（右条約の英文）

TREATY BETWEEN JAPAN AND THE ISLAMIC REPUBLIC OF IRAN ON THE TRANSFER OF SENTENCED PERSONS

Japan and the Islamic Republic of Iran (hereinafter referred to as "the Parties");

Desiring to further promote international co-operation in the field of enforcement of sentences;

Considering that such co-operation should further the ends of justice and the social rehabilitation of sentenced persons;

Considering that these objectives require that persons who are deprived of their liberty outside their own country as a result of their commission of a criminal offence should be given the opportunity to serve their sentences within their own society; and

Considering that this aim can best be achieved by having them transferred to their own country;

Have agreed as follows:

Article 1
Definitions

For the purposes of this Treaty:

(a) "sentence" means any punishment involving deprivation of liberty ordered by a court for a limited or unlimited period of time on account of a criminal offence;

(b) "sentenced person" means a person on whom the sentence has been imposed in the territory of either Party;

(c) "judgment" means a decision of a court imposing a sentence;

(d) "sentencing State" means the Party in which the sentence has been imposed on the person who may be, or has been, transferred; and

(e) "administering State" means the Party to which the sentenced person may be, or has been, transferred in order to serve his or her sentence.

Article 2
General principles

1. Each Party undertakes to afford the other Party the widest measure of co-operation in respect of the transfer of sentenced persons in accordance with the provisions of this Treaty.

2. A sentenced person may be transferred from the territory of the sentencing State to the territory of the administering State, in accordance with the provisions of this Treaty, in order to serve the sentence imposed on him or her. To that end, the sentenced person may express his or her interest to the sentencing State or to the administering State in being transferred under this Treaty.

3. Transfer may be requested by either the sentencing State or the administering State.

Article 3
Conditions for transfer

1. A sentenced person may be transferred under this Treaty only on the following conditions:

(a) where Japan is the administering State, the sentenced person is a Japanese national or any other person who falls within the scope of its law on transnational transfer of sentenced persons;

where the Islamic Republic of Iran is the administering State, the sentenced person is an Iranian national as defined in the Iranian Civil Code;

(b) if the judgment is final;

(c) if, 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) if the transfer is consented to by the sentenced person;

(e) if the acts or omissions on account of which the sentence has been imposed constitute a criminal offence according to the law of the administering State or would constitute a criminal offence if committed on its territory; and