\(^{10}\) For (a) to (d), see section 5(1) of the Fugitive Offenders Ordinance.

\(^{11}\) I.e. that the person will not be dealt with for any offence other than the offence(s) for which he was surrendered, see section 5(2) of the Ordinance.

\(^{12}\) I.e. that the person will not be re-surrendered to any other place without first having an opportunity of leaving the requesting place, see section 5(5) of the Ordinance.

\(^{13}\) Section 13(5) of Fugitive Offenders Ordinance.
Discretionary grounds

4.6 Some agreements also contain discretionary grounds for refusal of surrender, such as:

(a) if the offence is of a trivial nature;
(b) extensive delay since the offence was committed;
(c) if the accusation against the person sought is not made in good faith;
(d) valid humanitarian grounds to refuse surrender; or
(e) the nationality of the wanted person.

The Chief Executive’s decision

4.7 After the conclusion of court proceedings relating to the committal, a period of two months is allowed to the Chief Executive of Hong Kong within which he can make an order for surrender\textsuperscript{14}. He may order surrender unless it is prohibited by the Fugitive Offenders Ordinance, or he may decide to make no order for surrender\textsuperscript{15}. An order for surrender must be in the form prescribed by the Fugitive Offenders (Forms) Regulations. The prescribed form is set out in Form 7 of Annex II in this booklet.

4.8 The Chief Executive’s order is an executive decision and may be challenged by the wanted person in proceedings for judicial review. The Solicitor General of the Department of Justice is responsible for giving legal advice to the Chief Executive on the making of the order for surrender.

\textsuperscript{14} Or two months and 15 days in the case of committal after a contested hearing.
\textsuperscript{15} See section 13 of the Fugitive Offenders Ordinance.
Implementing the decision

4.9 After an order for surrender is made by the Chief Executive, counsel in the Mutual Legal Assistance Unit will liaise with the police authorities to make arrangements for the escort of the wanted person out of Hong Kong. The wanted person must be surrendered within one month of the making of an order or may apply to the Court of First Instance for his release.
Chapter 5

Concurrent requests from two jurisdictions

5.1 Some bilateral agreements provide for how simultaneous requests from two jurisdictions for the surrender of the same individual are to be handled. A decision by the Chief Executive will be made in accordance with the provisions in the relevant agreement. Section 13(3) of the Fugitive Offenders Ordinance empowers the Chief Executive to decline to accede to a request for surrender if it appears to him, having regard to all the circumstances of the case and, in particular, the prescribed arrangements under which another request is made, that preference should be made to that other request.

Request for a person already charged in Hong Kong

5.2 Where Hong Kong receives a request for the surrender of a person who is charged with an offence in Hong Kong, section 13(2) of the Fugitive Offenders Ordinance provides that no order for surrender shall be made until the charge in Hong Kong is disposed of or withdrawn.

Temporary surrender

5.3 A bilateral agreement may make provision for the surrender of a person who, at the time of a request, is already serving a sentence in the requested jurisdiction. This may provide for the request to be acceded to by temporarily surrendering the person so that he may be prosecuted in the requesting jurisdiction. In such a case a person surrendered by Hong Kong would, if convicted in the requesting jurisdiction, then have to be returned to Hong Kong to complete his Hong Kong sentence.¹⁶

¹⁶ Section 15 of the Fugitive Offenders Ordinance
Transit through Hong Kong of fugitives arrested abroad

5.4 A bilateral agreement may provide for the transportation through Hong Kong of a person who is being surrendered to or by the other Party to the agreement (in connection with extradition arrangements between that other Party and a third jurisdiction) and for the detention in custody of that person in Hong Kong during the period of transit. Section 20 of the Fugitive Offenders Ordinance permits the transportation of such persons in custody through Hong Kong. This will not normally require detention for more than 48 hours. But by section 20(2), the Chief Executive may issue an order to authorize the holding of the wanted person in custody if more than 48 hours is required.

5.5 Notification must be given to the Central People’s Government of any proposed transit through Hong Kong of a person who is being surrendered to a place outside Hong Kong by another place outside Hong Kong\(^{17}\). That is so whether or not any arrangements have been made with that place\(^{18}\).

5.6 Part 1 of the Schedule to the Fugitive Offenders (Notification Procedures) Regulations (subsidiary legislation made under the Fugitive Offenders Ordinance) prescribes the documents and particulars that must accompany the notification.

