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# Methods of Judicial Cooperation and the Procedure for Enforcement Under International Law; Identifying the Nexus between Theory and Practice

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## ABSTRACT

The idea of judicial cooperation in criminal cases and enforcement under international law is undoubtedly based on the broad tenet that it is in the interests of civilised nations for crimes to be prosecuted and that it is customary for states to cooperate with one another in order to provide every support necessary to bring criminals or persons guilty of certain crimes involving international matters to justice. The world legal system has indeed reached a global operations clime, with undoubted interconnection between international courts and tribunals with and amongst states directly affected. The aim is to create a formidable mechanism for legal certainty and stability at a global scale and crystallize a reality where criminal offenders who attempt to escape criminal punishment in a state where an offence is committed are made to face the full force of the law by not only presenting them for criminal trials but making evidence available against them leading to justice being done in the circumstance. This formidable mechanism consists of elements such as mutual legal assistance, extradition, reparation etc. Consequently, this work examines critically the methods of judicial cooperation and enforcement procedure laying much emphasis on mutual legal assistance and extradition viz a viz the need to reconcile theory and practice noting that the ultimate objective of judicial cooperation is the creation of a world where there is no safe haven for criminals.

**Keywords:** International law, States, Judicial cooperation, Enforcement mechanisms, Criminal cases.

## INTRODUCTION

International Judicial Cooperation basically is centered on the existing cooperation between judicial authorities in various matters of law in different cross-border situations with important roles being played through a bilateral means. It is noteworthy to state that court collaboration in criminal cases is dependent or based on the idea of reciprocal acknowledgment of judgments' and court decisions. It also involves steps to bring member state laws closer together in a number of sectors [1]. Judicial cooperation as a principle in international law is governed by legal instruments binding between members states [1, 2].

It is noteworthy to state that the concept of International judicial cooperation has a broader scope, covers both civil and criminal cases, and can take many various forms based on the specific terms and circumstances of the parties' separate treaties. Under international law, judicial cooperation occurs when a state's competent authority requests assistance from another state to carry out specific procedural tasks. Key examples of judicial cooperation between states in international law comes in the form of repatriation, mutual legal assistance, extradition, transfer of prisoners amongst others from one state to the other subject to the regulatory legal instrument binding between them [3]. This paper seeks to address basic information on judicial cooperation in international law, generally, the methods of judicial cooperation arising therefore and the procedures in the process of judicial cooperation in international law.

### Meaning and General Information on Judicial Cooperation in International Law

Judicial cooperation can generally be seen to consist of measures that courts need assistance with from another state in court proceedings such as taking of evidence and so on [4]. From the perspective of the European Union, its goal is to make it easier for citizens to settle legal or administrative disputes in other European nations than they would at home [5]. Accordingly, the European Commission divides it into categories such as exchanging documents between nations, exchanging judgments between them, providing mutual legal assistance and extradition, obtaining evidence in a different member state of the European Union (EU), obtaining an European

arrest warrant, holding and transferring prisoners, seizing and freezing assets, and paying fines. More specifically, the concept has been characterised as an instance in which a state's competent authority requests judicial help from another state in order to carry out specific procedural actions [6]. The concept has also been seen as an instrument for cross-border cooperation between states in the administration of justice and a means of building synergy between the different legal systems, as it intends to guarantee legal certainty, simple and efficient access to equitable justice, and the proper identification of the appropriate jurisdiction as required, the clear identification of the applicable law, as well as the prompt and effective identification and implementation of the necessary processes [7].

The operation of judicial cooperation in international law is considered most useful as it cuts short the barriers arising from the complexity and disparity of administrative or legal system among different states in the pursuits of justice. The aims and objectives as further strengthened by the European union includes: to support the growth of the use of information and communication technologies in the administration of justice, to guarantee citizens' high level of legal certainty in cross-border relations governed by civil law, to streamline cross-border cooperation tools between national civil courts, and to ensure citizens' easy and effective access to civil justice in order to settle cross-border disputes. The ultimate objective of this cooperation among states in criminal matters is to ensure that there is no safe haven or hiding place anywhere in the world for criminals or those convicted who have committed certain crimes in one country and are seeking to escape justice by absconding to another country.

