

No. 24706

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
NORWAY**

Exchange of notes constituting an agreement amending article XIII of the Treaty signed at Stockholm on 26 June 1873 between the United Kingdom of Great Britain and Northern Ireland and the Kingdoms of Sweden and Norway for the Mutual Surrender of Fugitive Criminals, as continued in force by the Agreement signed at Kristiania on 18 February 1907, and further amended by the Exchange of notes dated at Oslo on 9 August 1973 between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway. Oslo, 5 August 1985

Authentic texts: English and Norwegian.

Registered by the United Kingdom of Great Britain and Northern Ireland on 28 April 1987.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF NORWAY AMENDING ARTICLE XIII OF THE TREATY FOR THE MUTUAL SURRENDER OF FUGITIVE CRIMINALS, SIGNED AT STOCKHOLM ON 26 JUNE 1873,² AS AMENDED^{3,4}

I

Her Majesty's Ambassador at Oslo to the Minister for Foreign Affairs of Norway

BRITISH EMBASSY
OSLO

5 August 1985

Your Excellency

1. I have the honour to refer to the Treaty between the United Kingdom of Great Britain and Ireland and the Kingdoms of Sweden and Norway for the mutual surrender of fugitive criminals, signed at Stockholm on 26 June 1873,² as continued in force between the United Kingdom and the Kingdom of Norway by the Agreement signed at Kristiania on 18 February 1907³ and further amended by the Notes exchanged at Oslo on 9 August 1973.⁴

2. I have the honour to propose on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland that Article XIII of the Treaty shall be replaced by the following:

"Article XIII

(1) Expenses incurred in the territory of the requested Party by reason of the request for extradition shall be borne by that Party.

(2) The requested Party shall make all arrangements which may be requisite with respect to the representation of the requesting Party in any proceedings arising out of the request."

3. If the foregoing proposal is acceptable to the Government of the Kingdom of Norway, I have the honour to propose that this Note, together with Your Excellency's reply in that sense shall constitute an Agreement between the two Governments which shall enter into force three months from the date of your reply.

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

WILLIAM BENTLEY

¹ Came into force on 5 November 1985, i.e., three months after the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 942, p. 305.

³ *Ibid.*, p. 317.

⁴ *Ibid.*, p. 233.

II

The Minister for Foreign Affairs of Norway to Her Majesty's Ambassador at Oslo

ROYAL MINISTRY OF FOREIGN AFFAIRS
OSLO

5 August 1985

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date, which in translation reads as follows:

[For English text, see note I]

[NORWEGIAN TEXT — TEXTE NORVÉGIEN]

Herr Utenriksminister

Jeg har den ære å referere til traktaten mellom Det Forente Kongerike Storbritannia og Nord-Irland, og Kongerikene Norge og Sverige om den gjensidige utlevering av rømte forbrytere, som ble undertegnet i Stockholm den 26. juli 1873 og som ble fornyet mellom Det Forente Kongerike og Kongeriket Norge ved den avtale som ble undertegnet i Kristiania den 18. februar 1907, og som videre ble endret ved de noter som ble utvekslet i Oslo den 9. august 1973.

På vegne av Regjeringen i Det Forente Kongerike Storbritannia og NordIrland vil jeg foreslå at Artikkel XIII i traktaten erstattes av følgende:

“Artikkel XIII

(1) Utgifter påløpt i den anmodede parts territorium på grunn av anmodningen om utlevering skal dekkes av denne part.

(2) Den anmodede part skal ordne alt det nødvendige med hensyn til å representere den anmodende part i en eventuell rettssak som følge av anmodningen.”

Hvis det ovenstående forslag kan aksepteres av Regjeringen i Kongeriket Norge, har jeg den ære å foreslå at denne note, samt Deres svar i den forbindelse, skal utgjøre en avtale mellom de to Regjeringene, som skal tre i kraft tre måneder fra Deres svarnotes dato.

Med høyaktelse.

In reply I have the honour to inform Your Excellency that the foregoing proposal is acceptable to the Government of the Kingdom of Norway, who therefore agree that Your Excellency's Note and the present reply shall constitute an Agreement between the two Governments, which shall enter into force on 5 November 1985.

Accept, Your Excellency, the assurance of my highest consideration.

For the Minister:

ØYVIND RISENG