

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 114

A. TITEL

*Aanvullend Protocol bij het Europees Verdrag betreffende uitlevering;
Straatsburg, 15 oktober 1975*

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 1979, 119.

C. VERTALING

Zie *Trb.* 1979, 119.

D. PARLEMENT

Zie *Trb.* 1982, 10 en *Trb.* 1993, 128.

E. PARTIJGEGEVENS

Zie rubriek E van *Trb.* 1979, 119 en rubriek F van *Trb.* 1997, 281.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië	19-05-98	19-05-98	R	17-08-98		
Andorra	11-05-00	13-10-00	R	11-01-01		
Armenië	08-11-01	18-12-03	R	17-03-04		
Azerbeidzjan	07-11-01	28-06-02	R	26-09-02		
België	18-11-97	18-11-97	R	16-02-98		
Bosnië en Herzegovina	30-04-04	25-04-05	R	24-07-05		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Bulgarije	30-09-93	17-06-94	R	15-09-94		
Cyprus	01-09-78	22-05-79	R	20-08-79		
Denemarken	27-09-76	13-09-78	R	20-08-79		
Estland	03-05-96	28-04-97	R	27-07-97		
Georgië	22-03-00	15-06-01	R	13-09-01		
Griekenland	18-06-80					
Hongarije	19-11-91	13-07-93	R	11-10-93		
IJsland	27-09-82	20-06-84	R	18-09-84		
Kroatië		25-01-95	T	25-04-95		
Letland	30-10-96	02-05-97	R	31-07-97		
Liechtenstein	17-11-03	04-02-04	R	04-05-04		
Litouwen	09-11-94	20-06-95	R	18-09-95		
Luxemburg	15-10-75	12-09-01	R	11-12-01		
Macedonië, de voormalige Joegoslavische Republiek	28-07-99	28-07-99	R	26-10-99		
Malta	20-11-00	20-11-00	R	18-02-01		
Moldavië	26-06-98	27-06-01	R	25-09-01		
Monaco	30-01-09	30-01-09	R	01-05-09		
Montenegro		14-06-06	VG	06-06-06		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	13-07-79	12-01-82 – – – – – –	R	12-04-82 10-10-10 10-10-10 10-10-10 21-07-93 10-10-10 10-10-10		
Noorwegen	11-12-86	11-12-86	R	11-03-87		
Oekraïne	29-05-97	11-03-98	R	09-06-98		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Polen	19-02-93	15-06-93	R	13-09-93		
Portugal	27-04-77	25-01-90	R	25-04-90		
Roemenië	30-06-95	10-09-97	R	09-12-97		
Russische Federatie	07-11-96	10-12-99	R	09-03-00		
Servië		23-06-03	T	21-09-03		
Slovenië	31-03-94	16-02-95	R	17-05-95		
Slowakije	14-02-96	23-09-96	R	22-12-96		
Spanje	10-06-83	11-03-85	R	09-06-85		
Tsjechië	18-12-95	19-11-96	R	17-02-97		
Zuid-Afrika		12-02-03	T	13-05-03		
Zuid-Korea		29-09-11	T	29-12-11		
Zweden	29-10-75	02-02-76	R	20-08-79		
Zwitserland	17-11-81	11-03-85	R	09-06-85		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Verklaringen, voorbehouden en bezwaren

Azerbeidzjan, 28 juni 2002

The Republic of Azerbaijan declares that it is unable to guarantee the application of the provisions of the Convention and its Additional Protocols in the territories occupied by the Republic of Armenia until these territories are liberated from that occupation.

Denemarken, 13 september 1978

In accordance with Article 6.1 of the Additional Protocol, we declare not to accept Chapter I.

Georgië, 15 juni 2001

Georgia declares that it does not accept Chapter I of the Protocol and reserves the right to decide, in accordance with the Chapter, on a case-by-case basis whether or not to satisfy an extradition request.

Georgia will not be responsible for the application of the provisions of the Protocol on the territories of Abkhazia and Tskhinvali region until the full jurisdiction of Georgia is restored over these territories.

Hongarije, 13 juli 1993

Since Article 6 of the Additional Protocol to the European Convention on Extradition makes possible the exclusion of the totality of Chapter I or II only, Hungary declares, that it does not accept Chapter I of the said Protocol.

Although Hungarian law is in accordance with Article 1.a and b, and does not contain any provision contrary to subparagraph c, Hungary reserves the right to consider on a case-by-case basis whether or not to satisfy extradition requests based on subparagraph c.

IJsland, 20 juni 1984

Iceland does not accept Chapter I of the Protocol.

