



Government of
the Netherlands



(2) The stipulations of par. (1) lett. b) do not apply when, under the law of the state on whose territory the violation was committed, there is a cause to prevent the start of criminal action or the continuing of the criminal trial or the serving of the sentence or when the sentence has been served or when the sentence is considered as having been served.

(3) When the sentence has not been served or has only been served in part, the applicable procedure is that of the law on the recognition of foreign judgments.

#CIN

**) Under Art. 237 in Law #187/2012 (#M3), in applying the stipulations of Art. 11 in the Criminal Code the condition of voluntary presence on Romanian territory shall be interpreted in the sense of the person being on said territory voluntarily at the date when the judicial bodies rule to deprive that person of their freedom or restrict that person's freedom in view of the offense that entails applicability of the principle of universality.*

#B

ART. 12

Criminal law and the international treaties

The stipulations of Art. 8 – 11 shall apply unless otherwise required under an international treaty Romania is a party to.

ART. 13

Jurisdiction immunity

Criminal law does not apply to offenses committed by diplomatic representatives of foreign States or other persons who, under international treaties, are not subject to the criminal jurisdiction of the Romanian State.

ART. 14

Extradition

(1) Extradition can be granted or requested on the basis of an international treaty Romania is a party to, or on a mutual basis, under the law.

(2) Surrender or extradition of an individual in relation to European Union Member States shall be granted or requested under the law.

(3) Surrender of an individual to an international criminal court shall be granted as under the law.