CARICOM ARREST WARRANT TREATY
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CARICOM ARREST WARRANT TREATY

The Participating Members:

RECOGNISING that the current extradition framework among CARICOM Members is complex, costly and limited and does not allow for a system of surrender of persons between their judicial authorities;

CONSCIOUS of the need to develop international cooperation measures that increase efficiency in crime fighting and contribute to national and regional security;

RECOGNISING ALSO that a system of surrender between the judicial authorities of Participating Members is desirable in the context of the integration objectives of the Caribbean Community for its economic and social development;

DESIROUS of removing the complexity, costs and potential for delay inherent in the present extradition procedures between and among some CARICOM Members and of establishing a more efficient system of surrender of persons among all Participating Members;

ALSO DESIROUS of making the principle of mutual recognition of judicial decisions and judgments the cornerstone of judicial cooperation in criminal matters;

HAVE AGREED AS FOLLOWS:

ARTICLE I

DEFINITIONS

In this Treaty –

"applicable offence" means any offence which is punishable in the issuing Participating Member by a custodial sentence of one year or any greater punishment and includes an offence under Article III (2);

"approved translation" means a translation accompanied by a certificate from an approved translator;

"approved translator" means a person recognised by the Ministry with responsibility for Foreign Affairs in the issuing Participating Member as a person competent to make a true and accurate translation;

"CARICOM Arrest Warrant" means an arrest warrant issued by an issuing judicial authority with a view to the arrest and surrender of a requested person in respect of an applicable offence;

"Caribbean Community (CARICOM)" means the Caribbean Community including the CARICOM Single Market and Economy established by Article 2 of the Revised Treaty;

"central authority" means the authority of a Participating Member designated as such under Article V (3);

"Council" means the Council for National Security and Law Enforcement established by the Conference of Heads of Government of the Caribbean
Community at its Twenty-Sixth Meeting held on 5-7 July 2005 in Saint Lucia;

"Depositary" means the Secretary-General of the Caribbean Community;

"executing judicial authority" means the judicial authority competent under the law of the executing Participating Member, to authorise or determine any matter relating to the surrender of a requested person pursuant to a CARICOM Arrest Warrant;

"executing Participating Member" means the Participating Member requested to execute a CARICOM Arrest Warrant;

"IMPACS" means the Institution of CARICOM established by the Agreement Establishing the CARICOM Implementation Agency for Crime and Security signed by Members at Basseterre, St Kitts and Nevis on the 6th day of July 2006;

"issuing judicial authority" means the judicial authority competent under the law of the Issuing Participating Member to issue a CARICOM Arrest Warrant;

"issuing Participating Member" means the Participating Member in which a CARICOM Arrest Warrant has been issued;

"Member" means a Member of the Caribbean Community but does not include an Associate Member within the meaning of Article 231 of The Revised Treaty;

"Participating Member" means a Member who is a Party to this Treaty;

"requested person" means a person in respect of whom a CARICOM Arrest Warrant has been issued; and


**ARTICLE II**

**OBJECTIVE**

The objective of this Treaty is to establish, within the Caribbean Community, a system of arrest and surrender of requested persons for the purposes of –

(a) conducting in respect of those persons a criminal prosecution for an applicable offence; or

(b) executing a custodial sentence or greater punishment where the requested persons have fled from justice after being convicted or sentenced for an applicable offence.

**ARTICLE III**

**SCOPE OF TREATY**

1. Subject to paragraphs 3 and 5, a CARICOM Arrest Warrant may be issued for any applicable offence.

2. Any offence punishable by a custodial sentence of one year or any greater punishment constituted by an act, including an act taking place in the executing
Participating Member, that is of a kind over which Participating Members are bound to establish jurisdiction under an international Convention, is an applicable offence for the purposes of this Treaty and shall be deemed to be committed within the jurisdiction of the issuing Participating Member, where that appears to the executing judicial authority to be appropriate, having regard to the provisions of the Convention.

3. Where an applicable offence is listed in Annex II, the double criminality of such an offence need not be verified by the executing Participating Member in order to give rise to surrender pursuant to this Treaty.

4. The Council may decide at any time, on the recommendation of a Participating Member, to extend or amend the categories of offence listed in Annex II.

