

No. 9504

**NETHERLANDS
and
MALAWI**

Exchange of notes constituting an agreement concerning the application of the Extradition Treaty between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland signed at London on 26 September 1898. Lusaka, 21 November 1967, and Blantyre, 28 June 1968

Authentic text : English.

Registered by the Netherlands on 15 April 1969.

**PAYS-BAS
et
MALAWI**

Échange de notes constituant un accord relatif à l'application du Traité d'extradition que le Royaume des Pays-Bas et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord ont signé à Londres le 26 septembre 1898. Lusaka, 21 novembre 1967, et Blantyre, 28 juin 1968

Texte authentique : anglais.

Enregistré par les Pays-Bas le 15 avril 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
CONCERNING THE APPLICATION OF THE EXTRA-
DITION TREATY BETWEEN THE KINGDOM OF THE
NETHERLANDS AND THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND SIGNED
AT LONDON ON 26 SEPTEMBER 1898²

I

ROYAL NETHERLANDS EMBASSY

No. 1940

The Royal Netherlands Embassy presents its compliments to the Ministry of External Affairs of the Republic of Malawi and has the honour to refer to the Extradition Treaty between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Ireland, signed in London on 26 September 1898,² which Treaty was extended, *inter alia*, to the then territory of Nyasaland by virtue of a Treaty signed at The Hague on 17 August 1914³ *i.e.* before the attainment of independence by Malawi.

The Embassy has been instructed by the Government of the Kingdom of the Netherlands to propose to the Government of the Republic of Malawi that the relations between the two States shall, in conformity with the legislation of both countries, be governed by the provisions of the said Treaty of 26 September 1898, pending the conclusion of a new extradition treaty between them.

If this proposal is acceptable to the Government of the Republic of Malawi, the Embassy has the honour further to propose that this Note and the Ministry's reply, if it is in the affirmative, shall constitute an agreement between the two Governments on this subject, which agreement shall apply, as regards the Kingdom of the Netherlands, to the territory of the Kingdom in Europe and to Surinam, and shall enter into force on the date on which the Government of the Kingdom of the Netherlands notifies the Government of the Republic of Malawi that the formalities constitutionally required in the Kingdom of the Netherlands have been complied with.

¹ Came into force on 8 January 1969, the date on which the Government of the Netherlands notified the Government of Malawi that all constitutional formalities in the Kingdom of the Netherlands had been completed, in accordance with the provisions of the said notes.

² *British and Foreign State Papers*, Vol. 90, p. 51; and League of Nations, *Treaty Series*, Vol. CXXII, p. 368.

³ *British and Foreign State Papers*, Vol. 108, p. 366.

The Royal Netherlands Embassy avails itself of this opportunity to renew to the Ministry of External Affairs of the Republic of Malawi the assurance of its highest consideration.

Lusaka, 21st November 1967.
The Ministry of External Affairs
Blantyre

II

MINISTRY OF EXTERNAL AFFAIRS OF THE REPUBLIC OF MALAWI

No. 214

The Ministry of External Affairs of the Republic of Malawi presents its compliments to the Royal Netherlands Embassy in Lusaka and has the honour to refer to the Embassy's Note No. 1940 of the 21st November, 1967 concerning the Extradition Treaty between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Ireland, done at London, 1898, which Treaty was extended, *inter alia*, to the then territory of Nyasaland by virtue of a Treaty signed at The Hague on 17th August, 1914.

In response to the Embassy's proposal that relations between the two States shall, in conformity with the legislation of both countries, be governed by the provisions of the said Treaty of 26th September, 1898, the Ministry is pleased, on behalf of the Government of Malawi, to accept the Embassy's proposal.

The Ministry accordingly wishes to state that the Government of Malawi agrees that relations between the two Governments with respect to matters of extradition shall, in conformity with the legislation of both countries, be governed by the provisions of the aforementioned Treaty of 26th September, 1898, until a new extradition treaty is concluded between the Governments of the Netherlands and Malawi. The Ministry further agrees that the Embassy's aforementioned Note No. 1940 and the Ministry's present Note constitute an Agreement between the two Governments on this matter, which Agreement applies as regards the Kingdom of the Netherlands to the territory of the Kingdom in Europe and to Surinam, and which shall enter into force on the date that the Government of the Netherlands notifies the Government of Malawi that all constitutional formalities in the Kingdom of the Netherlands have been completed.

The Ministry of External Affairs of the Republic of Malawi avails itself of this opportunity to renew to the Royal Netherlands Embassy in Lusaka the assurance of its highest consideration.

Blantyre, 28th June, 1968.