

**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2306**

**DATE OF QUESTION: 10 JUNE 2022**

**DATE OF SUBMISSION: 27 JUNE 2022**

**Adv G Breytenbach (DA) to ask the Minister of Justice and Correctional Services:**

1. What is the current position regarding the extradition of Rajesh and Atul Gupta after having been arrested in Dubai, subsequent to a Red Notice being issued;
2. Whether the extradition treaty with the United Arab Emirates has been finalised; if not, why not; if so, on what basis will extradition be achieved bearing in mind that the agreement in all likelihood will not have retrospective application?

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**REPLY:**

1. On 6 June 2022, the authorities in the United Arab Emirates (UAE) informed me that the suspects have been arrested on the Red Notices issued. On 8 June 2022, the National Prosecuting Authority (NPA) forwarded a Request to the Department for the Provisional Arrest of the suspects in terms of Article 14(3) of the Extradition Treaty. The request containing the charge sheet and warrants of arrest for the suspects were forwarded under cover to the Department of International Relations and Cooperation (DIRCO) for onward transmission to the authorities in the UAE. On 10 June 2022, the Department was advised that the Investigating Directorate in the NPA is finalising the official extradition request, where-after same will be translated into Arabic, and thereafter forwarded to the Department for onward transmission to the authorities in the UAE via the diplomatic channel.
2. On 25 September 2018, South Africa and the United Arab Emirates concluded an Extradition Treaty. The Treaty came into force on 10 July 2021. The request for the extradition of Mr Atul Kumar Gupta and Mr Rajesh Kumar Gupta will be made to the UAE in terms of the Extradition Treaty.