#### **Historical Development of Judicial Cooperation in International Law**

Given that Individuals are accused of committing international crimes and trans-border rather than states, it is trite to state that international criminal law is not inherently about state responsibility in international law context; rather, its focus is on establishing the criminal responsibility of individuals for their violations of foreign state and international law that constitute or results to crimes [9]. However, it takes the symbiotic cooperation of states to secure convictions and prosecutions of culprits or fugitives who have broken the law in one state and are finding solace in another state [10]. A fertile mind would very well seek to know the origins of the system of judicial cooperation among states inter se; in other words is this a product of customary international law, is it a product of statutes such as the UN Charter or would we have to go as far back as ancient Greek city states to trace the origin of judicial cooperation among states.

Although its roots can be traced back to cooperative agreements between people in the ancient Middle East, international judicial cooperation took shape during the European Renaissance. Two notable instances of such agreements may be traced back to approximately 2100 BCE, when treaties were established between the kings of Lagash and Umma in Mesopotamia. Additionally, circa 1258 BCE, treaties were formed between the Egyptian King Pharaoh Ramses II and Hattusilis III, who had the title of King of the Hittites [11], after which a good number of pacts were subsequently negotiated by various middle eastern empires at the time. There were several informal arrangements to bring fugitives to justice in old time before the creation of modern states. However with the creation of modern states with defined boundary and territory it became more official for one state to request assistance from another over criminal matters. Consequently, international judicial cooperation in criminal matters is a matter of interaction between sovereign state authorities. It is worth noting that the Montevideo Convention's (1933) procedures for establishing new states combine reality and law, which stipulated that a state need to have a government, a defined area or territory, a definite population, and the ability to manage foreign affairs in international relations with sovereign states.

After World War II the Nuremberg experience further entrenched the reality of the need for broad based cooperation to bring fugitives and criminals to justice. The modern era witnessing rapid advance in cyber technology means that it is now a necessity for states to cooperate as crimes are easily committed from remote servers and God forbid that there should be a safe haven for criminals in this global village.

#### **Methods of Judicial Cooperation in International Law**

##### **Mutual Legal Assistance**

The concept of legal aid or assistance in a mutual scale under international law has been defined as the process or means by which states look for and help other states with judicial document servicing and evidence collection for use in criminal proceedings [12]. Also, it involves making of a formal request which is submitted by the judicial authority of one state to the judicial authority of another state, requesting the requested judicial authority to do one or more specified tasks. Typically, the requested judicial authority uses this request to gather evidence and speak with witnesses on its behalf. The concept however, has been recognized in some international documents on crime such as the Organized Crime Convention [13]. In order to promote international cooperation, it has been stated that it is a vital instrument for the judiciary and law enforcement dealing with cases of corruption that include international components, like money laundering and foreign bribery [14]. It can also refer to an arrangement whereby various nations work together to gather and share information and evidence related to criminal activity [15]. In a wider sense, the concept of Mutual Legal Assistance has been referred to as the offering of legal aid or assistance by one state to another in the investigation, prosecution or punishment of

criminal offence to aid in the prosecution of offences such as organized crime, trafficking of person and drugs, smuggling in persons as a result of the trans-border nature of criminality hence making it an invaluable tool in the circumstance [16]. Another interpretation of the idea is that it represents the official process by which states ask for and offer help in acquiring evidence from one state to support criminal investigations or processes in another state. Mutual legal assistance in criminal matters is founded on two obligations accepted and recognized by sovereign states, these principles although recognized from time immemorial have in recent times been crystallized and solidified in the Geneva Conventions [17]. The first obligation is the obligation to prosecute and the second obligation is the obligation to extradite the accused to the state that has an interest in pursuing the accused [18]. Article 146 and Article 88 of the 1949 Geneva Convention (VI) established a strengthened system of mutual assistance in criminal situations that goes beyond choosing between prosecution and extradition. Consequently, judicial cooperation in criminal matters through the method of mutual legal assistance is a matter of duty which every nation when called upon to do so must live up to this duty.

### ***Extradition***

Extradition is an official process carried out by treaties and other laws that specify the circumstances and procedure by which an individual in one state may be transferred to another state for trial or to serve out their sentence [19]. The Nigerian Court of Appeal in the well decided case of ***George Udeozor v Federal Republic of Nigeria*** [20] stated inter alia and defined extradition process as involving sending someone who has been accused of a particular crime by another legal authority back to the one making the request so they can face charges or be punished for their crimes. It can also refer to the official procedure by which a state turns over a person to another state so that they can face charges or be punished for crimes committed within the jurisdiction of the state making the request which is a process usually made possible by a bilateral or multilateral treaty [21].

Also, extradition can be defined as the act of transferring an individual from a state that has made a request to another state, with the purpose of subjecting them to criminal prosecution or punishment, or to facilitate the surrender or capture of a fugitive from one jurisdiction to another [22]. Extradition is also defined to be the formal transfer of an accused criminal from one government authority to another for the purpose of prosecuting a criminal charge. It typically occurs between two states and is specifically mentioned in the United States Constitution as thus: "If a person commits a crime in one state and then flees to another state, then if the state where the crime was committed demands the criminal return, the state where he was found must return him to the state where the crime was committed" [23]. In Nigeria, The Federal High Court (Extradition Proceedings) Rules of 2015, the Extradition Act of 1966, the Extradition Act (Modification) Order of 2014, and the 1999 Constitution of the Federal Republic of Nigeria are the primary legal documents that are normally relevant to extradition. The Evidence Act of 2011, the Administration of Criminal Justice Act of 2015, the Federal High Court Act of 1973, and other pertinent laws, such as the Criminal Code applicable in the Southern part of the country, Penal Code in the North, and penal provisions of other laws pertaining to criminal justice, are further pertinent legislation [24]. In regards to extradition cases, the Federal High Court has been vested with the adjudicatory power that has exclusive jurisdiction on extradition matters involving states [25].

Extradition is a form of international legal aid in which a country sends a criminal to a foreign court, using its legal authority over individuals within its jurisdiction [26]. In this case, it must be noted that no government is automatically obliged to surrender a person unless there is an extradition treaty between the two states and upon such request or under the principles of reciprocity under the international law. Nonetheless, for any of the following reasons, a nation may reject an extradition request: namely, the dual criminality which allows an extraditing country to deny the request unless the offence in question is punishable under international law or where the local court in the country where the alleged offender is has the jurisdiction to entertain the matter and where there is a pending case based on the same offence before the court in the extraditing country as a justification to the rule against double jeopardy. Extradition can also be denied by the specialty rule which denies a person from facing criminal trial for an offence which he has no previous knowledge therefore, the person would be punished only for the offence which the extradition law granted, the citizenship rule and the status of the offender rule in circumstance where the offender is a citizen of the country, the country is not bound to accept the request as where the age of the person and health condition do not permit. Another is the military and political offences because there are excluded from extradition treaty. Another is the legal system, where the requesting state feels the offender may face the risk of facing a death sentence or as the case may be subjected to torture or inhuman treatment in the foreign country, and where there is any objection on the independence and fairness of the foreign trial, and finally, is the discrimination clause which means where it is deduced that the country would likely discriminate against the offender because of his religion, political affiliation, or race as the case may be. It is crucial to consider a couple of popular cases on the subject of extradition.

