

BELGIQUE ET ITALIE

Convention additionnelle étendant, d'une part au Congo belge et aux territoires du Ruanda-Urundi, et d'autre part à la Cyrénaïque, à la Tripolitaine, à l'Erythrée, à la Somalie italienne et aux îles italiennes de la mer Egée, la Convention d'extradition entre la Belgique et l'Italie du 15 janvier 1875 et les Conventions additionnelles à cette convention des 10 mars 1879, 30 décembre 1881 et 28 janvier 1929. Signée à Rome, le 2 décembre 1935.

BELGIUM AND ITALY

Additional Convention regarding the Application to the Belgian Congo and to the Territories of Ruanda-Urundi, on the One Hand, and to Cyrenaica, Tripolitania, Eritrea, Italian Somaliland and the Italian Islands of the Ægean Sea, on the Other Hand, of the Extradition Convention of January 15th, 1875, between Belgium and Italy, and of the Additional Conventions to that Convention of March 10th, 1879, December 30th, 1881, and January 28th, 1929. Signed at Rome, December 2nd, 1935.

¹ TRADUCTION. — TRANSLATION.

No. 3992. — ADDITIONAL CONVENTION² REGARDING THE APPLICATION TO THE BELGIAN CONGO AND TO THE TERRITORIES OF RUANDA-URUNDI, ON THE ONE HAND, AND TO CYRENAICA, TRIPOLITANIA, ERITREA, ITALIAN SOMALILAND AND THE ITALIAN ISLANDS OF THE ÆGEAN SEA, ON THE OTHER HAND, OF THE EXTRADITION CONVENTION OF JANUARY 15TH, 1875, BETWEEN BELGIUM AND ITALY AND OF THE ADDITIONAL CONVENTIONS TO THAT CONVENTION OF MARCH 10TH, 1879, DECEMBER 30TH, 1881, AND JANUARY 28TH, 1929. SIGNED AT ROME, DECEMBER 2ND, 1935.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Additional Convention took place November 5th, 1936.

HIS MAJESTY THE KING OF THE BELGIANS and HIS MAJESTY THE KING OF ITALY, deeming it necessary to apply to the Belgian Congo and to the territories of Ruanda-Urundi, for which Belgium exercises a mandate on behalf of the League of Nations, on the one hand, and to Cyrenaica, Tripolitania, Eritrea, Italian Somaliland and the Italian Islands of the Ægean Sea on the other hand, the Extradition Convention³ between Belgium and Italy of January 15th, 1875, and the Conventions additional to that Convention of March 10th, 1879⁴, December 30th, 1881⁵, and January 28th, 1929⁶, have for that purpose appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE BELGIANS :

His Highness Prince Albert DE LIGNE, Ambassador of Belgium to His Majesty the King of Italy ;

HIS MAJESTY THE KING OF ITALY :

Cavaliere Benito MUSSOLINI, Head of the Government, Prime Minister, Minister Secretary of State for Foreign Affairs ;

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 at Brussels, August 21st, 1936. Came into force October 21st, 1936.

³ *British and Foreign State Papers*, Vol. 66, page 578.

⁴ *British and Foreign State Papers*, Vol. 70, page 591.

⁵ *British and Foreign State Papers*, Vol. 72, page 1000.

⁶ Vol. XCII, page 263, of this Series.

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

Article 1.

The provisions of the Extradition Convention between Belgium and Italy of January 15th, 1875, and the Conventions additional to that Convention of March 10th, 1879, December 30th, 1881, and January 28th, 1929, shall apply to the Belgian Congo and to the territories of Ruanda-Urundi on the one hand, and to Cyrenaica, Tripolitania, Eritrea, Italian Somaliland and the Italian Islands of the Ægean Sea on the other hand.

Article 2.

Requisitions for the extradition of persons who have taken refuge in the Belgian Congo or in Ruanda-Urundi shall be made to the Governor-General of the Belgian Congo by the principal consular agent of Italy in that colony.

In the case of persons who have taken refuge in Cyrenaica, Tripolitania, Eritrea, Italian Somaliland or the Italian Islands of the Ægean Sea, requisitions shall be made to the Governor of the Colony or of the Islands by the principal consular agent of Belgium in the Colony or Islands.

The Governor-General or Governor shall, nevertheless, be entitled to refer to his Government for instructions as to the action to be taken in respect of such requisitions for extradition.

The procedure indicated in paragraphs 1 and 2 above shall be substituted for application through the diplomatic channel in all cases in which the latter is required under the Extradition Convention of January 15th, 1875, and the Conventions additional to that Convention.

Article 3.

For the purpose of the application of the Convention of January 15th, 1875, and the Conventions additional to that Convention, including the present Convention :

1. (a) The term " Belgian nationals " shall be held to mean Belgian citizens and *ressortissants* of the Belgian Congo ; the *ressortissants* of Ruanda-Urundi shall be assimilated to Belgian nationals ;

(b) " Italian nationals " shall be held to mean Italian citizens of the Kingdom, of the Colonies and of the Italian Islands of the Ægean Sea, colonial *ressortissants* and all persons who by origin or election are *ressortissants* of the territories under the sovereignty of the Italian State, together with persons without nationality residing in such territories ;

2. Offences against the criminal law of the Belgian Congo and of Ruanda-Urundi punishable with more than five years' penal servitude shall be deemed to be crimes, and offences punishable with more than two months' penal servitude shall be deemed to be delicts ;

3. Offences against the criminal laws of the Italian State punishable with not less than fifteen days' imprisonment shall be deemed to be delicts within the meaning of Italian law.

Article 4.

For the purpose of the application of the present Additional Convention, the period of three weeks provided for in Article 10 of the Extradition Convention concluded by Belgium and Italy on January 15th, 1875, shall be extended to three months.

Article 5.

The present Convention shall be ratified and the ratifications exchanged at Brussels as soon as possible.

It shall enter into force two months after the exchange of ratifications and shall remain valid for the same period as the Extradition Convention of January 15th, 1875, between Belgium and Italy.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Rome, this 2nd day of December, 1935.

Albert DE LIGNE.

MUSSOLINI.