

Protocol to the Extradition Treaty between the United States of America  
and Finland signed 11 June 1976

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 Finland acknowledge that, in accordance with the provisions of this Protocol, the U.S.-EU Extradition Agreement is applied in relation to the bilateral Extradition Treaty between United States of America and Finland signed 11 June 1976 (hereafter "the 1976 Extradition Treaty") under the following terms:

(a) The aim of this Protocol is to facilitate extradition between the United States of America and the Republic of Finland by supplementing the provisions of the 1976 Extradition Treaty as set forth hereafter;

(b) Article 4 of the U.S.-EU Extradition Agreement, as set forth in Article 1 of the Annex to this Protocol, shall govern the scope of extraditable offenses, replacing Articles 2 and 3(3) of the 1976 Extradition Treaty;

(c) Article 5 of the U.S.-EU Extradition Agreement, as set forth in Article 2 of the Annex to this Protocol, shall govern the mode of transmission, and requirements concerning certification, authentication or legalization of the extradition request and supporting documents, replacing Article 13(1) and (5) of the 1976 Extradition Treaty;

(d) Article 6 of the U.S.-EU Extradition Agreement, as set forth in Article 3 of the Annex to this Protocol, shall authorize an alternative channel of transmission of requests for provisional arrest;

(e) Article 7(1) of the U.S.-EU Extradition Agreement, as set forth in Article 4 of the Annex to this Protocol, shall provide a supplemental method for transmission of the request for extradition and supporting documents following provisional arrest;

(f) Article 8 (2) of the U.S.-EU Extradition Agreement, as set forth in Article 5 of the Annex to this Protocol, shall govern the channel to be used for submitting supplemental information;

(g) Article 9 of the U.S.-EU Extradition Agreement, as set forth in Article 6 of the Annex to this Protocol, shall govern the temporary surrender of a person being proceeded against or serving a sentence in the requested State;

(h) Article 10 of the U.S.-EU Extradition Agreement, as set forth in Article 7 of the Annex to this Protocol, shall govern the decision on requests made by several States for the extradition or surrender of the same person, replacing Article 18 of the 1976 Extradition Treaty;

(i) Article 11 of the U.S.-EU Extradition Agreement, as set forth in Article 8 of the Annex to this Protocol, shall govern the use of simplified extradition procedures;

(j) Article 12 (3) of the U.S.-EU Extradition Agreement, as set forth in Article 9 of the Annex to this Protocol, shall govern the procedures governing transit in the event of unscheduled landing of aircraft;

(k) Article 14 of the U.S.-EU Extradition Agreement, as set forth in Article 10 of the Annex to this Protocol, 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 provisions to be applied to the 1976 Extradition Treaty upon entry into force of this Protocol. Other provisions of the 1976 Extradition Treaty remain unaffected by this Protocol.

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

4. This Protocol shall not apply to requests made prior to its entry into force except that, in accordance with Article 16 of the U.S.-EU Extradition Agreement, Articles 1 and 6 of the Annex to this Protocol shall be applicable to requests made prior to such entry into force.

5. (a) This Protocol shall be subject to the completion by the United States of America and the Republic of Finland of their respective applicable internal procedures for entry into force. The Governments of the United States of America and the Republic of Finland shall thereupon exchange notifications indicating that such measures have been completed. This Protocol 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 Protocol shall be terminated and the 1976 Extradition Treaty shall be applied. The Governments of the United States of America and the Republic of Finland nevertheless may agree to continue to apply some or all of the provisions of this Protocol.

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

DONE at Brussels, in duplicate, this <sup>4th</sup> 16 day of December 2004, in the English and Finnish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF  
REPUBLIC OF FINLAND:

