AN ANALYTICAL STUDY ON GLOBAL EXTRADITION LAWS AND POLICIES: A COMPARATIVE PERSPECTIVE

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ABSTRACT

Extradition is important in combating international crime due to the structure it has which allows member states to enact the surrender of a fugitive or a person who stands accused to the jurisdiction making the request, which in this context would be another nation. This article deals with the broader issues of the history, principles and problems of extradition in different countries, while also providing a comparative approach. Emphasis is placed on the major legal theories which have a bearing on extradition proceedings globally, like the political offence exception, the specialty principle, and double criminality. Important jurisdictions, such as the United States of America, European Union, Asia & Africa, are discussed to show how national laws, international treaties, and political factors affect the different methods.

The article explores the conflict between sovereignty and international obligations mentioning how human rights are becoming more important in extradition matters. New concerns such as extradition pertaining to cyber and financial crime highlight the need for flexible rules. Moreover, the article considers changes that could enhance the clarity and unity of the practice regarding requests for extradition. This article offers a comparative analysis, which emphasizes the difficulties in accommodation of state interests, legal duties and concerns of international justice. It ends with suggestions on moving towards greater uniformity of extradition regimes in order to facilitate the processes and respect human rights in exacerbated globalization and technological development.

Keywords: Extradition Laws, Transnational Crime, Human Rights, International Cooperation, National Sovereignty, Fugitives, Bilateral Treaties

INTRODUCTION

At its core of the cooperation among international legal systems, Extradition is the procedure through which a state delivers a person charged with or convicted of a crime to another state which asks for such a person in order to prosecute or sentence that person. This legal tool assists countries in addressing all sorts of criminal activities that span jurisdictions[1], for instance terrorist activities, money laundering, cybercrime, and human trafficking. There are general legal principles underlying the extradition of persons, such as double criminality and the specialty doctrine but there is wide variance in how these principles are understood and enforced in foreign jurisdictions. Such differences may arise from the existence of diverse cultural and legal systems, politics and respect for human rights.

In our ever shrinking globe, the demand for effective extradition treaties has escalated. Not only has globalization made it easier to conduct cross border business but it has also provided tools for international crime syndicates to operate. Therefore, there is competition for countries to modify their national legislation in accordance with global standards and fulfill commitments without losing both international and domestic laws. For example, the European Union along with its countries reached a consensus on the European Arrest Warrant[2]. This helps in smooth flow of requests for extradition of suspects between the EU member states. However, countries such as the USA and many other Asian countries along with African countries have been known to practice extradition on the basis of treaties.

Extradition procedures are also shaped by international politics as well as the context of human rights. What could reasonably be such an undesirable event, such as the forced exile of political oppositions, the claim of biased judicial processes, or even a state that justifies the execution of criminals, incur special concern. These factors contribute to the debate on international obligations and the principle of non-intervention of core state functions. Even more, the emergence of cybercrime and cases of disguised frauds proved new limitations, as traditional extradition protocols seem ineffective to cover tech-savvy crimes.

This article addresses the history, current status, and situation of the United States Extradition treaties[3]. The jurisdictions of the US need to be understood in the context of its history as a

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[1] Boister, N. (2018). *An Introduction to Transnational Criminal Law.*
[2] Council of Europe. (1957). *European Convention on Extradition.*
[3] Bassiouni, M. C. (2008). *International Extradition: United States Law and Practice.*

country controlled by British colonial rules and the evolution of extradition law. For practical purposes, these factors can lead to singular examples of extradition that allow defining its focus[4]. These factors do not simply illustrate a dialectic relationship of being legal, political and clinic, in their relation to being extradition processes and the complexities that surround them.

HISTORICAL DEVELOMENT OF EXTRADITION LAWS:

Separation of Fugitive transfer or extradition laws developed informally, as ad-hoc agreements to now much more documented and structured legal settled norms assisting in transferring fugitives across jurisdictions. Stereotypes regarding the development of such regulations changed from a focus on international relations and sovereignty to a focus on the administration of law.

