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International law in the twentieth century is entering a pronounced phase of changing structures which entails the broadening of its scope and application. The individual who has been historically alien to the scope of this discipline is gradually acquiring a limited place therein. This is manifested by the recognition and enunciation of certain fundamental human rights and by the subjection of the individual to personal responsibility under international criminal law. Relations between nation states are ceasing to be a matter of limited interest and exclusive concern of the parties immediately involved, but are broadening to encompass some aspect of the world community's interests in the maintenance and preservation of world public order.

The author in the present study has endeavoured to analyse the intricate relationship between law of asylum and extradition, its legal basis, extraditable persons and offences and above all the non-extradition of political offenders. The text contains five chapters including a discussion and a conclusion.

The exercise of the jurisdiction by a state over all persons within its territory and of the right to punish them for the violation of its laws, is frequently frustrated by the escape of the offender into the territory of another state. On the other hand, it is a matter of the domestic law of the
state to whose territory the offender has escaped, whether he can be tried and punished for the offences he committed prior to his entry; and the state may, upholding the common law tradition refused to exercise jurisdiction over such an offence committed outside its territory. Even if the state of refuge will exercise jurisdiction over such an offences it is the state authorities on whose territory they have been committed that are in the best position to assemble relevant evidence for trial, and , in addition, have the greater interest in the punishment of the offender. These considerations have given rise to a legal institution known as extradition.

As extradition changed and became a legal institution, as the dynastic system gave way to constitutionalism, as the greater ease of communication made the flight of criminals easier, as an increased interdependence in state life made the suppression of crime a matter of common interest, then extradition withdrew from the realm of policy and became an aid to justice.

Chapter 1 deals with Law of asylum: The various kinds, conventions and treaties and their effectiveness. Traditionally the law of granting political asylum was accepted as a general principle of International Law but modern trend indicates that in, contemporary times states recognise political asylum as a principle of humanitarian character rather than as legal concept.
Undisputed rule of International law is that every state has exclusive control over the individual on its territory. States have supreme power to regulate the admission and expulsion of person at will, based on the principle of territorial sovereignty. The true position is that the right of a refugee to seek asylum in a state other than his own, the decision as to whether or not to grant him that asylum is a matter of determination of the state concerned. In the same way the right of asylum in the premises of a diplomatic mission does not exists in international law, but at the same time the Head of a mission is not obliged to prevent a refugee from entering and taking refuge or shelter within the premises of the mission. Temporary refuge or shelter can be granted to the refugees if they are in imminent peril of their lives from mob violence or hostilities.

Second chapter deals with Law of extradition: Closely connected with the question of territorial asylum is the matter of extradition of fugitive offenders. It is generally recognised under international law that a state in whose territory a crime has been committed is entitled to try and punish the offender irrespective of whether he is a citizen of the country or an alien. States possess this right by virtue of its territorial sovereignty.

The question of extradition of fugitive offenders arises when a person after committing a crime in a particular country leaves its territory and take refuge in another state. If the
state in whose territory the crime has been committed is anxious to try and punish the offender, it would naturally have to request the other state to hand over to it the person accused of crime such a request would normally be conveyed through its diplomatic agent to the government of the other state such a request whether the criminal be extradited is guided by certain well known rules such as, there must be bilateral treaties or convention in this regard in the absence of bilateral treaties no state is oblige to hand over fugitive criminal to another state for trial and punishment. Undoubtedly, extradition is at present the most effective means of co-operation, between states in criminal matters.

Chapter III deals with the Problem of definition of political crimes: Before the French revolution the term political offence was unknown in both the theory and practice of international law. It was during the 19th century that there was reversal of attitude in this respect, when states began to refuse to extradite persons sought for political offences and this principle of non-extradition of political offenders became general.

Serious difficulties exist with regard to the definition of political crime. There are two categories of political offences. On the one hand it refers to what are some times called purely political offences i.e. offences against the government or political organisation of a state. On the other
hand there are relative political offences are neither wholly political nor yet wholly a crime thus what consideration should be taken into while making the decision. This uncertainty as to what constitutes a relative political offence affects the extradition process.

Pit Cobett has taken rather a realistic view, he says it is useless to attempt a definition of what constitutes a political offence for the purpose of extradition. The best method is to leave the question to be determined by the higher court of each state to decide each case as it arises. Thus, the future of the rule of no extradition of political offenders depends partly upon the political offenders themselves and partly upon the future of states making up the present world order.

Chapter IV deals with Extradition and Terrorism: This chapter analyses the legal aspect of terrorism in the light of Indo-British extradition treaty. Extradition process is the oldest form of cooperation between states in the struggle against criminality. With the rise in the number of crimes attributable to terrorism the matter has been engaging the attention of the countries all over the world. International law commission casts a duty an states to prevent with in their borders political terrorist activities directed against foreign state. In this connection Indo-British co-operation treaty provides a platform for both nations in the fight against terrorism.
Finally an attempt is made towards an increasing cooperation and reciprocal assistance in the matters of criminal activities. The process of extradition is packed with complications and difficulties which has prevented the growth of uniform rule on the subject. There are variations in the definition of crime adopted by different countries and the possibility of the process of extradition being employed to get hold of a person who is wanted by his country not really for an ordinary crime but for political offence. Modern states almost invariably exclude offence of a political character from the operation of the law of extradition.

Extradition, therefore, is a necessity. No fugitive should be given an impression that he can commit an offence at will, and can flee from justice by taking shelter in a foreign territory. However due precautions be taken that nobody is denied the due process of law and that he is not made the victim of political vindictiveness.