In ***Calovskis v Latvia*** [27] a Federal Grand Jury in the District Court for the Southern District of New York indicted the applicant on five (5) counts of conspiring to violate US criminal laws by aiding and abetting the use of the malicious Gozi virus to attack the United States computer networks. In accordance with the 2005 US-Latvia

Extradition Treaty, the US Department of Justice requested the applicant's extradition from Latvia to the US on November 27, 2012, and it was delivered to the Prosecutor General's office on December 3, 2012. Even though applicant contested his extradition up to the European Court of Human Rights he was still extradited to the U.S and convicted in 2015 [28]. In the Nigerian case of *A.G Federation v Dion Kendrick Lee* [29] the fugitive an alien or a non-Nigerian found in Nigeria was extradited to the United Kingdom by the order of the Federal High Court sitting in Lagos, Nigeria. Note that unlike other countries like Brazil, Nigerian citizens are subject to extradition subject to compliance with the provisions of the Extradition Act. In *A.G Federation v Uche Okafor Prince* [30] the FHC allowed the extradition of a Nigerian to Finland where he was convicted.

#### ***Detention and Transfer of Prisoners***

According to the European Union [31], and in accordance to the guidelines set forth by the council framework decision 2008/909/JHA, convicted prisoners may be returned to their country of nationality, place of habitual residence, or another country of the European Union with which they have close ties in order to aid in their social rehabilitation. It further stated that prisoners should not be sent to nations where the European Prison Regulation of the Council of Europe's minimum standards for detention conditions are not met. The United State and its transfer programs [32] provides that the transfer treaties to which the United States is a party, allows it and its treaty partners to send a foreign national who is sentenced and imprisoned in their country back to the prisoner's home country to serve the remaining portion of his sentence, provided that treaties and statutory requirements are met. First of all, a nation may accept a citizen from another nation that has found and sentenced the citizen for a criminal offence; the home nation agrees to carry out the terms of the transferred punishment. Second, a nation has the authority to send a foreign national, found guilty of a crime and given a sentence, back to his nation of origin to complete his sentence there. According to this ruling, the decision to transfer a prisoner is entirely up to the sentencing and receiving countries, and neither the sentencing nor the receiving governments have the authority to compel a prisoner to do so. However, the principles of non-refoulement [33] prohibits the transfer of individuals between states if there is a possibility that the prisoner will have their fundamental rights violated. This principle applies to all transfers, regardless of the legal name given to the transfer procedures, such as repatriation, extradition, or expulsion.

The principles also prohibit the transfer of individuals to countries where they may be subjected to prosecution, ill-treatment, or arbitrary deprivation of life. Additionally, they prohibit the transfer of individuals to another state if there is a risk of further transfer to a third state where they may face the same threat. The principles also encompass the prohibition of transferring to nations where both the authorities of the receiving states and non-state entities or persons of the receiving state pose a potential risk, and if the receiving state is unable or unwilling to safeguard the transfer.

According to Michael Platcha [34], upon reviewing international prisoner transfer instruments, it is evident that the four criteria employed to determine the range of individuals qualified for transfer are as follows: nationality test, limited nationality test, Hybrid Nationality or Domicile test and Domicile residence test. He further maintained that in transfer of prisoners, the consent of the prisoner should be considered of paramount importance. An analysis of these test laid out by the distinguished author cannot be exhausted here as this is not the ideal for delving into the issue of eligibility for transfer of prisoners. It is crucial to examine the mutual recognition of judgments among states as another method of judicial cooperation and enforcement mechanism.

#### ***Mutual Recognition of Judgments among States***

Marek Zilinsky [35] noted that cross-border enforcements revolve around two key concepts: cooperation, which involves the recognition and enforcement of a judgement from one state in another state after a formal check in the enforcement state, and the direct effect of judgements from one state in the enforcement state as if they were issued in the later state. According to the European commission [36], all judgments obtained in any of the Europeans union countries are automatically recognized in all European Union countries. However, to enforce a judgment delivered in One European Union country in another, an application must be made through the European Union enforcement authorities in the enforcing country or the judgment must have been obtained and a certified true copy received also received and served accordingly. Nevertheless, if such recognition and enforcement would be against public policy, the judgment's recognition and enforcement may be refused as it would be contrary to public policy in the country where it is to be enforced. It has also been observed [37] that in the recognition and enforcement of foreign judgments the following requirements must be met; namely, jurisdiction on the part of the court that delivered the judgment, it must be valid and final and on the merit, all procedural requirements must have been followed, as well as the public policy and international and natural justice principles must have been observed.