Early Beginnings of Extradition

The history of extradition dates back to ancient times when agreements were made to hand over criminals to each other. In fact, the earliest known record of an extradition treaty is claimed to be as far back as the thirteenth century BC between the Egyptian Pharaoh Ramses II and the Hittite King Hattusili III. The purpose of this arrangement was to warrant the return of criminals and military defectors to their countries, thereby stressing cooperation amongst the nations involved in the treaty. However, apart from persuasion, these early agreements failed to clearly specify the obligations of the contracting parties.[5]

Extradition practiced in the Roman Empire can be said to have been more organized. The Romans most of the time required the delivery of all persons charged with criminal offenses against the empire, to territories within their control. These arrangements were largely one-sided reflecting the imperial power of Rome rather than bilateral understandings.

In the European middle age, provisions regarding the surrender of criminals were rather unpredictable and were based on the feudal system. Fugitives were often returned to their countries with the assistance of diplomats and embassies; however, there was no effective

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[4] Shearer, I. A. (1971*). Extradition in International Law.*
[5] Shearer, I. A. *Extradition in International Law*. Oxford: Clarendon Press, 1971

regulation. Decisions were sometimes influenced by religious factors, as many heretics and other people faced with charges against the church were given to clerical persons.[6]

Early Modern Period and Formalization

The expansion of the nation state in the early modern era profoundly altered extradition practices Settler supremacy became a dominant norm in international legal relations, and countries attempted to govern the exchange of wanted persons in a more organized fashion. The seventeenth and eighteenth centuries witnessed the introduction of bilateral agreements as one way of firming up extradition provisions.[7] A notable case is the 1776 treaty between America and Great Britain aka the `Jay Treaty', which contained reciprocal clauses when filing for deportation against murder or forgery suspects. At first such treaties would enumerate particular crimes for which a person's deportation could be applied for, something which is still the case in contemporary American doctrine.

Nineteenth Century: Expansion and Codification

International extradition in the 19th century underwent a major transformation. The growth of international commerce, movement of people, and communication cried out for more stringent legal regimes. This era also witnessed dramatic increase of bilateral treaties as states understood the rational for working together in international law enforcement against international criminal activities.

Another significant treaty was the downward Webster–Ashburton Treaty signed by the British Empire and United States in 1842. It was one of the earliest treaties written in a respectable detail about extradition including political and common crimes and law and procedure on the issue. It also stressed the duality of jurisdictional elements requirement where there has to be the same crime in both territories.

Also, the second half of the nineteenth century was characterized by attempts at internationalizing extradition. The 1878 International Congress on Criminal Law sought to establish uniform procedures in relation to requests for the surrender of fugitives and therefore incorporated a model treaty that would bear its fruits in future treaties. Nonetheless there

[6] Bassiouni, M. Cherif. *International Extradition: United States Law and Practice.* New York: Oceana Publications, 1987.
[7] "The Webster-Ashburton Treaty, 1842." U.S. Department of State. Accessed December 2024.

remains a gap in understanding the nature of extradition treaties in this time; to a large extent they were a product of relations between nations, with the more powerful setting the terms.

Twentieth Century: Multilateralism and Human Rights

However, the 20th century was the one in which the movement for extradition law became multilateral as opposed to bilateral. More importantly, international structures including the League of Nations and subsequently the UN contributed greatly towards an idealistic uniform practice. In this context, the European Convention on Extradition (1957) was a significant step since it established a wide expanse of rules on how the different member states could carry out extradition.[8]

Also, the protection of human rights became a consideration in extradition. With respect to flights, the stringent principle or rule on prevention of extradition in case the fugitive was at risk of being ill-treated, tortured or subjected to trial that was unfair, was instituted.

POST WORDWAR II DEVELOPMENTS:

Once World War II was over the rush for power and countries trying to dominate one another led to the drastic change in extradition policies internationally. Breaking the definition of the term Extradition, it was understood as the process by which one state formally relinquishes a physical person charged or convicted of an offence to another state for prosecution or imprisonment. This change was also enforced by the inter-relations between states as well as the formation of international organizations, universal law, and the canonical articles on extradition in global perspective.

The trials where the leaders of the Nazi party were tried as war criminals, namely Nuremberg Trials, are known to be the foundation to even the concept of formal extradition. These trials enabled the establishment of accountability in International law for the commission of crimes including: crimes against humanity, war regularly, and genocide, hence providing a basis to carry out capture and imprisonment of the criminals across borders without restrictions. It was here that the jeopardy of the foreword 'crimes transcend national boundaries' was placed. Such declarations provided the establishment of international mechanisms to serve justice together with the formation of the United Nations (U.N) charter in 1945 and the acceptance of the

[8] European Convention on Extradition, 1957. Council of Europe.