5. For offences other than those covered by paragraph 3, surrender may be subject to the condition that the acts for which the CARICOM Arrest Warrant has been issued constitute an offence under both the law of the issuing and the executing Participating Members whichever the constituent elements or however it is described in the issuing and the executing Participating Members.

6. This Treaty does not apply to an offence under military law which is not also an offence under criminal law.

7. Nothing in this Treaty shall be interpreted as:

   (a) modifying any obligation to respect fundamental rights and fundamental legal principles including those enshrined in the Constitutions of Participating Members; or

   (b) preventing a Participating Member from applying any constitutional provisions in respect of those rights.

**ARTICLE IV**

**GROUNDS FOR ISSUANCE OF CARICOM ARREST WARRANT**

A CARICOM Arrest Warrant may be issued for the arrest and surrender of a person who-

   (a) is reasonably suspected of having committed an applicable offence;

   (b) is charged with an applicable offence; or

   (c) has fled from justice after:

       (i) having been convicted of an applicable offence; or

       (ii) a custodial sentence of one year or greater punishment has been imposed for an applicable offence.

**ARTICLE V**

**JUDICIAL AND CENTRAL AUTHORITIES**

1. Each Participating Member shall provide that a Judge of the High Court shall be a judicial authority for the purposes of this Treaty.
2. A judicial authority shall have power to-

(a) issue a CARICOM Arrest Warrant; and

(b) authorise or determine any matter relating to the surrender of a requested person pursuant to a CARICOM Arrest Warrant issued in another Participating Member.

3. Each Participating Member shall designate a central authority to be responsible for the administrative transmission and reception of CARICOM Arrest Warrants as well as for all other documents or official correspondence relating thereto.

4. Each Participating Member shall notify the Depositary of any designation made pursuant to paragraph 3 and any changes to such designation.

5. The Depositary shall promptly inform each Participating Member of the notification received pursuant to paragraph 4.

ARTICLE VI
PARTICULARS RELATING TO THE CARICOM ARREST WARRANT

1. Each Participating Member shall upon entry into force of this Treaty in relation to that Participating Member, deposit with the Depositary a declaration specifying the official language in which a CARICOM Arrest Warrant shall be submitted to its executing judicial authority.

2. The Depositary shall promptly notify the other Participating Members of every declaration received pursuant to paragraph 1.

3. A CARICOM Arrest Warrant shall be issued in the form set out in Annex I, in the official language of the issuing Participating Member.

4. Where the official language of the issuing Participating Member is different from the official language of the executing Participating Member the issuing Participating Member shall cause an approved translation of the CARICOM Arrest Warrant to be made into the official language of the executing Participating Member.

ARTICLE VII
TRANSMISSION OF A CARICOM ARREST WARRANT

1. A request for the arrest and surrender of a requested person shall be made by the central authority of the issuing Participating Member to the central authority of the executing Participating Member.

2. Where the official language of the issuing Participating Member and the executing Participating Member are the same the central authority of the issuing Participating Member shall transmit to the central authority of the executing Participating Member the original CARICOM Arrest Warrant together with three certified copies thereof.

3. Where the official languages of the issuing Participating Member and the executing Participating Member are different, the central authority of the issuing Participating Member shall transmit to the central authority of the executing
Participating Member the original CARICOM Arrest Warrant, the approved translation of the original CARICOM Arrest Warrant and three certified copies of the approved translation.

4. The central authority of the issuing Participating Member shall forward the documents referred to in paragraphs 2 and 3 by any secure means capable of producing written records under conditions allowing the executing Participating Member to establish the authenticity of the documents.

5. Where a request for the arrest and surrender of a requested person has been made in accordance with paragraph 1 and the request is no longer being pursued the central authority of the issuing Participating Member shall forthwith notify the central authority of the executing Participating Member.

6. Where the central authority of the executing Participating Member receives a notification pursuant to paragraph 5 the requested person shall not be arrested and if arrested shall be released immediately.

ARTICLE VIII
ARREST AND DETENTION

1. An executing Participating Member may, in respect of a requested person, employ such measures in accordance with its national law, as are reasonably necessary to effect the arrest, detention and surrender of that person.

2. Each Participating Member shall make provision in its law empowering its competent authorities to arrest and detain any requested person pursuant to a CARICOM Arrest Warrant issued by another Participating Member.