#### ***Repatriation***

Repatriation is the term used to describe the transfer of convicted individuals from the nation that sentenced them to their home country through a bilateral or multilateral agreement. After being sent home, a prisoner usually serves out the remainder of their original sentence or term under the supervision of their home country [38]. The

justification for repatriation is rooted in the inherent obligation of each nation to rehabilitate individuals found guilty of specific offences, taking into consideration the psychological consequences of incarceration in a foreign country with unfamiliar environments. This can be particularly severe and potentially excessively punitive, thereby hindering the prisoner's prospects for future rehabilitation and social integration into society. In order to achieve this, a number of legislative frameworks have been established, such as the Vienna Convention on Consular Relations 1963, to guarantee the equitable and humane treatment of detained foreign persons and to facilitate their eventual repatriation [39]. For instance the Vienna Convention on Consular Relations requires a contracting state that arrests a foreign individual to notify the consulate of the relevant country of the arrest as soon as possible and to grant the apprehended prisoner consular access.. The United Nations Convention against Transnational organized crime 2000 [40] also direct contracting states to consider entering into bilateral or multilateral treaties for transfer of prisoners to facilitate Repatriation. The Repatriation of prisoners Act of India 2003 [41], specify the conditions that must be met in order for a foreign prisoner to be returned home. These conditions include not having an investigation, trial, or other legal action against them, not having the death penalty imposed, not having their conviction under military law, and not having their transfer threaten India's security, sovereignty, or any other interest. On his part, Andrew Sperling [42] expressed the view that, repatriation is the process by which a prisoner who has terminated their sentence in one country may be able to serve the remaining portion of their sentence in their country of origin, provided that two countries have an international agreement which can happen voluntarily or, if necessary, under mandatory terms set forth in relevant international arrangements.

#### **The Procedures for the Enforcement of Judicial Cooperation in International Law**

The question of the determination of which procedure to follow in the enforcement of judicial cooperation in international law is dependent on the method of the international judicial cooperation to be employed in the circumstance. Hence, the following are the methods of the judicial cooperation and the procedures for their enforcement.

#### ***Mutual Legal Assistance***

By the provision of the organized crime convention [43], state desirous of enforcing mutual legal assistance must have a treaty guaranteeing the enforcement. Subsequently, an authority must make a request for mutual legal assistance and include their identity in the request. The request ideally includes the following information: the name and roles of the authority conducting the investigation and prosecution, the nature of the inquiry and the subject matter to which the request refers amongst others. A description of the assistance sought and details of any particular procedure which the requesting state wishes to be followed and the identity, location and nationality of persons concerned would also be contained. The Council of Europe [44] on other hand provides the procedure for the enforcement of mutual legal assistance to include, making of the request and filling the form with the relevant information such as the central authority or any other authority requesting for the mutual legal assistance, the means of communication, the channel of communication i.e. directly or through diplomatic channels, the language required, limitation of use of evidence obtained, double criminality requirement if applicable, link to national legislation, national guides and procedures and parties to the second additional protocols. Meanwhile, in the state of Salvador [45] the procedures require the formal making of the request either under a treaty or in the absence of a treaty. Where it is covered by a treaty, the request must be made to the Supreme Court of Justice via the Ministry of External Relations or another central body. The Court will review the materials provided and decide whether the request satisfies the requirements of both the treaty and domestic law. And where there have not been fulfilled a resolution would be prepared indicating the deficiencies so that the requesting authority may complete it. The Supreme Court of El Salvador will also prepare a grounded resolution to be signed by the entire court rejecting the requesting state's request for assistance if it finds the request unacceptable for reasons other than procedural ones. If the request is approved, the court will then issue a resolution directing the return of the cooperation request to the requesting state.

However, in cases where the request is not made in compliance with a treaty, the Supreme Court of Justice must look to domestic and international law to decide whether or not to grant the request in line with applicable laws [46], and where it is acceptable, the court will draft a full court resolution directing the request to be complied with and specifying the national authority responsible for doing so. In the event that the request is deemed unacceptable, a grounded resolution will be drafted and signed by the entire court. The requesting state will be notified of the acceptance or rejection of the resolution by diplomatic channels, facilitated by any of the Embassies in both states.

#### ***Extradition***

In the United States of America for instance, the processes of extradition of a prisoner takes the following ways [47]. These processes could be with or without extradition treaties where it is with extradition treaty, a complaint must be filed in any of the United States court stating the charges and the treaty requirements. Then the Secretary of State will then receive a prepared warrant for the person's apprehension and initiate communication with the

foreign government to initiate the international extradition procedures. The receiving nation then considers whether or not to implement it based on its treaty duties to the requesting nation and its extradition legislation. However, in countries with no extradition treaty with the United States, the United States must engage the country without the extradition treaties without negotiation and except on the contrary reach out a compromise. According to the law teacher [48], the center point for extradition begins when a suspect or others with access are discovered in a foreign nation, the investigating judge or prosecutor decide whether to proceed with extradition and investigate the likelihood of the suspect being brought back to face trial.

#### *Transfer of Prisoners*

According to the Netherlands Authority [49], transfer of prisoners processes are through the following procedures thus, firstly, is the submission of a formal request for the transfer to the relevant authority in the country where the prisoner is detained. Secondly is for the country to examine the request and the facts and circumstance of the case, to approve or reject the request, and where the transfer is approved, a recommendation would be made to effect the transfer accordingly. On the other hand, the government of Canada [50] has provided the following procedures for the transfer of prisoners to Canada as follows: The first is the current transfer agreement and its terms with the government; the second is to apply for the transfer to the appropriate authorities and fill out the CSC/SCC 0303E request for transfer form together with the supporting information. Completing the authorization form for the release of personal data comes in third, and frontloading all required paperwork comes in fourth.

In the United States, the procedures include among other things; discussing with the prisoner on an existing transfer treaty and willingness to be transferred, formally making the transfer request, approval of the transfer, notifying the authority (the host government), the host government approval and the consent verification procedure by the prisoner.

#### *Mutual Recognition of Judgments*

The international system creates a transnational recognition and enforcement of judgment between states subject to certain requirements. States however enjoy leverage regulating the modes of recognition and enforcement in their territory. For instance, in Nigeria, all foreign judgments recognized and enforced in Nigeria are regulated by the Foreign Judgment Reciprocal Enforcement Act which highlights the procedures to include; the registration of the judgment in Nigeria provided it is one emanating from superior court in a foreign country with a reciprocal treatment with Nigeria and must be monetary, final and conclusive [51]. However, where the judgment cannot be registered, an action can be commenced upon the judgment through enforcement action at common law. The third procedure under the Foreign Judgment Reciprocal Act in Nigeria of a foreign judgment is a contained in section 10(9) of the Foreign Judgment (Reciprocal enforcement) Act [52].

More so, other important requirements in the enforcement of foreign judgments are that the court from which the judgment emanates must be a court of competent jurisdiction in the circumstance, the judgment must be valid, final, and on the merits, all the procedural requirements must have been followed and the judgment must not violate or likely to violate public policy, and international and Natural Justice [53].

#### *Repatriation of Prisoners*

The procedures for the repatriation of prisoners differ from country to country. However, the principal procedures are that there must be a repatriation request by the prisoner which must be examined by the transferring state, the sentence adaptability regarding whether the act constitute an offence in both countries; the central authorities/government must coordinate and harmonize within the necessary space; and the necessary procedures as prescribed by the treaty and other documents must be monitored and fully enforced as a guiding tool [54].

