

**UNITED STATES OF AMERICA  
and  
BAHAMAS**

**Exchange of notes constituting an agreement relating to the continued application to the Bahamas of the Extradition Treaty between the United States of America and the United Kingdom of Great Britain and Northern Ireland signed at London on 22 December 1931. Nassau, 7 March and 17 August 1978, and Washington, 19 June 1978**

*Authentic text: English.*

*Registered by the United States of America on 14 November 1979.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
BAHAMAS**

**Échange de notes constituant un accord relatif au maintien en vigueur aux Bahamas du Traité d'extradition entre les États-Unis d'Amérique et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord signé à Londres le 22 décembre 1931. Nassau, 7 mars et 17 août 1978, et Washington, 19 juin 1978**

*Texte authentique : anglais.*

*Enregistré par les États-Unis d'Amérique le 14 novembre 1979.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE BAHAMAS RELATING TO THE CONTINUED APPLICATION TO THE BAHAMAS OF THE EXTRADITION TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SIGNED AT LONDON ON 22 DECEMBER 1931<sup>2</sup>

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I

MINISTRY OF EXTERNAL AFFAIRS  
NASSAU, BAHAMAS

7th March 1978

Our Ref. EXT/133/33

Excellency,

I have the honour to refer to the Notification made on 10th July 1973, to the Secretary-General of the United Nations, in which it was stated that the Government of the Commonwealth of the Bahamas, conscious of the desirability of maintaining existing legal relationships, and conscious of its obligations under international law to honour its treaty commitments, acknowledged that many treaty rights and obligations of the Government of the United Kingdom in respect of the former Colony of the Bahamas were succeeded to by the Commonwealth of the Bahamas upon independence by virtue of customary international law; but that since it is likely that in virtue of customary international law, certain treaties may have lapsed at the date of independence of the Commonwealth of the Bahamas, it seemed essential that each treaty should be subjected to legal examination. The Government of the Commonwealth of the Bahamas further proposed that after this examination would have been completed, it would indicate which, if any, of the treaties which might have lapsed by virtue of customary international law, the Government of the Commonwealth of the Bahamas might wish to treat as having lapsed.

Accordingly, the Government of the Commonwealth of the Bahamas has examined the Extradition Treaty entered into between the United Kingdom of Great Britain and Northern Ireland and the United States of America on the 22nd day of December 1931.<sup>2</sup>

I have the further honour to inform you that it is the desire of the Government of the Commonwealth of the Bahamas that the aforesaid treaty should be regarded as in force between our respective countries, and continuing to regulate Extradition arrangements between them pending any new treaty which might be concluded. The Government of the Commonwealth of the Bahamas records its understanding that the provisions of the treaty respecting non-extradition of nationals of the respective parties should be construed as a reference to citizens of the Commonwealth of the Bahamas, and citizens of the United States of America, and

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<sup>1</sup> Came into force on 17 August 1978, with retroactive effect from 10 July 1973, the date on which the Bahamas attained independence, in accordance with the exchange of the said notes.

<sup>2</sup> League of Nations, *Treaty Series*, vol. CLXIII, p. 59.

also that the functions formerly performed by the Governor of the Bahamas are now performable by the Governor-General of the Commonwealth of the Bahamas.

If the foregoing proposals are acceptable to the Government of the United States of America, I have the honour to propose that your Government's reply in that sense and this Letter should be considered by our respective Governments as constituting an agreement to that effect.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[Signed]

PAUL L. ADDERLEY  
Minister of External Affairs  
Commonwealth of the Bahamas

His Excellency Secretary of State  
Department of State  
Washington, D.C.  
U.S.A.

## II

June 19, 1978

Excellency:

I have the honor to refer to your note of March 7, 1978, in which it is stated that the Government of the Commonwealth of the Bahamas desires that the extradition treaty of December 22, 1931, between the United States of America and the United Kingdom be regarded as in force between the United States and the Bahamas, and as continuing to regulate extradition arrangements between them pending any new treaty which might be concluded. It is noted that the Government of the Bahamas records its understanding that the functions performed by the Governor of the Bahamas are now performable by the Governor-General.

I have the honor to inform you that the Government of the United States of America considers that the above-mentioned Treaty continues in force between the United States of America and the Bahamas from July 10, 1973, the date on which the Bahamas became independent.

It is the understanding of the Department of State that the said Treaty does not make any reference to the non-extradition of nationals of the respective parties. Therefore, it is the view of the Department of State that nationals of either party are extraditable in accord with the terms of the Treaty.

If the foregoing understanding is acceptable to your government, I have the honor to propose that your note of March 7, 1978, this note, and your reply concurring therein shall constitute an agreement to that effect.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:  
HERBERT J. HANSELL

The Honorable Paul L. Adderley  
Minister of External Affairs  
of the Commonwealth of the Bahamas  
Nassau

## III

MINISTRY OF EXTERNAL AFFAIRS  
NASSAU, BAHAMAS

17th August 1978

Our Ref. EXT/133/33

Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note dated June 19, 1978, which reads as follows:

[See note II]

In reply, I have the honour to inform you that the foregoing understanding is acceptable to the Government of the Commonwealth of the Bahamas who therefore agree that my Note of March 7, 1978, your Note of June 19, 1978, and this reply concurring therein shall constitute an agreement to that effect.

Accept, Excellency, the renewed assurances of my highest consideration.

[Signed]

P. L. ADDERLEY

Minister of External Affairs

His Excellency the Secretary of State  
Department of State  
Washington, D.C.  
U.S.A.

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