3. Each Participating Member shall afford a requested person who is arrested, the right under its law to be represented by legal counsel and where necessary assisted by an interpreter.

4. A requested person who is arrested may consent to be surrendered to the issuing Participating Member.

5. Where a requested person is arrested, the arresting officer shall, in accordance with the national law of the executing Participating Member, inform that person of -

   (a) the CARICOM Arrest Warrant and of its contents;
   
   (b) the right to be represented by legal counsel and where necessary to be assisted by an interpreter; and
   
   (c) the option of consenting to be surrendered to the issuing Participating Member.

6. The central authority of the executing Participating Member shall immediately notify the central authority of the issuing Participating Member of the arrest of the requested person.

7. Upon notification of the arrest of the requested person, the central authority of the issuing Participating Member shall advise the central authority of the executing Participating Member whether the execution of the CARICOM Arrest Warrant is to be proceeded with.

8. Where the execution of the CARICOM Arrest Warrant is not to be
proceeded with, the requested person arrested shall be released immediately.

ARTICLE IX
SURRENDER PROCEDURE

1. Where a requested person who is arrested consents to being surrendered to the issuing Participating Member, the consent shall be given before the executing judicial authority in accordance with the national law of the executing Participating Member, and the central authority of the issuing Participating Member shall be immediately notified.

2. Each Participating Member shall adopt the measures necessary to ensure that it is demonstrated that the requested person has voluntarily consented to surrender in full awareness of the consequences of such consent.

3. Where the requested person does not consent to his surrender to the issuing Participating Member, he shall be entitled to be heard by the executing judicial authority, in accordance with the national law of the executing Participating Member.

4. Participating Members may after this Treaty has come into force conclude bilateral or multilateral agreements or arrangements to simplify or facilitate further the procedures for surrender of requested persons.

ARTICLE X
SURRENDER DECISION

1. A CARICOM Arrest Warrant shall be dealt with and executed as a matter of urgency.

2. Where in accordance with paragraphs 1 and 2 of Article IX the requested person consents to his surrender, the executing judicial authority shall make the final decision on the surrender of the requested person within forty-eight (48) hours after consent has been given.

3. Subject to paragraph 4 where the requested person does not consent to his surrender to the issuing Participating Member, the final decision on whether or not to authorise his surrender shall be made within sixty (60) days after the arrest of the requested person.

4. If the executing judicial authority finds the information provided by the issuing Participating Member to be insufficient to allow it to decide on surrender, it may request that necessary supplementary information be furnished as a matter of urgency; and in such case, the time limit may be extended by a further thirty (30) days.

5. A requested person who is arrested shall be released immediately where—

   (a) the executing judicial authority has refused to authorise the surrender of the requested person; or

   (b) no decision on the surrender of the requested person is taken within the applicable periods provided for in this Article.

6. The executing judicial authority shall give reasons for its refusal to authorise the surrender of a requested person.
7. The requested person shall be surrendered to the issuing Participating Member within fourteen (14) days of the decision of the executing judicial authority authorising the surrender of that person.

ARTICLE XI
RULE OF SPECIALITY

A requested person who has been surrendered pursuant to Article X shall not be prosecuted or sentenced for an offence committed prior to his surrender other than that for which he was surrendered unless:

(a) he consents to such prosecution or sentence;

(b) he is being prosecuted or sentenced for a lesser offence disclosed by the facts upon which the request for surrender had been made;

(c) the executing judicial authority consents to his being so dealt with for another applicable offence; or

(d) the requested person having had an opportunity to leave the territory of the Participating Member to which he has been surrendered has not done so within forty-five (45) days of his final discharge, or has returned to that territory after leaving it.

ARTICLE XII
EFFECTS OF THE SURRENDER

1. Periods of detention arising from the execution of a CARICOM Arrest Warrant in the executing Participating Member shall be deducted from the total sentence to be served in the issuing Participating Member.

2. All information concerning the duration of the detention of the requested person on the basis of the CARICOM Arrest Warrant shall be transmitted by the central authority of the executing Participating Member to the central authority of the issuing Participating Member at the time of the surrender.