Universal Declaration of Human Rights in 1948 advanced the arbitrators of the rule of law world-wide. It is Article 14[9] of the Declaration that recognizes the right to seek asylum from persecution that created a new dimension to the idea of extradition especially in the context of extraterritorial crusaders. This practice of "do not extradite if it is a political offence" was consistently incorporated into the US and other countries laws on extradition treaties.

The extradition treaties of the Western democracies normally excluded the countries aligned with the Eastern Bloc. The political asylum became a contested issue because the people running away from the communist regimes often received shelter from extradition through political considerations.

In the 1950s and 1960s, the institutions began to include extradition within their legal frameworks. For instance, the European Convention on Extradition (1957) harmonized extradition within member states of the Council of Europe, focusing on the right to procedural fairness without denying human rights. On similar lines, the Inter-American Convention on Extradition (1981) normalized the principles of extradition within Latin America. New agreements emerged in response to the rise of transnational organized terrorism in the latter half of the 20th century. For instance, in 2000, the UN Convention against Transnational Organized Crime and its protocols emphasized international cooperation in extraditing persons involved in human trafficking and drug smuggling. Terrorism itself prompted negotiations on specific treaties and brought anti-terrorism clauses to existing extradition agreements.

http://culturalrelations.org/the-10-most-important-international-treaties-after-world-war-2/

[9] Universal Declaration of Human Rights, 1984, Article 14

KEY PRINCIPLES OF EXTRADITION:

1. Principle of Reciprocity

Reciprocity is one of the basic social norms that one would think of when one considers the inclination of individuals to respond to actions of others on a social basis. Any such pattern of reciprocation establishes a mutual exchange of favors or obligations. The principle of reciprocity is psychologically ingrained and culturally clothed; it is largely instrumental in buttressing cooperation among individuals, building trust, and establishing social cohesion. Reciprocity, in any practical sense, might work on both a positive and negative basis. Positive reciprocity refers to the kindness and favors that are returned or reciprocated; such as when a person sends a thank-you note after being given a gift, or one who gives another a helping hand is likely to be assisted by the other in the future. So this baneful cycle of thanks-some action of goodwill-creates another bind whereby kindness naturally induces yet another kind response. Negative reciprocity is related to retaliation or punishment for people who do something harmful, such that it can serve to deter unwanted or anti-social behaviors.[10]

2. Principle of Double Criminality

The principle of double criminality is fundamental in maritime law, most important in extradition and mutual legal assistance treaties. Consequently, so long as an act is viewed as an offense in either requesting or requested states, legal cooperation-a.k.a. extradition or prosecution-can duly moves forward. The principle treats the involved states and the sovereignty of the law thereof equally well and truly. Double criminality formula is sufficient to prevent abhorrent extradition or punishment of a person for the acts he committed that are not criminal in the country of action. If one state consents to an act of sympathy toward one state for a certain kind of speech, yet allows other states beyond their borders to tolerate such speech, unraveling such extradition is warranted. Take a different broad brush to double criminality; concentrate on the conduct and not the technical definitions of the offense.

"It is not necessary for the offenses to bear the same name or classification," state the UN Office on Drugs and Crime, so long as the acts are criminalized in both jurisdictions. This principle complements the necessity of harmonization and clarity as far as international

[10] Gouldner, A. W. (1960). The norm of reciprocity: A preliminary statement. *American Sociological Review, 25*(2), 161-178.

cooperation is concerned, weighing the rights of the individual on one hand and the interest of justice on the other.[11]

3. Principle of Double Jeopardy

Double jeopardy prevents imposing punishment or launching prosecutions on an individual two times for the same offense. This principle, established at common law and written into many legal systems, including the Fifth Amendment (no person shall be subject for the same offense to be twice put in jeopardy of life or limb), serves as a mechanism providing due process fairness while granting personal liberty against government abuse. Simply put, double jeopardy stands for the exclusion of three scenarios: retrial after acquittal, retrial after conviction, and multiple punishments for the same offense. In other words, for example, if an individual is acquitted of a crime in a competent court, he is free from being tried again for that same crime in the same jurisdiction. On close investigation of the facts, the individual is now unsafe from further prosecution or penalties concerning the same act. Some exceptions to double jeopardy do exist; for example, different sovereigns-the federal and state courts in the U.S-can prosecute an individual for the same conduct under their laws; this principle is known as "dual sovereignty." In some instances, mistrials or new evidence may result in retrials within certain narrow constraints.

