



What is extradition?

Extradition is the procedure by which a person accused or convicted of a crime under the law of one state is arrested in another, and is returned for trial or to serve a sentence.

What's needed for extradition to happen?

- Existence of a serious crime with transnational impact.
- A state requesting extradition.
- A state that receives the request..
- An extraditable person.

When does an extradition move forward?

- A crime is committed within a state jurisdiction/territory, and is considered serious under international treaties and state laws.
- The crime has transnational implications, such as drug trafficking, organized crime, and acts of corruption, among others.
- A criminal proceeding has been initiated, or a person has already been sentenced by a state to serve a certain penalty.
- The person alleged to have committed the crime flees or moves to another state.
- A state initiates a claim that it has jurisdiction to prosecute the person who allegedly committed the crime.
- The state that receives the extradition request initiates a legal process, in order to establish whether the demand that the extraditable person be arrested is relevant.

Honduran case

The former president of Honduras, Juan Orlando Hernandez, was extradited to the United States on April 21, 2022. Here's the legal basis for this extradition:

1. Article 102 of the Honduran Constitution permits extradition for:
 - Any type of drug trafficking.
 - Terrorism.
 - Any other illicit organized crime.
 - When there is an extradition treaty or convention with the requesting country.

2. A June 1, 2012 order by the Supreme Court of Honduras on June 1, which establishes the legal guarantees and general principles that must be upheld during an extradition process, in order to comply with due process.
3. Extradition treaties between Honduras and the United States of America, including:
 - Extradition Treaty between the Republic of Honduras and the United States (1909).
 - Additional Convention on Extradition between the United States of America and the Republic of Honduras (1927).

Sources::

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