ARTICLE XIII
GROUNDS FOR MANDATORY NON-EXECUTION OF CARICOM ARREST WARRANT

1. A CARICOM Arrest Warrant shall not be executed by a Participating Member where -

(a) the competent authority of the issuing Participating Member has decided to terminate or not institute proceedings against the requested person for the offence to which the CARICOM Arrest Warrant relates;

(b) the requested person has been finally judged by a Participating Member in respect of the same acts to which the CARICOM Arrest Warrant relates provided that, where there has been sentence, the sentence has been served or is currently being served;
(c) the requested person, by reason of lack of capacity, cannot be criminally responsible for the offence under the law of that Participating Member;

(d) that Participating Member has jurisdiction to prosecute the offence, but the offence is covered by amnesty in that Participating Member;

(e) the offence for which the requested person is accused or was convicted is a political offence; or

(f) there are reasonable grounds to believe that –

(i) the CARICOM Arrest Warrant was issued for the purpose of prosecuting or punishing the requested person on the grounds of his sex, race, religion, ethnic origin, nationality, political opinions or sexual orientation or that the requested person's position may be prejudiced for any such reason; or

(ii) there is a serious risk that the requested person would be subjected in the issuing Participating Member to torture or other inhuman or degrading treatment or punishment.

2. None of the offences listed in Annex II shall be regarded, for the purposes of this Treaty as a political offence or as an offence inspired by political motives. Accordingly, a request for surrender based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence inspired by political motives.

ARTICLE XIV
GROUNDs FOR OPTIONAL NON-EXECUTION OF CARICOM ARREST WARRANT

1. The executing judicial authority may refuse to execute an arrest warrant where -

(a) the requested person is being or has been prosecuted in the executing Participating Member for the same act as that on which the CARICOM Arrest Warrant is based;

(b) the criminal prosecution or punishment of the requested person is statute barred according to the law of the executing Participating Member and the acts fall within the jurisdiction of that Participating Member under its criminal law;

(c) the CARICOM Arrest Warrant relates to an offence which –

(i) is regarded by the law of the executing Participating Member as having been committed in whole or in part in the territory of the executing Participating Member or in a place treated as such; or

(ii) has been committed outside the territory of the issuing Participating Member and the law of the executing Participating Member does not allow prosecution for the offence when committed outside its territory; or
(d) the requested person is accused or convicted of an offence for which the applicable penalty may be death and such a sentence is not applied by the executing Participating Member for that offence. The executing Participating Member may request prior assurance by the issuing Participating Member that the death penalty will not be imposed or if imposed will not be carried out.

2. The execution of a CARICOM Arrest Warrant in relation to an applicable offence relating to taxes, duties or customs and excise, may not be refused on the ground that the law of the executing Participating Member does not impose the same kind of tax or duty or does not contain the same type of rules as regards taxes, duties and customs and excise regulations as the law of the issuing Participating Member.

ARTICLE XV
PROPORTIONALITY

1. A CARICOM Arrest Warrant shall not be issued where the issuance of such an arrest warrant would be disproportionate.

2. In deciding whether the arrest warrant would be disproportionate, the issuing judicial authority must take into account the specified matters relating to proportionality so far as he thinks it appropriate to do so.

3. The specified matters relating to proportionality shall include—

   (a) the seriousness of the conduct alleged to constitute the applicable offence;

   (b) the likely penalty that would be imposed if the requested person was found guilty of the offence in the executing Participating Member;

   (c) the possibility of the issuing Participating Member taking measures that would be less coercive than the surrender of the requested person.

ARTICLE XVI
IMMUNITIES

Where a requested person enjoys immunity regarding jurisdiction or execution in the executing Participating Member, a CARICOM Arrest Warrant shall not be executed in respect of such person unless the immunity has been waived in accordance with any applicable domestic law or international treaty.

ARTICLE XVII
DECISION IN THE EVENT OF MULTIPLE REQUESTS

1. If two or more Participating Members have issued CARICOM Arrest Warrants for the same person, the decision on which CARICOM Arrest Warrant shall be executed shall be taken by the executing judicial authority, due consideration being given to all the circumstances and in particular-

   (a) the relative seriousness and place of the applicable offences;

   (b) the respective dates of the CARICOM Arrest Warrants; and
(c) whether the CARICOM Arrest Warrant has been issued for the purposes of prosecution or for execution of a sentence for an applicable offence.

