

A critical analysis of extradition law in Tanzania

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The purpose of this research was to find out the actual situation pertaining to the extradition practice in Tanzania.]To achieve the goal the research involved library as well as fieldwork. The latter included both formal and informal interviews whereby sample target group was carefully selected to test the developed hypotheses from practical experience of persons dealing with extradition matters. In accomplishing this goal, the work has been presented in six chapters. Chapter one provides the introduction to the study . Chapter two examines the historical development of extradition law of Tanzania. Chapter three is the core part of this research; it critically examines the extradition mechanism as provided under the Tanzania Extradition Act, 1965. Chapter four examines the statutory restrictions on surrender and the findings are covered in chapter five. The general conclusions and recommendations are presented in the last chapter. The study reveals that both international law as well as municipal law governs extradition practice. In that light, it has been revealed that although the extradition treaties form the basis for extradition, the procedure and grant of extradition depend upon the municipal law rather than on international law. It is the findings of this study that the fact that national and international law simultaneously regulated extradition is a source of many significant practical problems. To curb the problems the international community should think of harmonizing substantive laws and procedures as well as creating a centralized international organ to regulate the cross border transfer of criminals.