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**Judicial and legal cooperation convention in civil, commercial, penal and personal status matters, and extradition of criminals and liquidation of estates between the State of Bahrain and the Syrian Arab Republic**

The Government of the State of Bahrain and the Government of the Syrian Arab Republic.

Based on the ties of brotherhood that bind them, and to consolidate their ties, and their desire to develop and deepen their relations in the field of legal and judicial cooperation in civil, commercial, penal, and personal status matters, on the basis of respect for sovereignty and equality of rights, in fulfilment of the aims of Article Two of the Charter of the League of Arab States.

Have agreed as follows:

**(Part One)**

**Exchanging information and encouraging visits**

**Article (1)**

The Ministries of Justice in the two contracting countries shall exchange publications, research, legal journals, applicable laws and legislative texts, and groups in which judicial rulings and jurisprudence are published. They shall also exchange information relating to judicial organisations and methods of conducting work therein.

They also work to coordinate and unify legislative texts as required by circumstances.

The request for information and its response shall be sent by the ministry of justice in each of the two States.

**Article (2)**

The two contracting parties shall encourage the visit of judicial delegations, the exchange of judicial personnel between them, organise training courses for workers in this field, and encourage the holding of conferences and seminars in the judiciary and justice field.

**(Part Two)**

**In judicial cooperation**

**Section One**

**The right to resort to the courts and judicial exemption (judicial aids)**

**Article (3)**

Nationals of each of the two states within the borders of the other state shall have the right to resort to the courts to defend their rights and interests and protect them according to the legal conditions and protection stipulated for their own nationals.

When exercising this right, they may not be asked to provide any warranty or guarantee under any name because they are nationals of the other state or because they do not have a domicile or usual place of residence on the territory of this state. This principle applies to the amounts required from plaintiffs or interveners to guarantee judicial expenses.

**Article (4)**

The provisions of the previous article apply to legal persons who are all established or licensed in accordance with the law in one of the two countries and in which their main headquarters is located, provided that their establishment and purpose do not contravene public order or public morals in this country.

The legal capacity of these legal persons shall be determined in accordance with the legislation of the Contracting State in which the head office is located.

**Article (5)**

The two contracting parties undertake mutual judicial cooperation between the judicial authorities in each of them in civil, commercial and penal matters, personal status matters, the extradition of criminals and the settlement of estates. The cooperation includes litigation procedures before the courts in accordance with the provisions contained in this convention.

**Article (6)**

Nationals of both countries may enjoy judicial exemption (judicial aid) under the same conditions set for nationals of the other country.

**Article (7)**

Requests for judicial exemption (judicial aid), accompanied by supporting documents, shall be submitted directly to the competent authority for decision through the Ministry of Justice in each of the two countries, or through diplomatic or consular channels if the applicant resides on the territory of a third country, and the authority to which the application is submitted may request any statement or supplementary documents to fulfil the application conditions.

**Article (8)**

The competent authority does not charge any fees or expenses for sending, receiving, or deciding on requests for judicial exemption (judicial aid), and these requests are verified and decided on as a matter of urgency.

**Article (9)**

The Ministry of Justice in each country receives requests for cooperation on the topics of this convention and maintains direct contact between them.

The Ministry of Justice in each country determines its central authority, which is responsible, in particular:

1 - Submits requests for judicial exemption (judicial aid) and follows them up in accordance with the provisions of this section if the requester does not reside on the territory of the requested country.

2 - Receiving the judicial rogatory commission issued by a judicial authority and sent to it from the central authority in the other country and sending it to the competent authority with the speed required for its implementation.

3 - Receiving announcement and notification requests sent to it from the central authority in the other country and following them.

4 - Receiving requests related to the implementation of alimony provisions, child custody, and the right to see them, and following up on these requests.

5. Applications and documents sent in application of the provisions of this convention shall be exempted from any certification or any similar procedure, and the documents shall be signed by the competent authority for issuance and stamped with their seal, if the matter is a copy that must be certified by the competent authority to prove their conformity with the original.

**Section Two**

**Announcement and Notification of Judicial and Documents and Papers**

**Article (10)**

Requests to announce or notify judicial and non-judicial documents and papers in civil, commercial, penal, and personal status matters shall be sent from the competent central authority specified in the previous article in the requesting country to the central authority in the country required to implement the announcement or notification.