2. Where a CARICOM Arrest Warrant has been issued for a person in relation to whom there is a request for extradition presented by a third State, the decision on whether the CARICOM Arrest Warrant or the extradition request takes precedence shall be taken by the competent authority of the executing Participating Member, due consideration being given to all the circumstances, in particular those referred to in paragraph 1 and those outlined in any applicable convention.

3. Each Participating Member shall designate the competent authority for the purpose of paragraph 2.

4. Each Participating Member shall notify the Depositary of any designation made pursuant to paragraph 3 and any changes to such designation.

5. The Depositary shall promptly inform each Participating Member of the information received pursuant to paragraph 4.

ARTICLE XVIII
COMPETING INTERNATIONAL OBLIGATIONS

1. This Treaty shall not prejudice the obligations of the executing Participating Member where the requested person -

   (a) has been extradited to that Participating Member from a third State; and

   (b) is protected by provisions of the arrangement under which he was extradited from being surrendered to another Participating Member.

2. Nothing in paragraph 1 shall be interpreted as precluding the executing Participating Member from requesting the consent of the third State from which the requested person was extradited, for the requested person to be surrendered to the issuing Participating Member pursuant to this Treaty.

ARTICLE XIX
TRANSIT

1. Subject to the principles of sovereign equality and territorial integrity of States, each Participating Member shall permit the transit through its territory of a requested person who is being surrendered pursuant to this Treaty.

2. Where a requested person who is being surrendered pursuant to this Treaty will transit the territory of any other Participating Member the issuing Participating Member shall notify such Participating Member prior to the transit.

3. Each Participating Member shall designate an authority responsible for receiving notifications for the purposes of paragraph 2.

4. Each Participating Member shall inform the Depositary of any designation made pursuant to paragraph 3 and any changes to such designation.
5. The Depositary shall promptly inform each Participating Member of the information received pursuant to paragraph 4.

6. This Article shall not apply in the case of transport by air without a scheduled stopover.

**ARTICLE XX**

**HANDLING OF PROPERTY**

1. At the request of the issuing judicial authority or on its own initiative, the executing judicial authority shall authorise, in accordance with its national law, the seizure and handing over of property which:

   (a) may be required as evidence; or

   (b) has been acquired by the requested person or a third party as a result of the applicable offence.

2. The property referred to in paragraph 1 shall be handed over even if the CARICOM Arrest Warrant cannot be executed owing to the death or escape of the requested person.

3. If the property referred to in paragraph 1 is liable to seizure or confiscation in the territory of the executing Participating Member, the executing Participating Member may, if the property is needed in connection with pending criminal proceedings, temporarily retain it or hand it over to the issuing Participating Member, on condition that it is returned.

4. Any rights which the executing Participating Member or innocent third parties may have acquired in the property referred to in paragraph 1 shall be preserved. Where such rights exist, the issuing Participating Member shall return the property without charge to the executing Participating Member as soon as the criminal proceedings have been terminated.

**ARTICLE XXI**

**EXPENSES AND REPRESENTATION**

1. Expenses incurred by the executing Participating Member in the execution of a CARICOM Arrest Warrant shall be borne by that Participating Member.

2. All other expenses, including in particular the cost of transporting the requested person from the executing Participating Member to the issuing Participating Member, shall be borne by the issuing Participating Member.

3. Notwithstanding paragraphs 1 and 2, an issuing Participating Member and an executing Participating Member may enter into arrangements for the payment or sharing of expenses incurred or to be incurred pursuant to the execution of the CARICOM Arrest Warrant, including the costs associated with transporting the requested person from the executing Participating Member to the issuing Participating Member and any other relevant expense.

4. The executing Participating Member shall advise, assist, appear in court on behalf of the issuing Participating Member, and represent the interests of the issuing Participating Member, in any proceedings arising out of a request for the surrender of a requested person.
ARTICLE XXII
EFFECTIVE IMPLEMENTATION

Each Participating Member shall take all necessary measures, including legislative and administrative measures, to ensure the effective implementation of this Treaty.

ARTICLE XXIII
RELATIONSHIP TO OTHER TREATIES

1. Without prejudice to their application in relations between Participating Members and third States, this Treaty complements, subject to paragraph 2, the corresponding provisions of any convention applicable in the field of extradition in relations between the respective Participating Members.

2. Participating Members may conclude or continue to apply bilateral or multilateral Treaties or arrangements in force on the entry into force of this Treaty in so far as such Treaties or arrangements allow the objectives of this Treaty to be extended or enlarged and help to simplify or facilitate further the procedures for surrender of persons who are the subject of CARICOM Arrest Warrants.

3. Each Participating Member shall, within three (3) months of the entry into force of this Treaty in relation to it, notify the Depositary of the existing Treaties and arrangements referred to in paragraph 2 which it wishes to continue applying.

4. Each Participating Member shall, within three (3) months of the entry into force of any new Treaty or arrangement referred to in paragraph 2, notify the Depositary of such entry into force.

5. The Depositary shall promptly inform each Participating Member of the information received pursuant to paragraph 3 or 4.

ARTICLE XXIV
TRANSITIONAL PROVISION

Extradition requests received before the entry into force of this Treaty will continue to be governed by existing instruments relating to extradition.

ARTICLE XXV
REPORTING

Each Participating Member shall submit to IMPACS annually, a report of the number of CARICOM Arrest Warrants issued, the number executed, the number of refusals to execute and the reasons therefor and such other information as may be necessary to enable IMPACS to conduct research into the operation of the system of surrender.

ARTICLE XXVI
DEPOSITARY
This Treaty, any amendment thereof and instruments of accession and ratification shall be deposited with the Depositary who shall forward certified true copies thereof to all Participating Members.

ARTICLE XXVII
PRINCIPLE OF INTEGRATION

1. A Participating Member may by bilateral arrangement with another Participating Member agree that a CARICOM Arrest Warrant in respect of a requested person who has not yet been sentenced may be executed by the first-mentioned Participating Member subject to the condition that the requested person is returned to the first-mentioned Participating Member to serve the sentence imposed, where the requested person -

(a) is a national of the first-mentioned Participating Member;
(b) would have better possibilities of reintegration in the first-mentioned Participating Member; and
(c) consents to serve the sentence imposed in the first-mentioned Participating Member.

2. A Participating Member may by bilateral arrangement with another Participating Member agree that the execution of a CARICOM Arrest Warrant in respect of a requested person who has already been sentenced may be refused where the requested person -

(a) is a national of the first-mentioned Participating Member;
(b) would have better possibilities of reintegration in the first-mentioned Participating Member; and
(c) consents to serve the sentence in the first-mentioned Participating Member.

ARTICLE XXVIII
SIGNATURE AND RATIFICATION

1. This Treaty shall be open for signature by all Members.

2. This Treaty shall be subject to ratification by the signatory Members.

ARTICLE XXIX
ENTRY INTO FORCE

This Treaty shall enter into force on the date of the deposit of the third instrument of ratification.

ARTICLE XXX
AMENDMENT

1. This Treaty may be amended by the Participating Members.

2. Every amendment shall be subject to ratification by the Participating Members and shall enter into force on the date of the deposit of the third
instrument of ratification.

ARTICLE XXXI
ACCESSION

1. After the entry into force of this Treaty, a Member may accede to this Treaty.

2. Instruments of Accession shall be deposited with the Depositary who shall forward copies of the instruments to each Participating Member notifying them of the dates of deposit of the instruments.

3. Instruments of Accession shall take effect on the date of deposit of the Instrument of Accession with the Depositary.

ARTICLE XXXII
WITHDRAWAL

1. A Participating Member may withdraw from this Treaty at any time by written notification to the Depositary.

2. The Depositary shall promptly notify the other Participating Members of the receipt of the notification.

3. The withdrawal shall take effect ninety (90) days after the date of receipt of the notification by the Depositary, unless the Participating Member notifies the Depositary in writing of the cancellation of its notice of withdrawal before the effective date of the withdrawal.

4. This Treaty shall continue to apply after withdrawal of a Participating Member with respect to any administrative or judicial proceedings regarding actions that occurred during the time the Treaty was in force in respect of that Participating Member.

IN WITNESS WHEREOF the under-mentioned representatives duly authorised in that behalf have executed this Treaty for their respective Governments.

Signed by

for the Government of Antigua and Barbuda on the ___ day of

____________________, ___

at

Signed by

for the Government of The Bahamas on the ___ day of

____________________, 2018

at ________________________

at Port-au-Prince, Haiti

Signed by [signature] for the Government of Belize on the ____ day of ____________________

at ____________________


at St. Georges, Grenada


at St. Georges, Grenada


at St. Georges, Grenada

Signed by [signature] for the Government of the Republic of Haiti on the ____ day of ____________________

at ____________________
Signed by Andrew Holm for the Government of Jamaica on the 6th day of July 2018 at Montego Bay, Jamaica

Signed by for the Government of Montserrat on the ___ day of ___

at

Signed by Dr. George, Grenada for the Government of the Federation of St. Kitts and Nevis on the 6th day of July 2017 at St. George's, Grenada

Signed by for the Government of Saint Lucia on the 6th day of July 2017 at Castries, St. Lucia

Signed by for the Government of St. Vincent and the Grenadines on the ___ day of ___

at ___
Signed by
for the Government of the Republic of Suriname on the _____ day of
___________________,____

at

Signed by
for the Government of the Republic of Trinidad and Tobago on the _____ day of
December, 2015

at

Part 1
ANNEX I

Form of CARICOM Arrest Warrant

<table>
<thead>
<tr>
<th>CARICOM STANDARD</th>
<th>CARICOM MEMBER</th>
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<tr>
<td>COAT OF ARMS</td>
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CARICOM ARREST WARRANT

[LEGAL AUTHORITY]

This warrant has been issued by a competent judicial authority and authorises the arrest and surrender of the person mentioned herein for the purposes of conducting a criminal prosecution or executing a custodial sentence or greater punishment:

(a) Information regarding the identity of the requested person:

Surname: ..............................................................................................................

First Name: ...........................................................................................................

Other Name(s): .................................................................................................

Maiden name, where applicable..........................................................................

Any pseudonym or alias by which he/she is known ........................................

Sex: ....................................................................................................................... 

Nationality: .......................................................................................................... 

Date of birth: ........................................................................................................ 

Place of birth: ....................................................................................................... 

Residence: ............................................................................................................. 

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Place and Address of Employment: .................................................................

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Distinctive marks: .............................................................................................

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Photograph and fingerprints of the requested person (if available):

A DNA profile if available and necessary.

(b) The central authority of the Participating Member which issued the request, and to which the requested person shall be surrendered:

Name of the authority: .......................................................................................
Competent official (title/rank and name): ..........................................................

Address: ........................................................................................................

........................................................................................................

Tel. No.: .................................. Fax No: .........................................................

Email: ........................................................................................................


(c) Decision(s), Order(s) or Judgment(s) on which this Warrant is based:

i) Arrest warrant(s), Order(s) or Judicial decision(s) having the same effect: ..........................................................

State whether requested person reasonably suspected, charged, convicted, or sentenced: ..........................................................

Date(s): ........................................................................................................

ii) Enforceable judgment(s): ........................................................................

Reference(s) (if applicable): ........................................................................

Date(s): ........................................................................................................


(d) Applicable offence(s). State whether common law or statutory offence(s). If statutory offence(s) state statute(s) and section(s):

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(e) Description of the circumstances in which the applicable offence(s) was/were committed, including the date(s), time(s), place(s) and degree of participation in the applicable offence(s) by the requested person:

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(f) The custodial sentence(s) imposed, or the maximum custodial sentence(s) which may be imposed and other consequences of the applicable offence(s) such as confiscation of assets:

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(g) Other consequences of the applicable offence(s), in particular the impact of the offence(s) on any victim or victims:

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(h) State whether the requested person has already been arrested for the same applicable offence(s).

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(i) State whether the requested person has escaped from custody.

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(j) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the applicable offence(s):

Description of the property (and location) (if known):

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(k) **Other information:**

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(l) **Central Authority**

Name of the central authority: ........................................................................................................

Address: ......................................................................................................................................

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Tel. No.: (country code) (area/city code)

Fax No.: (country code) (area/city code)

Email: ...........................................................................................................................................

Details of the contact person to make necessary practical arrangements for the surrender: (title/grade and name): ........................................................................................................

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(m) **Details of the High Court**

Address of the High Court ..............................................................................................................

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Tel. No.: (country code) (area/city code)

Fax No.: (country code) (area/city code)

Email: ...........................................................................................................................................

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**Signature of the issuing judicial authority:** ..............................................................................

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**Title/rank and name:** ................................................................................................................

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**Date** ........................................................................................................................................

**NOTE:** This warrant must be written in, or translated into the official language of the executing Participating Member.

[**Court Seal**]
ANNEX II

A.

1. Capital Murder, Murder, attempted murder, assault with intent to commit murder;

2. Manslaughter, wounding with intent to cause grievous bodily harm and malicious or unlawful wounding;

3. Offences of a sexual nature, including rape, sexual assault, indecent assault, unlawful sexual acts upon children or persons with mental disabilities;

4. Procuring a person for immoral purposes; living on the earnings of prostitution;

5. Bigamy;

6. Kidnapping and abduction; false-imprisonment and hostage taking;

7. Offences relating to children, including neglecting, ill-treating, abandoning, exposing, stealing or exploiting a child, whether for sexual or other purposes;

8. Theft, robbery; assault with intent to rob;

9. Burglary, Malicious damage/injury to property and similar offences;

10. Receiving or otherwise handling any goods, money, valuable securities or other property, knowing the same to have been stolen or unlawfully obtained;

11. Obtaining property, money, valuable securities or other pecuniary advantage by false pretence or other forms of deception; theft; larceny; embezzlement; any other offence in respect of property involving fraud;

12. Criminal intimidation; blackmail; extortion and racketeering;

13. Arson;

14. Money laundering;

15. Offences against the law relating to firearms, weapons, or explosives;

16. Illicit trade in nuclear and radioactive materials;

17. Trafficking in stolen vehicles;

18. Offences against the laws relating to corporations or companies, including false statements and other offences committed by company directors, promoters, and other officers;

19. False accounting;

20. Any offence relating to counterfeiting;

21. Any offence against the laws relating to forgery or uttering what is forged, including the wilful issuance of a cheque under a false name or without having made arrangements with financial institution, or after transactions have been suspended by such an institution; and the wilful failure to honour the cheque;

22. Fraud, including fraud against the Government or against individuals, including behaviour which has the effect of depriving the Government, its
agencies, or its citizens of money, valuable property, or the ability to conduct their affairs free from false statements and deceit;

23. Offences against the law relating to bribery of persons, including the corrupt offering, paying, or making of inducements to any foreign official or foreign political party, official thereof, or candidate for foreign political office to assist such person in obtaining or retaining business for himself or in directing business to any other person; soliciting bribes, offering or accepting bribes;

24. Perjury and subornation of perjury; false statement; attempting to pervert or obstruct the course of justice;

25. Cyber Crime;

26. An offence relating to the protection of public health or the environment, including conduct directed at the destruction, defacing, deterioration, or harming of the earth’s environment;

27. An offence against the laws relating to protection of intellectual property, copyrights, patents, or trademarks;

28. Offences relating to fiscal matters, taxes or duties, including tax evasion or fiscal fraud, notwithstanding that the law of the executing Participating Member does not impose the same kind or duty or does not contain a tax, duty, or customs regulation of the same kind as the law of the issuing Participating Member;

29. Smuggling; an offence against the law relating to the control of exportation or importation of goods of any type, or the intentional transfer of funds;

30. Immigration offences, including human smuggling and trafficking;

31. Piracy, mutiny or other mutinous acts committed on board a vessel at sea;

32. Unlawful use, destruction, possession, control, seizure or hijacking of aircraft, vessels or other means of transportation;

33. Any malicious act done with intent to endanger the safety of persons travelling or being upon a railway;

34. Genocide or direct and public incitement to commit genocide;

35. An offence relating to the law against terrorism or the financing of terrorism;

36. Illicit trafficking in narcotic drugs and psychotropic substances;

37. Illicit trade in human organs and tissues;

38. Illicit trafficking in cultural goods, including antiques, works of arts and artefacts;


40. Participating in a criminal organization.

41. Corruption

B. Aiding and abetting, or counselling or procuring the commission of, or being an accessory before or after the fact to, or attempting or conspiring to commit, any of the offences listed in paragraph A above.