The principle, which is one recognized in international human rights law, was conceived to promote judicial efficiency and protect individuals from the tension, costs, and harassment associated with being brought to trial multiple times.[12]

4. Principle of Speciality

The principle of double specialty, which is a basic legal concept largely discussed about extradition, requires that the person to be extradited may be prosecuted only for the offense for which extradition has been awarded. The principle has been framed to protect the sovereignty of the extraditing states and the rights of individuals, which go on to ensure that extradition is used not for abuses against the person. In point of fact, double specialty requires that the requesting state respect the terms of the extradition treaty. The person delivered over in

[11] United Nations Office on Drugs and Crime (UNODC), *Manual on Mutual Legal Assistance and Extradition,* 2004.
[12] Garner, *Black's Law Dictionary*, 2019.

execution cannot be tried for any other unrelated offense having been perpetrated before extradition unless express permission is given by the extraditing state. For example, the principle was codified in Articles 14 of the European Convention on Extradition (1957) and the United Nations Model Treaty on Extradition, thus showing its international significance.

This principle also serves to guard against the possibility of a member being extradited based merely on political or legal persecution, ensuring that extradition agreements are not abused. In other words, it maintains a balance between cooperation among states in their efforts to combat international crime and a respect for the rights for both individuals and comparatively sovereign states.

GLOBAL PRESPECTIVE ON EXTRADITION POLICIES:

1. UNITED STATES;

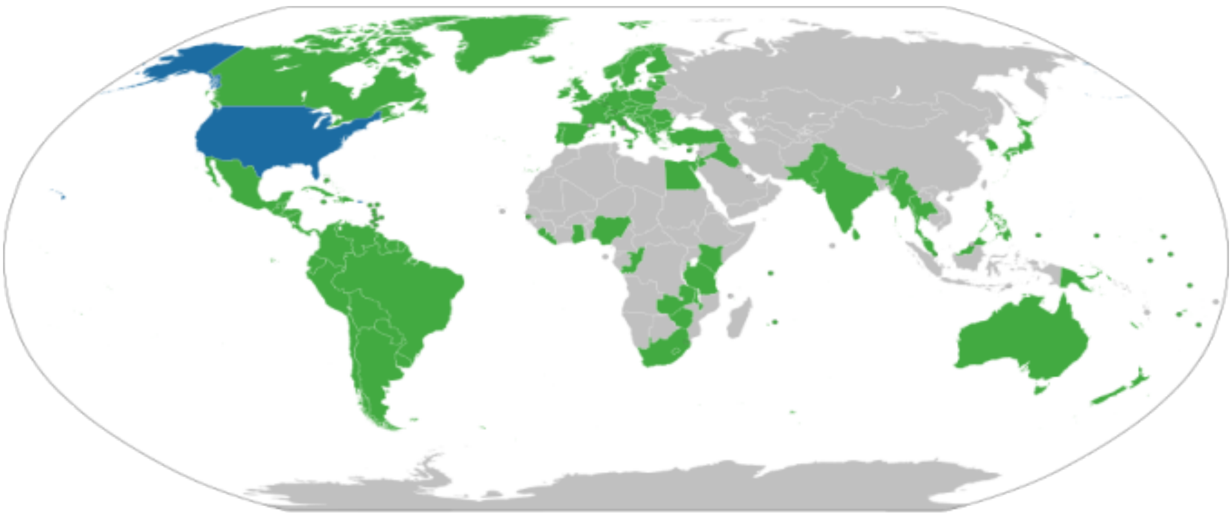
Generally speaking, extradition provides great assistance in the international law-enforcement business, in which one state hand over an individual accused or convicted of a crime to another jurisdiction. The specific choices for U.S.[13] extradition seem largely impacted by various bilateral and multilateral treaties and a mixture of legal principles, political considerations, and international cooperation. "Depending on the nature and political climate of the country, the extradition process goes differently." The U.S. currently holds more than 100 bilateral treaties on extradition and thus plays an important reparative role in international crimes being prosecuted. These treaties affirm dual criminality principles and specificity, which hold that crimes must be culpable in both countries in question and only a listed account can be bypassed. Important examples would be, for instance, extraditions on Joaquín "El Chapo" Guzmán taking place from Mexico and evidencing strong cooperation between the two countries true to their treaty obligations.[14]

A critical aspect of U.S. policy is the observance of domestic constitutional safeguards. For instance, if the penal detention system in the requesting country is deemed inhumane, a request for extradition may become non executory under the Eighth Amendment clause against cruel and unusual punishment. Additionally, the U.S. courts analyze with much more scrutiny in cases regarding political crimes, usually ruling them out to prevent political persecution.

