# EU/USA agreement on the judicial cooperation in criminal matters and extradition

2003/2003(INI) - 25/06/2003 - Implementing legislative act

Agreement between the European Union and the United States of America concerning extradition.

CONTENT: The Agreement seeks to enhance cooperation between the Union’s Member States and the US with the purpose of combating crime more effectively and thus to give their respective democratic societies and their common values greater protection.

This Agreement seeks to facilitate the extradition of individuals by specifying the type of offences for which extradition is to be carried out and laying down the technical conditions relating to extradition.

Among other things, the Agreement specifies:

- In case of sensitive information, the draft agreements allow to ask for consultations to determine the extent to which information, in a request, can be protected by the requested State.

- As far as competing requests are concerned, the agreements deal with the issue of a concurrence between an extradition request from the USA and one from another State, or when this other State is a Member State, a European Arrest Warrant.

The question of how to deal with concurrent requests for surrender from the International Criminal Court and extradition requests from the United States of America is therefore one which falls squarely within the exclusive competence of the Member States.

The Agreement, furthermore, contains a provision prohibiting any extradition to a country where the offence in question may be punished by the death penalty