

No. 30281

**FRANCE
and
SWITZERLAND**

Exchange of letters constituting an agreement concerning the extension of the European Convention on mutual assistance in criminal matters to the French Overseas Territories and to the French territorial collectivities. Berne, 24 February and 11 March 1993

Authentic text: French.

Registered by France on 27 September 1993.

**FRANCE
et
SUISSE**

Échange de lettres constituant un accord étendant l'application de la Convention européenne d'entraide judiciaire en matière pénale aux Territoires de la France d'Outre-mer et aux collectivités territoriales. Berne, 24 février et 11 mars 1993

Texte authentique : français.

Enregistré par la France le 27 septembre 1993.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE SWISS CONFEDERATION CONCERNING THE EXTENSION OF THE EUROPEAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS TO THE FRENCH OVERSEAS TERRITORIES AND TO THE FRENCH TERRITORIAL COLLECTIVITIES²

I

EMBASSY OF FRANCE IN SWITZERLAND
THE AMBASSADOR

Berne, 24 February 1993

Sir,

Further to the talks held between the representatives of our two countries, I have the honour, on instructions from my Government, to propose that the application of the European Convention on Judicial Assistance of 20 April 1959² should be extended to the French overseas territories of French Polynesia, New Caledonia and Wallis and Futuna, as well as to the territorial collectivities of Mayotte and Saint Pierre and Miquelon.

The reservations and declarations made by the French Government at the time of its ratification³ shall apply to this territorial extension except in the case of article 7, paragraph 3, of the Convention; service of summons on accused persons who are in one of the above-mentioned overseas territories or territorial collectivities shall be transmitted to the French authorities at least 50 days before the date set for the appearance of such persons.

If these proposals are acceptable to the Government of Switzerland, this letter and your reply on behalf of the Government of Switzerland shall constitute an agreement between our two Governments.

This exchange of letters shall enter into force on the first day of the third month following the date on which your reply is received.

Accept, Sir, etc.

BERNARD GARCIA

His Excellency
Mr. René Felber
Federal Councillor
Head of the Federal Department
of Foreign Affairs

¹ Came into force on 1 June 1993, i.e., the first day of the third month following the date of receipt of the letter in reply, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 472, p. 185.

³ *Ibid.*, vol. 597, p. 356.

II

HEAD OF THE FEDERAL DEPARTMENT
OF FOREIGN AFFAIRS

Berne, 11 March 1993

Sir,

I have the honour to acknowledge receipt of your letter of 24 February 1993, which reads as follows:

[*See letter I*]

I have the honour to inform you that the Swiss Federal Council agrees to the terms of your letter, which shall therefore constitute, together with this reply, an agreement between the two Governments, to enter into force on 1 June 1993.

I confirm further that Switzerland maintains, with respect to the above-mentioned overseas territories and territorial collectivities, the reservations and declarations it made at the time of ratification¹ of the Convention.

Accept, Sir, etc.

RENÉ FELBER

His Excellency
Mr. Bernard Garcia
Ambassador of the French Republic
to Switzerland
Berne

¹United Nations, *Treaty Series*, vol. 597, p. 352.