

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC
OF SRI LANKA
AND
THE GOVERNMENT OF THE REPUBLIC OF LATVIA
ON THE TRANSFER OF SENTENCED PERSONS**

The Democratic Socialist Republic of Sri Lanka and the Republic of Latvia; hereinafter referred to as the "Parties",

Taking into consideration the national laws and regulations of the Parties in force regarding enforcement of penal sentences,

Desirous of further developing mutual co-operation in the field of criminal law,

Promoting transfers of sentenced persons, which will give these persons the opportunity to serve imposed sentences in their home country and will contribute to their social rehabilitation and

Guided by the principle of humanity and respect to human rights,

Have agreed as follows:

**Article 1
Definitions**

For the purposes of this Agreement:

- a) "sentence" means any punishment or measure involving deprivation of liberty ordered by a court for a limited or unlimited period of time on account of a criminal offence,
- b) "judgment" means a final order or decision of a court imposing a sentence,
- c) "Transferring State" means the Party in whose territory the sentence was imposed on the person who may be, or has been, transferred,
- d) "Receiving State" means the Party to whose territory the sentenced person may be, or has been, transferred in order to serve the sentence or part thereof,
- e) "sentenced person" means a person who is required to be detained in a prison or any other institution by virtue of a judgment made by a court of the Transferring State on account of a criminal offence.
- f) "national" means a national or citizen of either Party as per the national laws and regulations of either Party.

Article 2 General Principles

1. The Parties undertake to afford each other the widest measure of co-operation in respect of the transfer of sentenced persons in accordance with the provisions of the Agreement and their respective national laws and regulations.
2. A person sentenced in the territory of one Party may be transferred to the territory of the other Party, in accordance with the provisions of the Agreement, in order to serve the sentence imposed on him or her.
3. A sentenced person to whom the Agreement may apply shall be informed of the substance hereof by the Transferring State before his or her transfer takes place in order to serve the sentence or part thereof.
4. A person sentenced in the territory of one Party or his or her legal representative may express interest in transfer under the Agreement to the Transferring State or to the Receiving State.
5. Transfer may be requested by either the Transferring State or the Receiving State.
6. A sentenced person shall be informed in writing of decisions taken by the Transferring State or the Receiving State in accordance with the Agreement.

Article 3 Central Authorities

1. For the purposes of application of the Agreement, each Party shall designate a Central Authority.
2. The Central Authority of the Parties are:
 - for the Government of the Republic of Latvia: Ministry of Justice,
 - for the Government of the Democratic Socialist Republic of Sri Lanka: Ministry in charge of the subject of Justice.
3. The Central Authorities may communicate directly with each other for the purposes of the Agreement. Communication through diplomatic channels is not excluded thereby.
4. Either Party may change its Central Authority, in which case it shall notify the other Party of the change through diplomatic channels. Such a change shall not be regarded as a formal change or amendment of the Agreement.

Article 4 **Requests and Replies**

1. Requests shall be executed in accordance with the national laws and regulations of the Party that has been requested (Requested State).
2. The Party that has submitted the request (Requesting State) may request the application of certain of its national laws and regulations if such necessity has been justified in a request, and the Requested State may grant such request if it is not in contradiction with the basic principles of its national laws and regulations.
3. Requests and replies shall be made in writing.
4. Requests shall be communicated directly between the Central Authorities. When necessary, the Parties may communicate through diplomatic channels and replies shall be communicated through the same channels.
5. The Requested State shall promptly inform the Requesting State of its decision whether or not to agree to the requested transfer. In case of refusal of the request, the Requested State shall give reasons for its decision.
6. If the Requested State establishes that execution of the request could prevent any ongoing investigation, criminal prosecution or proceedings in this State, it may postpone the execution of the request to a later date.
7. The Requested State shall inform the Requesting State regarding the outcome of the request.

Article 5 **Conditions for Transfer**

1. A sentenced person may be transferred under the Agreement on the following conditions:
 - a) the person is a national of the Receiving State,
 - b) the judgment is final and entered into legal force,
 - c) at the time of receipt of the request for transfer, the sentenced person still has at least six months of the sentence to serve,
 - d) the transfer is consented to by the sentenced person or, where in view of his or her age, physical or mental condition one of the Parties considers it necessary, by his or her legal representative and the form of expression of the consent shall be governed by the national laws and regulations of the Transferring State,
 - e) the act or omission on account of which the sentence was imposed, constitutes a criminal offence according to the national laws and regulations of the Receiving State, or would constitute a criminal offence if committed on its territory, and
 - f) the Transferring State and the Receiving State agree to the transfer.