The announcement or the notification shall be implemented in accordance with the procedures in force in the legislation of the requested country. They must also send a copy of the announcements and notifications related to filing a lawsuit against legal persons whose domicile is in one of the two countries to the Ministry of Justice in the country in which the lawsuit was opened in order to inform it to the Ministry of Justice in the other country.

**Article (11)**

The provisions of the previous two articles do not prevent each of the two countries from announcing judicial and extra judicial documents directly to their nationals, without coercion, through their diplomatic or consular representatives or their proxies.

**Article (12)**

The announcement or notification may be made according to a special form based on an explicit request from the requesting authority, provided that this form does not conflict with the legislation of the requested country.

The announcement or notification occurring in either Contracting State in accordance with the provisions of this convention shall be considered as if it had occurred in the other State.

**Article (13)**

The judicial documents and papers required to be announced or notified must include the following data:

1- The full name, nationality and address of the sender of the document (the person requesting notification).

2 - The full name of each person required to be notified or notified, the profession of each of them, capacity, address, nationality, place of residence, and the name, title and address of his representative, if necessary.

3 - The authority from which the document or judicial papers was issued, stamped and signed.

4 - Type of document or judicial papers.

5 - The subject of the request, its reason, and every statement that can be clarified in this regard. In criminal cases, the legal description of the crime committed, the name and surname, place and date of birth of the person to be notified, and the name and surname of his parents are mentioned.

**Article (14)**

The state from which a declaration or notification is requested may not refuse to carry it out unless it considers that its implementation would prejudice its sovereignty, public order, or public morals. In case of rejection of implementation, the requested authority shall notify the requesting authority and set forth the reasons for rejection.

**Article (15)**

The requested judicial authority may send certificates indicating the completion of the announcement or the delivery of judicial papers directly to the requesting authority, other than through the central authority mentioned previously.

**Article (16)**

The state to which the declaration or notification is requested does not collect any fees for it.

**(Section Three)**

**Letters rogatory and the presence of experts**

**Article (17)**

The judicial authority in each country may request the judicial authority in the other state to initiate the necessary judicial procedures related to a lawsuit existing before it in a civil, commercial, criminal, or personal status case.

Judicial letters shall be sent according to the form set forth in Article (9) of this convention.

**Article (18)**

Each Contracting State may implement directly and without coercion through its diplomatic or consular representative the requests of its nationals, especially those requesting that their statements be heard by experts or submit documents to be studied.

In the event of a conflict of laws, the nationality of the person requested to be heard shall be determined in accordance with the legislation of the country in which the request is being implemented.

**Article (19)**

The judicial rogatory commission includes the following information:

1- The issuing authority, and if possible, the authority from which it is requested. It shall be stamped with the seal and signature of the requesting authority.

2- All personal data and addresses of the parties and their representatives, when necessary.

3- A summary of the subject and facts of the case.

4- Judicial works or procedures to be completed.

5- The request for judicial rogatory commission includes, when necessary:

A - Names and addresses of the persons whose statements are requested to be heard.

B- The questions to be asked to them or the facts about which their statements are to be taken.

C - Documents or objects required to be studied and examined.

**Article (20)**

The judicial rogatory commission shall be executed - as a matter of urgency - by the judicial authority from which it is requested in accordance with its national legislation regarding the form that must be followed. If the authority from which it is requested is not competent, the rogatory commission shall be referred to the competent authority.

It is permissible, upon an explicit request from the requesting judicial authority, for the requested authority to implement the rogatory commission according to a special form consistent with the legislation of its state.

**Article (21)**

The requesting authority shall be informed of the time and place of executing the judicial rogatory commission so that the concerned parties or their representatives, if necessary, can attend.

**Article (22)**

If the central authority of the requested state considers that the subject of the request falls outside the scope of the convention, it must immediately notify the requesting authority of its objections to the request.

**Article (23)**

The implementation of the rogatory commission may be refused in one of the following cases:

1- If its implementation does not fall within the jurisdiction of its judicial authorities and it does not have the right to refer it to the competent authority in the same country.

2- If its implementation would prejudice the sovereignty, security, public order, public morals therein, or any other of its basic interests, and if the rogatory commission is not implemented in whole or in part, the requesting authority shall be immediately notified of the reasons for this.

**Article (24)**

The persons sought shall be summoned to hear their testimonies, and their statements shall be heard using the legal methods used by the authority to which testimony is required.