[13] "Extradition Treaties Interpretation Act, 1998," U.S. Department of Justice.
[14] "U.S.-Mexico Extradition Treaty," Library of Congress.

Extradition in varying contexts around the globe is evidence of the duality in human rights. European countries are much more careful to protect human rights as they relate to procedures for extradition owing to the U.S. practicing or regulations about capital punishment and also life without parole. In some less developed politically stable states, police and independence sources have a role to play; they do not extradite individuals to the U.S. for trepidation of political misperception or insensible jury trials.

In all high-profile cases-much public attention in the Julian Assange extradition proceedings-it shows that difficulty in negotiating with international cooperation often boils down to national sovereignty, human rights, and political sensitivities. Globalization and transnational crimes continue to increase; nevertheless, the U.S. is continuously modifying its policies in order to be ever more in line with evolving international standards while safeguarding its own interests.



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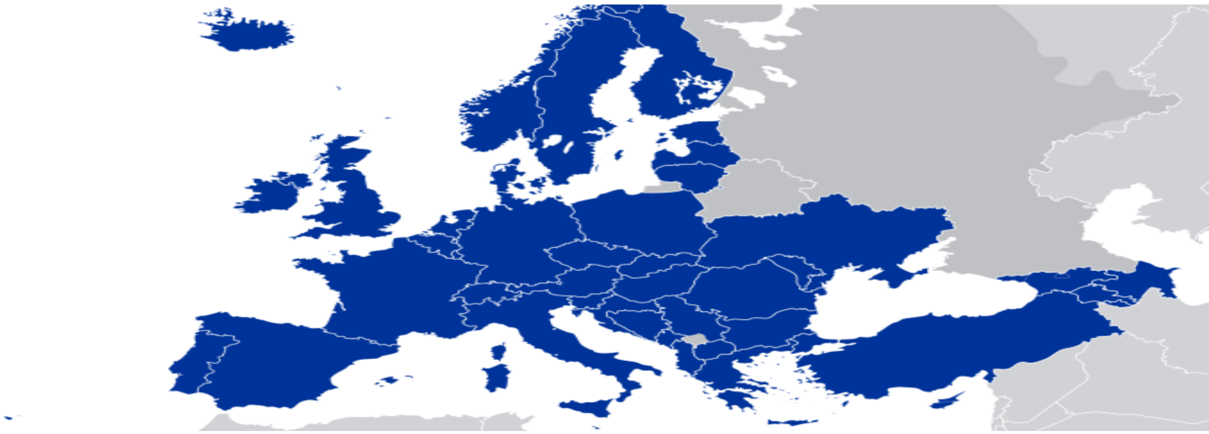
2. EUROPEAN UNION;

Extradition policies in the EU represent a unique and easy model for international legal cooperation. The EU disseminates its members through the European Arrest Warrant (EAW) system, which was put in place in 2004 to effectively replace traditional extradition procedures between member states. The EAW facilitates and accelerates the extradition of individuals between EU states for prosecution or the execution of a sentence, with a key emphasis on mutual recognition of the decisions of judicial authorities. Unlike traditional extradition, which often involved a political touch, the EAW framework is administered uniformly and judicially throughout the EU[15]. The arrest warrant system easily excludes any direct executive interference, thus getting rid of further formalities. It imposes surrender obligations except under specific circumstances, such as chances of possible human rights violations or serious problems with dual criminality. The EAW also faces, however, much criticism for its implementation: dubious motives of political prostitution and differences in the standards of justice among the EU partner states give cause for concern. Criteria like the Polish-Hungarian conflict over issues of judicial independence have added strain to mutual EU trust.[16]

Moreover, extradition agreements with non-member states exist, expanding legal cooperation. The 2003 EU-U.S. extradition agreement exemplifies the balance between a unified EU approach and engagement with global partners. Some challenges arise when the practices of non-EU states involve conflict with EU norms, particularly in areas pertaining to human rights.

