

Senate Committee on Foreign Relations
Chairman Richard G. Lugar
Opening Statement for Hearing on
U.S.-U.K. Extradition Treaty
July 21, 2006

The Committee meets today to hear testimony on the Extradition Treaty between the United States and the United Kingdom. Within the Congress, the Senate Foreign Relations Committee is charged with the unique responsibility of reviewing treaties negotiated by the Administration. Our colleagues in the Senate depend on us to make timely and judicious recommendations on treaties. In addition to the treaty before us today, the Committee is working hard to advance several other important treaties, including the Cybercrime Convention, the Corruption Convention, the Israel Extradition Protocol, the Convention on Supplementary Compensation for Nuclear Damage, and the Uruguay Bilateral Investment Treaty. I am hopeful that the Senate will be able to act on these measures this year.

The United Kingdom is one of this country's closest allies, with whom we enjoy a deep cultural affinity and an excellent partnership. The British government and people have taken a leadership role on numerous foreign policy challenges, including stabilizing Iraq, protecting democracy and pluralism in Afghanistan, working for nuclear non-proliferation in Iran, fighting disease and poverty in Africa, and improving global cooperation on climate change. These contributions and many others have been crucial to international security and order.

This new extradition treaty with the United Kingdom is designed to update our existing extradition relationship, bringing it into line with other modern U.S. extradition treaties. Upon entry into force, the new treaty would replace a treaty that dates back to 1972. Extradition treaties are critical tools for U.S. law enforcement in combating transnational crime, as they ensure that those who commit crimes in this country cannot escape justice by fleeing to other countries.

Among other provisions, the new treaty would adopt a modern dual criminality standard for extradition, allowing extradition for offenses that are punishable by one year or more in both countries. It would also ensure the continued application of a new, less burdensome evidentiary standard for extradition requests by the United States to the United Kingdom. Moreover, it would permit the temporary surrender for trial of fugitives who are serving sentences in the requested state.

The Committee held a first hearing on this treaty on November 15 of last year, at which time we heard from the Administration. Today, the Committee will receive testimony from four witnesses outside of our government. We welcome Mr. Jack Meehan, President of the Ancient Order of Hibernians; Dr. Robert Linnon, President of the Irish American Unity Conference; Professor Francis Boyle of the University of Illinois College of Law at Urbana-Champaign; and Professor Madeline Morris of Duke University Law School.

Following this first panel, the Administration will have an opportunity to update the information it provided to the Committee in November. We also want to give members who were not present at the first hearing, a second opportunity to question the Administration about the treaty or to raise concerns about individual provisions. We are pleased to welcome Deputy Attorney General Paul McNulty, representing the Department of Justice, and Deputy Legal Adviser Samuel Witten, representing the Department of State.

We look forward to the contributions of our witnesses today, as the Committee continues its consideration of this treaty. Please deliver your statements in the order that you were introduced. If you are summarizing a statement, the text of your entire presentation will be included in the hearing record.

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