**Article (25)**

The procedures carried out by way of judicial rogatory commission in accordance with the provisions of this convention shall have the same legal effect that they would have if they were carried out before the competent authority of the other party.

**Article (26)**

The implementation of the judicial rogatory commission to the requested state does not entail any fees, and the person designated by the requesting authority shall bear the necessary expenses and must pay the expenses estimated by the requested authority.

**Article (27)**

Every witness or expert, whatever the nationality, shall be notified to be present in one of the contracting States and shall appear voluntarily for this purpose before the judicial authorities of the requesting State. No penal proceedings shall be taken against him, nor shall he be arrested or imprisoned for acts or in execution of prior judgements upon his entry into the territory of the requesting State. The notification of attendance may not include any threat of coercion in case of non-compliance with the notification.

This immunity for the witness or expert shall cease after thirty days have elapsed from the date on which he was notified that the judicial authorities in the requesting state have dispensed with his presence without him leaving it, provided that there is nothing preventing this for reasons beyond his control, or if he returns to it after he has left it.

The authority that declared the witness or expert must inform him in writing of this immunity before he gives his testimony for the first time.

**Article (28)**

The witness or expert referred to in the previous article has the right to recover travel and accommodation expenses from the requesting state. The expert also has the right to demand his fees in exchange for giving his opinion.

The amounts due to the witness or expert shall be indicated in the notification papers, and the requesting State may, upon his request, pay these sums in advance.

**Article (29)**

The requested State is obligated to transfer the detained person who is notified in accordance with the provisions of this convention to hear his testimony or opinion before the judicial authorities of the requesting State as a witness or expert, provided that he agrees in advance to do so. The requesting State is obligated to keep him in detention and return him as soon as possible or within the deadline set by the requested State, all while taking into account the provisions of Article (27) of this convention.

The requested State may refuse to transfer the imprisoned person referred to in this Article in the following cases:

1- If his presence is necessary in the requested country due to ongoing criminal procedures.

2- If his transfer to the requesting State would prolong his imprisonment.

3- If there are special considerations or considerations that cannot be overcome that prevent his transfer to the country of the requesting state.

**(Section Four)**

**Recognising and implementing judicial rulings, official contracts, and judicial settlement**

**Article (30)**

Each of the Contracting States shall recognise the rulings issued by the courts of the other state in civil, commercial, and personal status matters that have the force of res judicata and implement them in accordance with the rules contained in this section. They shall also recognise the rulings issued by the criminal courts with regard to compensation for damages and the return of funds. This also applies to every ruling or decision, whatever its name, issued by one of the judicial associations in the aforementioned articles, based on procedures in adversarial or state jurisdiction in accordance with the legislation of the country in which the ruling was issued.

**Article (31)**

Judicial rulings and state decisions issued by the judicial authorities of one of the two countries shall be recognised in the other country if they meet the following conditions:

1- If the ruling or decision has the force of a res judicata or is not subject to appeal through normal means of appeal and is enforceable in accordance with the law of the country in which it was issued. However, the ruling and decision issued in personal status articles related to the payment of alimony and seeing (Irā’ah) are recognised, whenever it is enforceable, in the country in which it was issued.

2- The ruling or decision must be issued by a competent judicial authority, in accordance with the rules of jurisdiction established therein, or issued by a judicial authority considered competent in accordance with the provisions of this convention.

3- That the litigants have been legally summoned and attended, represented, or considered present in accordance with the law of the country in which the procedure took place.

4- The ruling must not contain anything that violates the public order or public morals of the country in which it is requested to be implemented.

5- That there should not be a judicial dispute between the same litigants on the same subject and based on the same facts in the country from which recognition is requested, as long as this dispute was first brought to it or a ruling was issued in it by a judicial authority in the requested country, and the necessary conditions are met for its implementation, or a judgement was issued in a third country in which the necessary conditions are met for its recognition in the requested country, and it was issued before the judicial ruling for which recognition is requested.

**Article (32)**

The courts of the country, which issued the judgement requested to be recognised, shall be deemed to have jurisdiction in accordance with this convention:

1- If the domicile or the habitual place of residence of the defendant was in this State when the lawsuit was filed.

2 - If the defendant had in this country, at the time of filing the lawsuit, an institution or branch of a commercial, industrial or other nature, and the lawsuit was brought against him for a dispute related to the activity of this institution or branch.