While the EU's extradition policies go many lengths to improve efficiency, complexities arise in their harmonization with the preservation of fundamental rights and in the maintenance of uniformity among the diverging legal systems.



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[15] Mitsilegas, V. (2006). "The European Arrest Warrant and the Fundamental Rights in Europe."
[16] European Union Agency for Fundamental Rights (FRA). "The European Arrest Warrant: Key Issues and Safeguards."

3. ASIA & MIDDLE EAST;

Extradition policies also differ in the Asia-Middle East corridor-and this is usually attributable to domestic laws, bilateral treaties, and international agreements where domestic laws denote individual sovereign rights enjoyed by states. Most Southeast Asian countries, like India and China, implement extradition treaties on a formal basis in combating transnational crime. India has signed 47 extradition treaties with various countries around the globe and generally upholds the principle of reciprocity with respect to extradition matters. Its process of extradition has often been described as agonizingly slow, yet another instance found in the case of Vijay Mallya. While conducting "Operation Fox Hunt" to pursue economic fugitives abroad, China has been accused of using coercive methods that raise some ethical concerns.

In the Middle East, the extradition policies are more likely to be set against the backdrop of communal cooperation, based on Sharia. The member states in the Gulf Cooperation Council (GCC) have entered into an internal extradition agreement in combating organized crime. Nonetheless, the political-driven bilateral treaties provide the primary mechanism, more so in the case of the UAE collaboration with Western countries. Political considerations supersede the legal framework as evidenced by the diplomatic row between Qatar and Saudi Arabia that compromised extradition processes.

Both regions grapple with problems, including accusations of politically motivated extraditions and non-adhesion to international human rights standards. These regions still see global cooperation through Interpol and treaties like the United Nations Convention against Transnational Organized Crime (UNTOC), constantly at the forefront of evolving extradition practices.

4. AFRICA;

The extradition policies worldwide are geared towards ensuring that anyone charged with or convicted of crimes faces justice even after fleeing through borders. The position of extradition in Africa tells a story enriched with regional and global influences, colonial legacies, post-colonial state dynamics, and international conventions.

Most African countries rely on bilateral extradition treaties or agreements concluded between the African Union and other countries. Instruments like the AU Convention on Preventing and

Combating Corruption (2003)[17] and the SADC Protocol on Extradition normally promote regional cooperation. However, instability, disparity in legal systems, and fear of human rights violations has combined to create a tough bargaining tool.

Extradition between nations is implemented through treaties such as the United Nations Convention Against Transnational Organized Crime, and through other bilateral arrangements. African countries largely process their extraditions within this or similar frameworks. However, the effectiveness of this process is affected by various obstacles such as the disparities in legal resources of the states seeking and the states being sought for extradition, and a lack of mutual confidence. There are also concerns of political interference once the extradition is actually instituted, which also restricts arrangements.

In 2018, for instance, South Africa's refusal to extradite Grace Mugabe on the basis of diplomatic immunity raised political and legal issues. It is expected that improving the independence of the judiciary and leveling the structure of the legal systems would enable Africa to be included in the global networks of extradition of criminals, thereby ensuring justice and reparation for crimes.

CHALLENGES IN EXTRADITION:

Extradition, the process of delivering an individual from one jurisdiction to another for prosecution or punishment, is a complex mechanism governed by international treaties and domestic laws. Despite its utility in ensuring justice and combating transnational crimes, extradition is fraught with challenges that arise from political, legal, and human rights considerations. This document explores these challenges with references to key case laws and principles.

1. SOVEREIGNTY CONCERNS;

Primarily, one of the leading challenges is the infringement of one nation's sovereignty over another. Sovereignty indicates that a state has the monopoly over its territory and its people. This means the extradition of an individual involves the surrender of the sovereign state's authority to a foreign jurisdiction. This is rather problematic when no bilateral or multilateral treaties exist on the matter. For instance, in R (on the application of Al-Fawwaz) v. Governor

[17] African Union (2003*). AU Convention on Preventing and Combating Corruption.*

of Brixton Prison[18], the UK House of Lords emphasized the importance of treaty obligations at the same time as balancing those obligations against domestic sovereignty concerns.