#### **Some Innovations to Note in the Area of Judicial Cooperation in West Africa**

##### *United Nations Office on Drugs and Crime Liaison Magistrate Initiative*

The role of liaison magistrates, which is sometimes compared to electric plug adaptors, is to transfer the legal current from one nation to another. The liaison magistrate serves as an intermediary between national central authorities, disseminates pertinent information about Nigerian criminal networks, transfers files pertaining to organised crime cases between nations, monitors requests for Mutual Legal Assistance, and offers legal and pragmatic counsel regarding the legal and procedural requirements of their home country. It noteworthy to state that establishing bilateral cooperation with Nigeria has been a priority for Italian prosecutors due to the large number of Nigerians who are smuggled into Italy and the involvement of Nigerian criminal networks. In response, a first Nigerian liaison magistrate was sent to Italy in February 2018 to collaborate with prosecutors offices in Sicily to expedite the handling of cases involving Nigerians or Nigerian criminal organisations. In March 2019 the UNODC supported the deployment of another Nigerian prosecutor to Madrid to aid the Spanish authorities [55]. The liaison magistrate or liaison prosecutor initiative is sponsored by the UNODC to ease cooperation and fight international crime.

### ***The WAPIS Programme***

The West Africa Police Information System (WAPIS) programme is implemented by INTERPOL with funding from the European Union with the objective to strengthen information exchange and coordination among states in West Africa and elsewhere in Europe [56,57]. The WAPIS Programme also aims to improve the identification of criminals and assist ongoing investigations by giving police officers in West African nations access to vital police information from databases of neighbouring countries as well as from other national criminal databases. Ultimately the programme is meant to allow greater police and judicial cooperation in criminal matters within the region, the EU and the rest of the world as a whole. The WAPIS Programme implemented by the EU and INTERPOL will see the creation of national criminal data systems in ECOWAS Countries and develop a level playing field where cooperation would be smooth and swift. Nigeria and INTERPOL formalized the collaboration through the WAPIS programme by signing an agreement to this effect in April 2019.

### **CONCLUSION**

The principles of judicial cooperation in international law draw up a conclusion and a prime assumption of the symbiotic disposition of the judicial regime in the global arena. It further boosts and strengthen inter-relationship between states and seeks for inter-connectivity as enthroned by its cross-border and transnational model. By these, there is in existence a center of stability in the global judicial space amidst diverse rules, laws and legislation with multi-lateral legal system. As a concern, this article has explicitly dealt with it in the possible areas of importance, conducted in various segments, basic information on the principles, it methods of operation and procedures for the enforceability have been keenly furnished. Indeed there is an urgent rush by regional blocs and international organizations to make the process of judicial cooperation in criminal matters quite seamless and this is a commendable drive towards securing justice and making sure there are no safe havens for fugitives anywhere in the world.

### **Recommendations**

1. As a focal point of convergence, the principles surrounding judicial cooperation prevent a uniform direction for different legal and judicial systems to operate and fail to unify and harmonize common procedures of enforcement for all countries. It is therefore, recommended that a concrete and formidable direction should be taken to ensure that among all countries, a common and similar procedure for judicial cooperation and enforcement is formulated and systematized.
2. Most countries seem not to have awakened to the reality of its necessity. Hence most methods identified above have no treaties and agreement giving effects to it by most states. Therefore, it would be necessary to expedite action in concluding and implementing bilateral and multi-lateral agreements relating to them.
3. The requirement of consent of a prisoner in extradition, transfer, repatriation methods should always be prioritized fundamentally to give room for prisoners who may be endangered with rather being persecuted than prosecuted.
4. Since most states prisons services and facilities undermines the rehabilitation purpose of imprisonment, there is need to create, establish and operation prison centers in all states to cater for prisoners found guilty of international and transnational offences.
5. The practice of not extraditing a criminal and prisoner who after committing grievous offence in his country of birth because of the subsequent acquisition of citizenship of another country may be dangerous to the course of justice. Hence, nationals who abscond from their birth country after committing offence to another should be made to face full trial in the country where the offence was committed to deter other nationals from engaging in similar act.
6. The duplicity or multiplicity of actors in the Nigerian legal system makes it difficult to decide which central authority to liaise with in times of need of judicial cooperation, it is thus suggested that a clear procedure be marshaled out to be handled by the Attorney General of the Federation's office.

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