3 - If the matter concerns a contract in which the two parties explicitly agreed on this jurisdiction, or if the contractual obligation, that is the subject of the dispute, has been implemented or must be implemented, in whole or in part, in this country.

4- If the act requiring contractual responsibility occurred in this country.

5- If the lawsuit is related to a dispute related to real estate located in this country.

6- If the defendant explicitly accepts the jurisdiction of the courts of this country, or takes a chosen domicile there in connection with this dispute, or expresses a defence in the matter without contesting its jurisdiction.

7- If the alimony creditor has a domicile or place of residence on the territory of this country.

8- In custody cases, if the family’s place of residence or last place of residence is located in this country.

**Article (33)**

Recognition may not be rejected by a ruling on the basis that the judicial authority that issued it has applied to the facts of the case a law that is not applicable under the rules of special international law applicable in the requested country, unless the matter relates to the condition or capacity of the persons. However, in these cases, recognition may not be rejected if these rules give the same result.

When examining the territorial jurisdiction of the court of the country in which the judgement was issued, the requested authority shall adhere to the facts on which this court relied in determining its jurisdiction, unless the judgement was issued in absentia in accordance with the legislation of the country in which it was issued.

**Article (34)**

The litigant in the case who invokes a court judgement shall submit to the competent enforcement authority:

1- A copy of the ruling that fulfils the necessary conditions for its formality.

2- The original paper of the announcement of the ruling or a true copy duly certified by the authority issuing it, or any other document that takes the place of the announcement and is certified according to what was mentioned.

3- A certificate from the competent authority that the ruling is not subject to appeal and is enforceable.

4- A copy of the absent litigant’s invitation to attend, certified by the competent authority, if necessary.

5- A certificate from the competent authority stating, for personal status cases, that the ruling is enforceable, and for other cases, that the ruling is not subject to appeal and is enforceable.

**Article (35)**

The recognised provisions do not create the right to take any compulsory executive action and may not be the subject of any action taken by the public authority, such as registration in public records, except after ordering their implementation.

However, in personal status matters where the person who holds the judgement has the force of res judicata, it is permissible to note it in the civil status records, even if it is not appended in the executive form, if it does not violate the law of the state in which these records are located.

**Article (36)**

Judicial rulings issued by the judicial authority in one country and enforced in the other country in accordance with this convention shall be enforceable in the requested country in accordance with the implementation procedures established in its legislation.

The judicial authority required to implement shall verify that the ruling fulfils the conditions stipulated in this section, without interfering with the subject of the ruling. The order for implementation may be partial, focusing on one part or another of the ruling that is adhered to, and the person seeking implementation accepts that.

**Article (37)**

Official contracts are duly authenticated by the issuing authority, and judicial settlement in either country is enforceable in the other country under the same conditions required for the implementation of judicial rulings there and within the limits permitted by the legislation of this country.

**(Part Three)**

**Arbitration and arbitrators' rulings**

**Section One**

**Arbitration agreements**

**Article (38)**

Each of the two countries recognises, in accordance with its legislation, the written agreements concluded by the contracting parties from their nationals and under which they are obligated to resolve through arbitration all or some of the existing disputes or occurring between them regarding a specific legal relationship, contractual or non-contractual.

The agreements mentioned in the previous paragraph shall mean every agreement on arbitration or arbitration condition that must be signed by the parties or contained in letters, telegrams or other means of communication that prove the existence of the agreement and its issuance by the other party, or in a report written by the chosen arbitrators themselves or in notes of the case and minutes of sessions in which one party claims the existence of an agreement and the other party does not deny it, a reference in a contract to an agreement that includes an arbitration clause is considered an arbitration agreement if the contract is confirmed in writing.

**Article (39)**

1- The parties to the arbitration agreement may agree on:

A - The arbitrators must be citizens of either country or citizens of another country.

B- Appointing an arbitrator for each party and appointing the third arbitrator by them, or the two arbitrators in turn appoint the third arbitrator. If this is not possible, the third arbitrator is appointed based on a request submitted to the competent court in the country in which the dispute is submitted.

2- The Parties may also:

A - Designate the place of arbitration.

B- Determine the rules and procedures to be followed and applied by the arbitrator or arbitrators in a way that does not conflict with public order or public morals of the country in which the arbitration agreement is implemented.

