

N° 4339.

BELGIQUE ET MONACO

Troisième Déclaration additionnelle
à la Convention d'extradition du
29 juin 1874 entre les deux pays.
Signée à Paris, le 16 décembre
1937.

BELGIUM AND MONACO

Third Additional Declaration to the
Extradition Convention of June
29th, 1874, between the Two
Countries. Signed at Paris, De-
cember 16th, 1937.

¹ TRADUCTION. — TRANSLATION.

No. 4339. — THIRD ADDITIONAL DECLARATION² TO THE EXTRADITION CONVENTION OF JUNE 29TH, 1874, BETWEEN BELGIUM AND THE PRINCIPALITY OF MONACO. SIGNED AT PARIS, DECEMBER 16TH, 1937.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Declaration took place April 22nd, 1938.

HIS MAJESTY THE KING OF THE BELGIANS

and

HIS SERENE HIGHNESS THE PRINCE OF MONACO,

Considering it desirable to modify Article 12 of the Extradition Convention³ of June 29th, 1874, already modified on December 30th, 1881⁴ and May 28th, 1932⁵, have for this purpose appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE BELGIANS :

Count A. DE KERCHOVE DE DENTERGHEM, His Ambassador Extraordinary and Plenipotentiary accredited to His Excellency the President of the French Republic ;

HIS SERENE HIGHNESS THE PRINCE OF MONACO :

Count Henri DE MALEVILLE, His Envoy Extraordinary and Minister Plenipotentiary accredited to His Majesty the King of the Belgians ;

Who, having communicated their full powers, found in good and due form, have agreed, by the present Declaration, as follows :

Article I.

The provisions of Article 12 of the said Convention shall be replaced by the following provisions :

“ If, in proceedings in a non-political criminal case, the taking of depositions from persons who happen to be in either of the countries, or any other act connected with the preliminary legal proceedings, is deemed to be necessary, letters of request shall be addressed for this purpose through the diplomatic channel and shall be duly executed in accordance with the laws of the country in which the depositions are to be taken or the other acts connected with the preliminary legal proceedings are to be performed.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place March 4th, 1938. Came into force April 17th, 1938.

³ *British and Foreign State Papers*, Vol. 65, page 498.

⁴ *British and Foreign State Papers*, Vol. 72, page 1001.

⁵ Vol. CXXXVI, page 415, of this Series.

“ Nevertheless, letters of request entailing either a domiciliary visit or the seizure of the *corpus delicti* or of articles serving as proof of the crime may only be executed in respect of an act mentioned in Article 2 and subject to the reservation made in the last paragraph of Article 10 above.

“ The two Governments waive all claim to the refund of expenses resulting from the execution of letters of request, even when the preparation of an expert's report is necessary, provided, however, that this does not entail more than one sitting. ”

Article 2.

The present Declaration shall come into force ten days after it has been published in the form prescribed by the laws of the two countries. It shall have the same duration as the Convention of June 29th, 1874, and the Declarations of December 30th, 1881, and May 28th, 1932, to which it refers.

In faith whereof the respective Plenipotentiaries have signed the present Declaration, to which they have affixed their seals.

Done at Paris, this 16th day of December, 1937.

(Signed) Count DE KERCHOVE DE DENTERGHEM.

(Signed) Henri DE MALEVILLE.