Article 6 Supporting Documents

1. The Receiving State shall enclose to the request for transfer or to the reply to the request submitted by the Transferring State the following documents, duly signed and sealed:
 - a) a document or statement certifying that the sentenced person is a national of that Party,
 - b) a certified copy of the relevant provisions of the national law of the Receiving State which provide that the acts or omissions on account of which the sentence was imposed in the Transferring State constitute a criminal offence also according to the national law of the Receiving State, or would constitute a criminal offence if committed on its territory,
 - c) a statement containing the information on the manner of serving the remainder of the sentence,
 - d) a document in which the sentenced person or his or her legal representative expresses consent to the transfer as referred to in Article 5 paragraph 1 (d), if such a document is at the Receiving State's disposal.
2. The Transferring State shall enclose to the request for transfer or to the reply to the request submitted by the Receiving State documents duly signed and sealed containing the following:
 - a) the name, date, and if available place of birth and permanent address of the sentenced person in the Receiving State,
 - b) a certified copy of the judgment, with indication of the date on which the judgment became final, a certified copy of the relevant provisions of the law of the Transferring State on which the judgment is based, and a description and a legal classification of the criminal offence;
 - c) a document stating how much of the sentence has already been served, including information on duration of custody, remission and any other factors relevant to the enforcement of the sentence,
 - d) a document in which the sentenced person or his or her legal representative expresses consent to the transfer as referred to in Article 5 paragraph 1 (d), if such a document is at the Transferring State's disposal,
 - e) whenever appropriate, any medical or social reports on the sentenced person and his or her treatment in the Transferring State, and any recommendation for his or her further treatment in the Receiving State.
3. Either Party may ask to be provided with any of the documents or statements referred to in paragraphs 1 or 2 above, before making a request for transfer or taking a decision on whether or not to agree to the transfer.
4. If necessary, the Parties may request for any additional documents and information.
5. Documents provided by the Parties under the Agreement shall be exempt from higher certification and legalization.

Article 7

Effect of Transfer for Transferring State

1. Taking charge of the sentenced person by the authorities of the Receiving State shall have the effect of suspending the enforcement of the sentence in the Transferring State.
2. The Transferring State may no longer enforce the sentence if the Receiving State considers the enforcement of the sentence to have been completed.

Article 8

Effect of Transfer for Receiving State

1. The competent authorities of the Receiving State shall continue the enforcement of the sentence under the conditions set out in paragraph 2 of this Article. The enforcement of the sentence shall be governed by the national laws and regulations of the Receiving State and, with the exception of Articles 9 and 10, the Receiving State alone shall be competent to take all appropriate decisions.
2. The Receiving State shall be bound by the nature and duration of the sentence, as determined by the Transferring State. If, however, this sentence is by its nature and duration incompatible with the national laws and regulations of the Receiving State, or its national laws and regulations so requires, the Receiving State may, by a court or administrative decision, adapt the sentence to the punishment prescribed by its own national laws and regulations for a similar offence. If maximum length of punishment prescribed by the law of the Receiving State is shorter than the length of the sentence imposed in the Transferring State, the Receiving State shall order the enforcement of the punishment with maximum possible length allowed by its law. As to its nature, the punishment shall correspond, as far as possible, with that imposed by the sentence to be enforced. It shall not aggravate, by its nature or duration, the sentence imposed in the Transferring State, nor exceed the maximum prescribed by the law of the Receiving State.
3. The competent authority of the Receiving State shall not convert a sanction involving deprivation of liberty to a pecuniary sanction.
4. The part of the sentence, including custody, already served by the sentenced person in the Transferring State shall be completely included into the total duration of the sentence.
5. The Receiving State shall provide the Transferring State with a copy of the decision by which the enforcement of the sentence in the territory of the Receiving State is ordered.
6. In the event of an escape of a sentenced person before the enforcement of the sentence has been completed, the Receiving State shall take measures necessary to secure his or her arrest for the purposes of serving the remainder of the sentence and to render him or her liable to the relevant national laws and

regulations of the Receiving State. The Transferring State shall be informed of the result of such measures.