(a) The required documents are those that are relevant to the transport of the person through Hong Kong and are requested by the Central People’s Government.

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\(^{17}\) Section 24(1)(e) of the Fugitive Offenders Ordinance.

\(^{18}\) The notification is required as soon as it is known that it is proposed to transport the person through Hong Kong, but in any case before the person is so transported: see Part 2 of the Schedule to Fugitive Offenders (Notification Procedures) Regulations (Cap. 503, sub. leg. L1.)
(b) The prescribed particulars are:

(i) the name of the person to be surrendered;

(ii) the name of the place outside Hong Kong from which that person is to be surrendered;

(iii) the name of the place outside Hong Kong to which that person is to be surrendered;

(iv) the offence or offences for which the person is to be surrendered; and

(v) the date on which it is proposed that the transport occur.
The Conventions

6.1 Several multilateral conventions which contain provisions for the surrender of fugitive offenders apply to Hong Kong. They are:

(a) the Convention on the Prevention and Punishment of the Crime of Genocide 1948;

(b) the Convention for the Suppression of Unlawful Seizure of Aircraft 1970;

(c) the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation 1971;

(d) the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents 1973;

(e) the International Convention Against the Taking of Hostages 1979;

(f) the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984;

(g) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988; and

6.2 Hong Kong implements the surrender provisions contained in these conventions by applying the procedures in the Fugitive Offenders Ordinance to them under section 3(1) of the Ordinance.
Chapter 7

Surrender

7.1 Where a multilateral convention which is applied to Hong Kong contains provisions for the surrender of fugitives, a Party to it may make a request to Hong Kong for surrender pursuant to the provisions of the convention. These conventions do not contain detailed provisions on the procedures to be followed. To enable Hong Kong to accept any incoming request, the request must comply with the requirements of the Fugitive Offenders Ordinance.

Requesting authority

7.2 The request should be made in writing by the requesting jurisdiction’s Consul General in Hong Kong and be transmitted via the Consulate General to the Secretary for Justice, marked for the attention of the Mutual Legal Assistance Unit.

Contents of the request

7.3 The request should be accompanied by:

(a) as accurate a description as possible of the person sought, together with any other information which would help establish that person’s identity, nationality and location;

(b) a statement of each offence under the relevant convention for which surrender is sought and a statement of acts or omissions which are alleged against the person in respect of each offence; and

(c) the text of the law creating the offence in the requesting jurisdiction, and a statement of the penalty which may be imposed and of any time limit on the institution of proceedings or on the
execution of any punishment for that offence.

7.4 If the request relates to a person who is wanted for trial, the request should be accompanied by a copy of the warrant of arrest issued by a judge, magistrate or other competent authority in the requesting jurisdiction, and by evidence that would justify committal for trial if the offences had been committed within the jurisdiction of Hong Kong (i.e. evidence sufficient to establish a *prima facie* case).

7.5 If the request relates to a person already convicted (who is wanted for the purpose of being sentenced, or of serving his sentence), the request must be accompanied by:

(a) a copy of the certificate of conviction or sentence; and

(b) if the person was convicted but not sentenced, a statement to that effect by the appropriate court and a copy of the warrant of arrest;

(c) if the person was sentenced, a statement indicating that the sentence is enforceable and how much of the sentence has still to be served.

7.6 In all cases, the request must contain a statement that the law of the requesting jurisdiction provides for specialty and re-surrender protection, that is, that the person will not be dealt with for any offence other than an offence for which he was surrendered, nor be re-surrendered to any other place.\(^{19}\) The requesting jurisdiction should provide a copy of its relevant law giving this protection.

\(^{19}\) See sections 5(2) and 5(5) of the Fugitive Offenders Ordinance.
Authentication of documents

7.7 The material accompanying the request for surrender must also be authenticated by being:

(a) signed or certified by a judge, magistrate or official of the requesting jurisdiction (e.g. a covering certificate is attached to the top of the bundle by a ribbon connecting all documents); and

(b) sealed with the official seal of a competent authority of the requesting jurisdiction.

Grounds for declining to surrender, and other matters

7.8 The grounds for declining surrender are those stipulated in or permitted under the relevant multilateral convention and the Fugitive Offenders Ordinance (see paragraph 4.5 above). The domestic procedures, including those for issuing an authority to proceed and for seizing property, also generally apply to requests pursuant to multilateral conventions (see Chapter 3 above).