Luxemburg, 12 september 2001

Pursuant to Article 6, paragraph 1, the Government of the Grand Duchy of Luxembourg declares that it does not accept Chapter II of the Additional Protocol.

Malta, 20 november 2000

In accordance with Article 6 of the Protocol, Malta declares that it does not accept Chapter I of the Protocol.

Nederlanden, het Koninkrijk der, 12 januari 1982

The Government of the Kingdom of the Netherlands declares, in accordance with Article 6 of the aforementioned Protocol, that it does not accept Chapter I of the Protocol.

Although Dutch legislation is fully in accordance with Article 1 (opening words and a. and b.) and does not contain any provisions contrary to Article 1 (opening words and c.) in the case of acts committed during an international armed conflict, the Government of the Kingdom of the Netherlands wishes to reserve for itself the right to refuse extradition in cases of violations of laws and customs of war which have been committed during a non-international armed conflict.

Nederlanden, het Koninkrijk der, 21 juli 1993

The declaration as made by the Netherlands in respect of the Additional Protocol of 15 October 1975 shall also apply to the Netherlands Antilles and Aruba.

Nederlanden, het Koninkrijk der, 10 februari 2006

On 13 June 2002, the Council of the European Union adopted a framework decision (2002/584/JHA) on the European arrest warrant and the surrender procedures between Member States (“the framework deci-

sion”). Article 31 of the framework decision states that, from 1 January 2004, the provisions of the framework decision shall replace the corresponding provisions of the conventions pertaining to extradition that apply in relations between the Member States of the European Union. By Note of 31 August 2005, the Permanent Representation of the Kingdom of the Netherlands informed the Secretary General of the Council of Europe that the European Convention on Extradition, done at Paris on 13 December 1957 (“the Convention”), would no longer be applied in relations between the part of the Kingdom of the Netherlands situated in Europe and the Member States of the European Union that are Parties to the Convention.

Accordingly, the Permanent Representation of the Kingdom of the Netherlands has the honour to confirm that, in view of the foregoing, the Additional Protocol to the European Convention on Extradition (“the Additional Protocol”) is likewise no longer applied in relations between the part of the Kingdom of the Netherlands situated in Europe and the Member States of the European Union that are Parties to the Additional Protocol.

The Permanent Representation of the Kingdom of the Netherlands would emphasise that the above in no way alters the application of the Additional Protocol in relations between :

- the Netherlands Antilles and Aruba and the Parties to the Additional Protocol, or
- the part of the Kingdom of the Netherlands situated in Europe and the Parties to the Additional Protocol that are not Member States of the European Union.

Nederlanden, het Koninkrijk der, 9 januari 2012

The Protocol remains applicable in the relation between Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba) and those States with which notes have been exchanged on the extension of the Convention. The declaration as made for the Kingdom of the Netherlands on 12 January 1982 remains applicable between the States mentioned above and Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba).

Noorwegen, 11 december 1986

Pursuant to Article 6, Norway declares that it does not accept Chapter I of the Protocol.

Oekraïne, 11 maart 1998

Although Ukrainian legislation is in accordance with Article 1, paragraphs a and b, and does not contain any provision contrary to the paragraph c, Ukraine declares that it does not accept Chapter I and reserves the right to decide, in accordance with the Chapter, on a case-by-case basis whether or not to satisfy extradition requests.

Russische Federatie, 7 november 1996
 Considering its declaration on Article 3 of the European Convention on Extradition of 1957, the Russian Federation does not regard as exhaustive the list of offences contained in Article 1 of this Protocol that are not offences of a political nature.

Russische Federatie, 10 december 1999
 Given its statement concerning Article 3 of the European Convention on Extradition of December 13, 1957 the Russian Federation does not consider the list of offences that are not “Political offences” set forth in Article 1 of the Additional Protocol of October 15, 1975 to the European Convention on Extradition of December 13, 1957, as exhaustive.

Zweden, 2 februari 1976
 Sweden does not accept Chapter I of the said Protocol.

G. INWERKINGTREDING

Zie *Trb.* 1982, 10, *Trb.* 1993, 128 en *Trb.* 2006, 170.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1979, 119, *Trb.* 1982, 10, *Trb.* 1993, 128, *Trb.* 1997, 281 en *Trb.* 2006, 170.

Verbanden

Titel : Europees Verdrag betreffende uitlevering;
 Parijs, 13 december 1957
 Laatste *Trb.* : *Trb.* 2012, 113

Uitgegeven de *dertiende* juli 2012.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL