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Sachbearbeiter/in:
Mag. Andrea ROHER

Tunne KELAM
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BELGIEN

Committee on Foreign Affairs
Subcommittee on Security and Defence
Delegation for relations with the United States

Betrifft:

Vienna, July 13th 2016

Re: Case of Nail MALYUTIN

Dear Mrs. Tunne Kelam!

The Austrian Minister of Justice, Dr. Wolfgang Brandstetter, has assigned me to respond to your letter dated July 5th 2016.

As head of the International Criminal Law Department in the Federal Ministry of Justice I may point out that all legal issues related to extradition have to be decided by the independent courts. Section 33 of the Federal Law of 4 December 1979 on Extradition and Mutual Assistance in Criminal Matters states that the admissibility of an extradition shall be examined by the court comprehensively, including all prerequisites for and obstacles to an extradition of the person concerned.

The power to deny extradition of the Minister of Justice is limited to the interests and international obligations of the Republic of Austria, insofar as no individual rights of the person concerned are touched.

Vienna, July 13th 2016

Best regards

MMag. Barbara Göth-Flemmich

Signed

electronically