2. DUAL CRIMINALITY PRINCIPLE;

Extradition can be applied only if the crime is considered to be a punishable act in both the requesting and the requested jurisdictions. The principle, that of dual criminality, is then foreshadowed by substantive legal differences. For instance, in Soering v. United Kingdom[19], the European Court of Human Rights, or ECHR, observed that great procedural impediments to extradition could be raised by differing definitions and penalties in different countries. Soering also considered the death penalty, on account of the fact that the crime, for which the requesting state wanted extradition, was a capital offense not recognized in England, where the alleged accused was sought.

3. POLITICAL OFFENCES EXCEPTION;

Also, in their attempts to avert persecution dressed as prosecution, may exclude the political offenses from the scope of the extradition treaty. To a great extent, the identification of whether an offense is political or not could be subjective. In In Re Castioni[20], the court defines political offenses to be those acts of rebellion pertaining to political uprising, thus defending the accused against extradition. This exception becomes a thorny issue when the acts of terrorism are classified as political offenses, as witnessed in the recovery room debates sometime after 9/11 attacks.

4. HUMAN RIGHTS CONCERNS;

Soering v. United Kingdom was a landmark decision whereby the extradition of a person to a state where there was a real risk of torture, inhumane treatment, or an unfair trial was declared to breach Article 3 of the ECHR. In the United States v. Burns case[21], the Supreme Court of Canada held that extradition proceedings can violate fundamental human rights, when the country asking for extradition does not assure that the death penalty will not be sought.

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[18] R v. Governor of Brixton Prison [2001] UKHL 69.
[19] Soering v. United Kingdom, (1989) 11 EHRR 439
[20] In Re Castioni case, [1891] 1 OB 149
[21] United States v. Burns [2001] SCC 7

6. PROCEDURAL CHALLENGES;

Many procedural complexities, such as delays, evidentiary requirements, and appeals, get in the way of smooth extradition proceedings. Courts in the requested state must be satisfied that there is enough evidence presented before them by the requesting state that warrants extradition, without impingements on due process guarantees. In Norris v. Government of the United States of America[22], the UK Supreme Court underscored the necessity of clear evidence prior to granting extradition.

EMERGING TRENDS:

1. INTERNATIONAL COOPERATION:

International collaboration in criminal matters, an intricate part of this combat against transnational crimes is that the legal harmonization among countries is promoted by international collaboration. Exactly what such treaties create are the exact legal opportunities for uniform extradition processes such as the UN Model Treaty on Extradition. In this particular treaty are enumerated the core principles which nations are encouraged to adopt, including dual criminality, fair treatment of individuals involved, and safeguards of human rights. In brief, its purpose is to make the extradition process easy while at the same time respecting national rights. However, the different local laws in which the treaty must be implemented and the changing political priorities and sometimes unique bilateral relationships all together result in differences in how the treaty is applied.

For example, some countries stress that they will not conclude any agreement on extradition with persons who are accused of politically motivated crimes or cases where capital punishment would be inflicted as things stand-their domestic laws and ethical values form this decision. Such disparities among states make cooperation among countries difficult and as a result, certain difficulties have been attached to the global integration of the UN Model Treaty. The tensions in geopolitics also have an influence over requests for extradition; sometimes, the strategic aims are considered to have a higher value than sinking into the details of treaties.

This weakness will be overcome by such multilateral drives as infrastructural dialogue, cultural promotion, and institution building among nations. They set the stage for bilateral treaties

[22] Norris v. Government of the United States of America, [2010] UKSC 9

brought in under this aegis as well as for regional agreements like the European Convention on Extradition for Diasporas, intended to reflect the spirit of the UN Model Treaty. Successful international cooperation finds the right balance between standardized protocol and varied national legal systems.

2. DIGITAL & FINANCIAL CRIMES'S:

The escalation of cybercrime and cryptocurrency offenses has various repercussions on international legal systems, especially on order to such treaties. Digital crimes refer to hacking, identity theft, ransomware incidences, and online fraud, which cross nations' borders. This necessitates international cooperation such that criminals are positively prosecuted. Also, there is an increase in activities of cryptocurrencies such as Bitcoin. The Kikuyu who launder money, even sell the business online, do their job with fake network websites. This has made the investigation processes more cumbersome, as the same platform on which operations take place—decentralized networks—also protect anonymity of the user.

In response to these pressing issues, nations are revising their extradition treaties to incorporate specific provisions aimed at combating digital and financial crimes. A prime example is the Budapest Convention on Cybercrime which underscores the importance of international cooperation in addressing online wrongdoing; this convention has served as an influential template for numerous bilateral agreements[23]. Modern treaties now frequently contain clauses that handle jurisdictional challenges and outline procedures for sharing electronic evidence, a critical factor when prosecuting cybercriminals who cross borders.