Article 9 Pardon, Amnesty, Commutation

Each Party may grant pardon, amnesty or commutation of the sentence in accordance with its Constitution or other national laws and regulations.

Article 10 Review of Judgment

The Transferring State alone shall have the right to decide on applications for review of the judgment.

Article 11 Termination of Enforcement of Sentence

The Receiving State shall terminate the enforcement of the sentence as soon as it is informed by the Transferring State of any decision or measure as a result of which the sentence ceases to be enforceable.

Article 12 Information on Enforcement of Sentence

The Receiving State shall provide the Transferring State with information concerning the enforcement of the sentence if:

- a) it considers the enforcement of the sentence to have been completed,
- b) the sentenced person has escaped before the enforcement of the sentence has been completed,
- c) the sentenced person is deceased, or
- d) the Transferring State requests a report on enforcement of the sentence in the Receiving State.

Article 13 Transit

1. In accordance with its national laws and regulations, a Party shall grant a request for transit of a sentenced person through its territory if such a request is made by the other Party and that Party has agreed with a third state to the transfer of the sentenced person to or from its territory.

2. A Party may refuse to grant transit if:

- a) the sentenced person is its national, or
- b) the offence for which the sentence was imposed is not a criminal offence under its law.

3. Requests for transit and replies shall be communicated in the way referred to in Article 4, duly signed and sealed. The Requesting State shall enclose to the request the following:
 - a) the name, date, and if available place of birth and permanent address of the sentenced person;
 - b) a document or a statement confirming the nationality of the sentenced person;
 - c) a statement of the facts upon which the sentence was based including its legal classification.
4. The Party intending to make such a transit shall give advance notice to the other Party of such transit.
5. No request for transit shall be required if transport over the territory of the other Party is by air and no landing there is scheduled.
6. The Requested State has the right and obligation to keep the person detained during the transit.

Article 14 Language and Costs

1. Requests, replies and all documents shall be furnished with a translation into the language of the Requested State or English.
2. Any costs incurred in the application and implementation of the Agreement shall be borne by the Requesting State, except costs incurred exclusively in the territory of the Requested State. The Requesting State may, however, seek to recover all or part of the costs of transfer from the sentenced person.

Article 15 Limitations on Use

1. The Requested State may require that the Requesting State does not use information obtained under the Agreement for any other purposes than that is described in the request submitted without the prior consent of the Central Authority of the Requested State.
2. Information provided under the Agreement shall be kept confidential or be used only under such provisions and conditions which either Party has determined.

Article 16 Final Provisions

1. The Agreement does not affect the rights and obligations derived from other international treaties and agreements binding on the Parties.

2. The Agreement also applies to judgments pronounced before its entry into force.
3. Any dispute regarding the application or interpretation of the Agreement shall be resolved by negotiations and consultations between the Parties through diplomatic channels.
4. Amendments to the Agreement shall be done in writing by mutual agreement of the Parties. Such amendments shall enter into force in accordance with paragraph 5 of this Article.
5. The Agreement shall enter into force on the thirtieth day from the receipt of the latter notification by which the Parties officially inform each other that required internal legal procedures of the Parties have been completed.
6. The Agreement is concluded for an indefinite time. Either Party may denounce the Agreement by means of a notification through diplomatic channels. The Agreement shall expire one year after the date of receipt of the notification by the other Party.
7. Notwithstanding any termination, the Agreement shall continue to apply to the enforcement of sentences of sentenced persons who have been transferred under the Agreement before the date on which such termination takes effect.

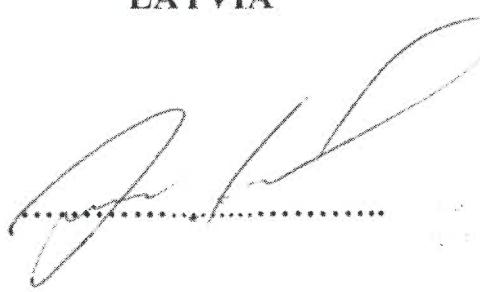
IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

Done at New Delhi on this 11... day of November 2025 in two originals, each in the Sinhala, Latvian and English languages, all texts being equally authentic. In the event of divergence in interpretation, the English text shall prevail.

**FOR THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

P.C.
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**FOR THE REPUBLIC OF
LATVIA**


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