7.9 The procedures for notifying the Central People’s Government of a request for surrender of a person are the same as those under bilateral agreements.20

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20 Please refer to Chapter 4 above.
Description of offences for which wanted persons may be surrendered from Hong Kong

(Schedule 1 to Fugitive Offenders Ordinance)

1. Murder or manslaughter, including criminal negligence causing death; culpable homicide; assault with intent to commit murder.

2. Aiding, abetting, counselling or procuring suicide.

3. Maliciously wounding; maiming; inflicting grievous or actual bodily harm; assault occasioning actual bodily harm; threats to kill; intentional or reckless endangering of life whether by means of a weapon, a dangerous substance or otherwise; offences relating to unlawful wounding or injuring.

4. Offences of a sexual nature including rape; sexual assault; indecent assault; unlawful sexual acts on children; statutory sexual offences.

5. Gross indecency with a child, a mental defective or an unconscious person.

6. Kidnapping, abduction; false imprisonment; unlawful confinement; dealing or trafficking in slaves or other persons; taking a hostage.

7. Criminal intimidation.
8. Offences against the law relating to dangerous drugs including narcotics, psychotropic substances, precursors and essential chemicals used in the illegal manufacture of narcotics and psychotropic substances; offences relating to the proceeds of drug trafficking.

9. Obtaining property or pecuniary advantage by deception; theft; robbery; burglary (including breaking and entering); embezzlement; blackmail; extortion; unlawful handling or receiving of property; false accounting; any other offence in respect of property or fiscal matters involving fraud; any offence against the law relating to unlawful deprivation of property.

10. Offences against bankruptcy law or insolvency law.

11. Offences against the law relating to companies including offences committed by officers, directors and promoters.

12. Offences relating to securities and futures trading.

13. Offences relating to counterfeiting; offences against the law relating to forgery or uttering what is forged.

14. Offences against the law relating to protection of intellectual property, copyrights, patents or trademarks.

15. Offences against the law relating to bribery, corruption, secret commissions and breach of trust.

16. Perjury and subornation of perjury.

17. Offence relating to the perversion or obstruction of the course of justice.
18. Arson; criminal damage or mischief including mischief in relation to computer data.

19. Offences against the law relating to firearms.

20. Offences against the law relating to explosives.

21. Offences against the law relating to environmental pollution or protection of public health.

22. Mutiny or any mutinous act committed on board a vessel at sea.

23. Piracy involving ships or aircraft.

24. Unlawful seizure or exercise of control of an aircraft or other means of transportation.

25. Genocide or direct and public incitement to commit genocide.

26. Facilitating or permitting the escape of a person from custody.

27. Offences against the law relating to the control of exportation or importation of goods of any type, or the international transfer of funds.

28. Smuggling; offences against the law relating to import and export of prohibited items, including historical and archaeological items.

29. Immigration offences including fraudulent acquisition or use of a passport or visa.
30. Arranging or facilitating for financial gain, the illegal entry of persons into a jurisdiction.

31. Offences relating to gambling or lotteries.

32. Offences relating to the unlawful termination of pregnancy.

33. Stealing, abandoning, exposing or unlawfully detaining a child; any other offences involving the exploitation of children.

34. Offences against the law relating to prostitution and premises kept for the purposes of prostitution.

35. Offences involving the unlawful use of computers.

36. Offences relating to fiscal matters, taxes or duties.

37. Offences relating to unlawful escape from custody; mutiny in prison.

38. Bigamy.

39. Offences relating to women and girls.

40. Offences against the law relating to false or misleading trade descriptions.

41. Offences relating to the possession or laundering of proceeds obtained from the commission of any offence described in this Schedule.
42. Impeding the arrest or prosecution of a person who has or is believed to have committed an offence described in this Schedule.

43. Offences for which persons may be surrendered under multilateral international conventions; offences created as a result of decisions of international organizations.

44. Conspiracy to commit fraud or to defraud.

45. Conspiracy to commit, or any type of association to commit, any offence described in this Schedule.

46. Aiding, abetting, counselling or procuring the commission of, inciting, being an accessory before or after the fact to, or attempting to commit an offence described in this Schedule.