Additionally, the urgency of addressing crimes linked to cryptocurrencies has prompted regulatory initiatives that advocate for cross-border collaboration. Governments along with organizations such as INTERPOL and Europol are joining forces to monitor unlawful cryptocurrency transactions and capture those involved in criminal activities. These developments emphasize an urgent need to revise legal frameworks so they can adapt effectively alongside rapid technological innovations related to crime.[24]

[23] Council of Europe, "Budapest Convention on Cybercrime."
[24] Europol, "The Internet Organised Crime Threat Assessment 2023."

3. REFORM MOVEMENT'S:

Extraditions must be transparent, fair, and human rights-friendly processes. Professional reform agencies are unanimous in their appeal that extradition systems should be reformed in line with transparency, neutrality, and human rights morals. They have cited that extradition systems overlook basic human rights and endanger those liable to unfair trials, torture, or persecution, especially heavily corrupt or politically interfered-with regions with poor functioning judiciaries.

Transparency is central to reforms as they advocate a very important point that such clear and well-defined legal parameters have to come with not only internal accountability but deep public accountability regarding all extradition decisions. Failed transparency and absence of any process in these sort of things will lead to arbitrary action in bringing everyone under equal law where public trust or even international cooperation is taken away. Further stresses of the reforms are that human rights assurances like non-refoulement will be included because more than one particular case, extradition must have been observed as prone to abuse, topicalization focusing more on political agendas as opposed to judicial considerations.

The following are the organizations for reform telling us of international supervision machinery that is to be called for concerning those international treaties, among those from the European Convention on Human Rights. Enforcement of these provisions guarantees that extradition is more just than a means of perpetuating inequality or oppression.

CONCLUSION:

Various extradition laws and policies govern the cooperation of states in international justice. As a consequence, complexities in the extradition frameworks from one nation to another are expounded in this article. Concerns over issues such as sovereignty, legal traditions, and geopolitical puzzles are essential in shaping these dimensions in the respective countries. Most of these concerns are made worse despite their being covered by multilateral treaties like the United Nations Convention Against Transnational Organized Crime and bilateral treaties, given that each legal framework suffers from lack of common definitions in the law and due to the fact that guarantees of procedural protection and human rights remain un established. For example, in the United States, treaties usually form the foundation of extradition agreements; by contrast, European Union member states have mechanisms like the European

Arrest Warrant (EAW), which they use to simplify extradition among themselves. Political offenses or fears of persecution provide reasons for refusal to deliver and these often come under the umbrella of such terms as "dual criminality" and "non-refoulement".

The immediate requisite is accordingly the creation of standard protocols worldwide addressing these grievances and ensuring their simultaneous exclusion through the instatement of justice in extradition grounded on its preferential status. If extradition is intended to be just through preferential justice, one would need to see stronger judicial cooperation, the harmonization of procedural standards, and taking into account human rights aspects.

SUGGESTION'S:

- From the early bilateral treaties to more recent multilateral frameworks, including the European Convention on Extradition (1957), the way extradition law has evolved. The social, political, and economic contexts behind colonial histories affect the treaties entered into by the state with reference to extradition.

- Analyzing baseline principles such as dual criminality, specialty doctrine, and non-refoulement. Compare and contrast how such principles are construed in U.S. law, EU law, and Indian law.

- Exploring how human rights protections, including the prohibition of torture and fair trial guarantees, affect extradition outcome-exemplified by select cases from the European Court of Human Rights (ECHR) and the Inter-American Court of Human Rights.

- Investigating how political offense exceptions influence extradition determinations, including asylum cases in Latin America and high-profile extradition cases such as Edward Snowden.

- Contrasting the European Arrest Warrant (EAW) and multilateral treaties under United Nations Convention against Transnational Organized Crime. Evaluate their effectiveness and challenges.

- Evaluating what challenges cybercrime and virtual evidence present to extradition, alongside issues such as breaches of individual privacy and the territorial jurisdiction of cloud-hosted evidence.

- A critical review of leading extradition cases (e.g., Soering v. United Kingdom, Abu Hamza al-Masri case) will convey how sovereign and judicial systems interpret extradition treaties.