**Article (40)**

If a dispute is submitted to a court in one of the two countries subject to an arbitration agreement in accordance with the previous provisions of this section, it must refer the dispute to arbitration at the request of one of the parties, unless it becomes clear to it that the arbitration agreement is void, inapplicable, or no longer in effect.

**Section Two**

**Recognition and implementation of arbitrators’ rulings**

**Article (42)**

Each of the two countries recognises the arbitrators’ rulings issued in the other country and are valid for implementation there, and implements them on its territory in accordance with the provisions of this convention.

The authority requesting implementation must submit a certified copy of the ruling to be implemented, accompanied by a certificate issued by the competent authority stating that the ruling is valid for implementation.

The executive formula issued by one of the two countries is effective in the other country.

**Article (42)**

Neither country may refuse to implement the arbitrators’ ruling issued in the other country or examine its subject except in the following cases:

1 - If the law of the authority required to implement the ruling does not allow the dispute to be resolved through arbitration.

2 - If the arbitrators’ ruling violates public order or public morals in the country where implementation is required.

3 - If the arbitrators’ ruling is not valid for implementation according to the law of the country in which it was issued.

4 - If the litigants did not properly announce their attendance.

5 - If the arbitrators’ ruling was issued in implementation of a condition or an arbitration contract that is invalid or has not become enforceable.

**(Part Four)**

**Exchange of penal status newspapers**

**Article (43)**

The Ministries of Justice in both countries exchange data on criminal judgements that have the force of res judicata and are issued against citizens of the other country.

**Article (44)**

In the event that a criminal case is initiated in one of the two countries, the committee examining the case may obtain, through the Ministry of Justice, the criminal status sheet of the person against whom the allegation (accusation) is directed.

**(Part Five)**

**Extradition**

**Article (45)**

The extradition of criminals between the two Contracting States shall take place in accordance with the provisions of this part.

**Article (46)**

Extradition shall be obligatory for persons present in the territory of one of the Contracting States against whom an allegation (accusation) is directed or who have been convicted by the judicial authorities of the other State, if the following conditions are met:

1- That the crime for which extradition is requested was committed in the territory of the state requesting extradition, or it was committed outside the territory of either country, and the laws of each of them punish the same act if it was committed outside its territory.

2- That the crime be punishable by imprisonment for a period of at least one year under the laws of each contracting state, or that the person whose extradition is requested must be sentenced to imprisonment for a period of at least six months.

However, if the act is not punishable by the laws of the state to which extradition is requested, or if the penalty prescribed for the crime in the state requesting extradition is unparalleled in the laws of the state to which extradition is requested, then extradition is not obligatory.

**Article (47)**

Extradition is not permissible in any of the following cases:

1- If the crime is considered a political crime in the eyes of the requested state or is linked to a political crime in the requested state, and the following crimes are not considered political crimes:

a - Crimes of assault or attempt against the President of one of the two countries or a member of his family, as well as crimes of assault or attempt committed against the Crown Prince of the State of Bahrain or a member of his family, or one of the Vice Presidents of the Syrian Arab Republic or a member of his family.

Family members mean ascendant, descendants, spouses, and relatives up to the fourth degree.

b - Crimes of murder and theft accompanied by coercion against individuals or crimes against public funds or means of transportation.

2- If the person whose extradition is requested is a citizen of the country to which extradition is requested.

In this case, the requested state will prosecute this person at the request of the other state and benefiting from the investigations that the requesting state has conducted.

3- If the person whose extradition is requested has previously been tried for the crime for which he is requested to be extradited, and he has been acquitted or convicted and has fulfilled the sentence imposed.

4- If the crime or punishment has been dropped or lapsed in accordance with the law of either Contracting State or the laws of the state in which the crime occurred.

5- If the person whose extradition is requested is under investigation or trial in the country from which extradition is requested for the same crime for which he is requested to be extradited.

6- If the crime for which the extradition is requested was committed in the country to which extradition is requested, in this case, the requested country must prosecute him for this crime and inform the requesting country of the result.

7- If the crime was committed outside the territory of the state requesting by a foreigner and the law of the state from which extradition is requested does not permit bringing charges for such a crime if it was committed by a foreigner outside its territory.

**Article (48)**

If the person whose extradition is requested is under investigation or trial in the country from which extradition is requested for a crime other than the one for which his extradition is requested, consideration of his extradition request shall be postponed until his trial ends and the sentence imposed is carried out.

