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**MINISTRY
OF JUSTICE**
*Liberty
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Directorate of Criminal Affairs and Pardons

Specialized Criminal Justice Sub-Directorate
Office for the International Mutual Assistance in Criminal Matters

Paris, March 9, 2021

Mr. Keeper of the Seals, Minister of Justice

to

Department of Justice (DOJ)

*Through Andrew FINKELMAN, Liaison Magistrate
Embassy of the United States of America in Paris*

I have the honor to inform you that the procedures and conditions of extradition are governed in France by articles 696 *et seq.* of the code of criminal procedure.

Article 696-2 of this code provides that “the French government may surrender, on their request, to foreign governments, any person not having French nationality who, being the subject of a prosecution initiated in the name of the requesting State or of a conviction imposed by its courts, is found on French territory”

Article 696-4 expressly provides that:

“Extradition is not granted:

1. Where the person sought has French nationality, **the latter being assessed at the time of the offense for which extradition is sought.**”

Accordingly, the fact that the requested person has French nationality represents an insurmountable impediment to his or her extradition. Once this nationality is assessed at the time of the commission of the offense, the loss of this nationality, after the commission of the latter, has no impact on the extradition proceeding, and does not allow for the lifting of this impediment.

Head of the Office for the International Mutual Assistance in Criminal Matters

Philippe JAEGLE
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