

# JUSTICE PRESS RELEASE

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## JUSTICE calls on MPs to oppose unfair extradition arrangements with US

JUSTICE has today written to MPs expressing its concern at the current extradition arrangements between the UK and the US (letter attached) and urging them to support EDM 179, tabled on 25<sup>th</sup> November 2004.

Our concerns are:

- The UK government is allowing the US to enjoy benefits of the Extradition Treaty even though the US has yet to ratify the Treaty. JUSTICE is calling for the extradition to the US of British citizens or residents to be deferred until the US Senate ratifies or renegotiates the Extradition Treaty of March 2003.
- Unlike the 1957 European Convention on Extradition, the Extradition Act 2003 allows UK citizens to be extradited to the US in respect of crimes alleged to have been committed substantially in the UK. This means that a UK citizen or resident could spend long periods of pre-trial custody in the US, or subject to the conditions of US bail, even though most of the alleged criminal activity took place in the UK and could be prosecuted here. The Extradition Act 2003 should be amended to reflect the terms of the European Convention on Extradition.
- The Treaty does not require the US to show a *prima facie* case for its extradition requests to the UK, even though UK requests to the US must show 'probable cause'. The UK government has justified the Treaty's lack of reciprocity on the grounds that the US Constitution would not permit extradition to the UK based on a lower evidential requirement. In the absence of equivalent safeguards in the UK, those residing in the UK will therefore receive inferior protection to their US counterparts. The statutory instrument allowing extradition requests from the US should be revoked and replaced with a new Order that requires the US to produce *prima facie* evidence.

Marisa Leaf, EU Legal Officer at JUSTICE, said, 'The current arrangements expose UK citizens and residents to potential miscarriages of justice, triggered by unfounded and arbitrary extradition requests. Three recent, high-profile cases of US extradition requests based on shaky evidence - Lotfi Raissi, Kashamu and Derek Bond – amply illustrate the dangers.

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