**Article (49)**

The extradition request shall be submitted in writing and directed through the Ministry of Justice and shall be accompanied by the following information:

1- A detailed statement of the identity of the person to be extradited, his description and his photograph if possible.

2- An arrest warrant (arrest or deposit warrant) or any other document with the same force issued by the competent authorities if the wanted person is under investigation.

3- The date and place of committing the acts for which extradition is requested, their legal description, and the legal texts applicable to them, along with a certified copy of these texts and a statement from the investigating authority of the existing evidence against the person whose extradition is requested.

4- An official copy of the ruling issued against the person whose extradition is requested if he was sentenced in presence (face-to-face) or in absentia.

**Article (50)**

The competent authorities of the two Contracting States shall decide, in accordance with the law in force, the timing when the request shall be submitted.

**Article (51)**

If extradition requests involve more than one crime, priority in extradition shall be given to the state whose security or interests the crime harmed, then to the state on whose territory the crime was committed, then to the state to which the person whose extradition is requested belongs by nationality.

If the circumstances are the same, the country that is first to request extradition is preferred, but if the extradition requests are for multiple crimes, the preference between them will be based on the circumstances of the crime and its seriousness.

**Article (52)**

The state requesting extradition based on an arrest warrant (arrest warrant or deposit) may request the arrest of the person whose extradition is requested pending the reception of the extradition request and the documents in Article (49) of this convention, and the competent authority in the requested state may request the extradition if it does not receive these documents within thirty days of the arrest request, the competent authority of the requested State may order the release of the person whose extradition is sought, and the release decision does not prevent him from being arrested again if a request for extradition is received, complete with the aforementioned documents.

However, if the requested country believes that it needs supplementary clarifications to verify that the conditions stipulated in this convention are met, it shall notify the requesting country through diplomatic channels before rejecting the request. The country to which extradition is requested may set a date for obtaining these clarifications.

In all cases, the arrest is carried out in accordance with the laws of the state to which extradition is requested.

**Article (53)**

The country requested to extradite shall notify the country requesting extradition of the decision it has taken regarding the extradition request, and notification shall be made through the Ministries of Justice in both countries. The decision to reject the extradition request must be justified. If the extradition request is accepted, the country requesting extradition shall be informed of the place and date of extradition.

**Article (54)**

The state requesting extradition must come forward to receive the person whose extradition is requested within thirty days from the date of sending a notice to it, otherwise the state requested to extradite has the right to release him, and in this case it is not permissible to request his extradition a second time for the same crime.

**Article (55)**

The person whose extradition is requested may not be tried in the country requesting extradition, and no penalty may be imposed on him except for the crime for which his extradition is requested or for crimes related to it. However, if the means were available to him to leave the territory of the state to which he was extradited and he did not benefit from them within the thirty days following his final release, or if he left the territory of the state during that period and then returned to it again of his own free will, then his trial for other crimes is valid.

It is also not permissible for the state to which a person is extradited to extradite him to a third state except based on the approval of the state that extradited him. However, it is permissible to extradite the person to a third state if he has resided in the territory of the state to which he has been extradited or has returned to it by his own choice in accordance with the provisions stipulated in the previous paragraph of this article.

**Article (56)**

If, during the course of the procedures and after the extradition of the person requested to be extradited, there is a change in the description of the crime charged against him, he may not be pursued or tried unless the elements of the crime are according to their new description, which allows extradition in accordance with the provisions of this convention.

**Article (57)**

The period of custody detention (remand) shall be deducted from any penalty imposed in the country requesting extradition on the person requested to be extradited.

**Article (58)**

Without prejudice to the provisions of the laws in force in the country to which extradition is requested and to the rights of bona fide third parties, all items found related to the crime shall be seized when the person whose extradition is sought is seized or detained in custody (arrested) or at any subsequent stage.

It is permissible to hand over what has been seized to the state requesting extradition, even if the extradition does not take place due to death, escape, or any other reason.

**Article (59)**

Each of the two contracting states agrees to the passage of the person scheduled to be extradited to either of them from another state through its territory, based on a request addressed to it. The request may be supported by the necessary documents to prove that the matter relates to a crime that could lead to extradition in accordance with the provisions of this convention.

1- If the aircraft is not scheduled to land, the requesting party shall inform the other party, whose space will be crossed by the aircraft, of the existence of the documents stipulated in Article (49) of this convention. In the event of an emergency landing, the requesting party may, in accordance with the provisions of the second paragraph of Article (55) and Article (56) of this convention, request the arrest of the person to be extradited, pending a request for passage, in accordance with the conditions stipulated in the first paragraph of this Article, to the State in whose territory the aircraft landed.

2- If the plane is scheduled to land, the requesting party must submit a request for passage. In the event that the country requested to approve the passage also requests his extradition, this passage shall not take place except after the requesting party and that country agree on it.

**Article (60)**

1- The party requested to extradite shall bear all the expenses of the extradition procedures that take place in its territory. The requesting party shall bear the expenses of the person’s passage outside the country of the party to whom extradition is requested. The requesting party shall bear all the expenses of the return of the extradited person to the place he was at the time of his extradition if his non-responsibility is proven or his innocence is ruled. .

2- If it becomes clear that implementing the request is unusual, the two contracting parties shall consult to determine the terms and conditions under which assistance can be provided.

**(Part Six)**

**Liquidation of estates**

**Article (61)**

If a national of the Contracting States dies in the territory of the other State, the competent authority shall directly notify the diplomatic or consular mission of the State of the deceased, and shall transmit to them all information available relating to the presumed heirs. (Their address, the place of opening of the estate, which is the place of death of the deceased, the terms of the estate, and whether there is a will). It shall also notify her that the deceased has left money in another country if she has knowledge of that.

Diplomatic or consular missions or their legal representatives have the right to represent their citizens who are not present in the territory of the Contracting State before the courts and other entities affiliated with this State in requesting any measures to preserve the estate.

**Article (62)**

When an authority in the country in which the estate was opened during an inheritance case proves that the heir is a national of the other country, it must inform its diplomatic or consular mission about it.

Upon learning of the death, the diplomatic or consular mission is obligated to inform the competent authority regarding inheritance issues in the country in which the estate opened its protection.

**Article (63)**

If the estate of one of the citizens of the Contracting States is located in the territory of the other party, the competent authority in the matter of inheritances shall take, upon request or on its own initiative, all necessary measures to protect the estate and manage it in accordance with the local legislation of the place where the estate was opened.

**Article (64)**

In the event of the death of a citizen of the two Contracting States during a temporary stay on the territory of the other State, the latter must hand over the documents, money and all things that were in the possession of the deceased to the diplomatic or consular mission of the party of which the citizen is considered a national, and this is done according to an official document and without any other procedures.

**Article (65)**

If there are funds transferred to the estate in the territories of the two countries, they shall be delivered to the competent authority or to the diplomatic or consular mission of the country to which the deceased belongs, based on a special power of attorney from the heirs.

Before handing over the funds transferred from the estate in accordance with what is stated in this Article, the two Contracting States reserve the right to demand taxes and due rights in cases of opening the estate and inheritance in accordance with the laws and regulations in force in the two countries.

**Article (66)**

The two Contracting States recognise the decisions promulgated by the competent judicial authorities or other competent authorities in matters of estates and inheritance in the other state, and they are implemented by the competent authorities in the other state in accordance with its internal legislation and in a manner that does not conflict with the provisions of the public order of the state from which implementation is required.

**(Part Seven)**

**Final Provisions**

**Article (67)**

The application of the provisions contained in this convention related to the implementation of judicial rulings, judicial settlements, arbitration awards, and official contracts must not lead to prejudice to the legal provisions of the two contracting states related to the transfer of cash and the transfer of funds resulting from implementation.

**Article (68)**

All difficulties that may arise in the application of this convention shall be resolved by agreement between the ministries of justice in the two countries.

**Article (69)**

This convention shall be ratified in accordance with the constitutional rules of both contracting states.

**Article (70)**

This convention shall enter into force thirty days after the date of exchange of documents of ratification, and shall be valid for an indefinite period. However, each of the two countries may declare its desire to terminate its effect by virtue of a written notification addressed to the other country, according to which the convention shall be ended after one year has passed. Date of receipt of notification.

In proof of the above, the two commissioners authorised to do so in accordance with the law have signed this convention.

This convention was drawn up and signed in Manama in two original copies in Arabic language on 6 Safar 1422 A.H., corresponding to 30 April 2001.

**on behalf of the government**

**on behalf of the government**

**State of Bahrain**

**Syrian Arab Republic**

**Abdullah bin Khalid Al Khalifa Mohamed Nabil Al Khatib**

**Minister of Justice and Islamic Affairs Minister of Justice**