

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1994 Nr. 140

A. TITEL

*Verdrag tussen het Koninkrijk der Nederlanden voor de Nederlandse Antillen en de Verenigde Staten van Amerika inzake de overdracht van bepaalde opbrengsten van geconfisqueerde zaken;
’s-Gravenhage, 17 juni 1994*

B. TEKST

Agreement between the Government of the Kingdom of the Netherlands in respect of the Netherlands Antilles and the Government of the United States of America regarding the transfer of certain proceeds of forfeited property

The Government of the United States of America
and

the Government of the Kingdom of the Netherlands,

Considering that the Government of the Netherlands Antilles provided valuable assistance to the Government of the United States of America in the seizure of the vessel “The Fair Rose of Sharon” and its contents, and in the transfer of the vessel and its contents to the United States for purposes of forfeiture; and

Considering that, as a result of such assistance, the vessel was forfeited to the United States Department of Justice and subsequently sold;

Have agreed that:

1. The United States Department of Justice shall transfer dollars 20,250.00 to the Government of the Netherlands Antilles, representing a portion of the net proceeds of the vessel forfeited to the United States Department of Justice.

2. The Government of the Netherlands Antilles shall ensure that the funds transferred under this Agreement are used to promote the enforcement of laws against drug trafficking and other criminal activities.

3. Within six months of receiving the transferred funds, the Government of the Netherlands Antilles shall provide the Government of the United States of America with a complete report of the use of the transferred funds, including in the report all information pertinent and necessary to the demonstration of use in support of law enforcement activities.

4. This Agreement is intended solely for the purposes of mutual assistance between the Parties. It does not create rights in any private person and is not intended to benefit third parties.

5. This Agreement pertains only to the transfer of the dollars 20,250.00 referenced in paragraph 1 above.

Conclusion of this Agreement shall be without prejudice to the procedures to be followed under the Agreement between the Government of the United States of America and the Government of the Kingdom of the Netherlands regarding mutual cooperation in the tracing, freezing, seizure and forfeiture of proceeds and instrumentalities of crime and the sharing of forfeited assets, signed in Washington D.C. on 20 November 1992, which has not yet entered into force.

6. This Agreement shall enter into force upon signature by both Parties.

DONE at The Hague, this seventeenth day of June, 1994, in duplicate in the English language.

For the Government of the Kingdom of the Netherlands:

(sd.) C. P. DE HASETH

For the Government of the United States of America:

(sd.) K. TERRY DORNBUSH

D. PARLEMENT

Het Verdrag behoeft niet de goedkeuring van de Staten-Generaal ingevolge artikel 91, juncto additioneel artikel XXI, eerste lid, van de Grondwet en artikel 62, eerste lid, onderdeel c, van de Grondwet naar de tekst van 1972, alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van het Verdrag zijn ingevolge de voorlaatste zin van het Verdrag op 17 juni 1994 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt het Verdrag alleen voor de Nederlandse Antillen.

J. GEGEVENS

Van de op 20 november 1992 te Washington tot stand gekomen Overeenkomst tussen het Koninkrijk der Nederlanden en de Verenigde Staten van Amerika inzake wederzijdse samenwerking bij de opsporing, inbeslagneming en confiscatie van opbrengsten van en hulpmiddelen bij het plegen van misdrijven en de verdeling van geconfisqueerde voorwerpen, naar welke Overeenkomst in punt 5 van het onderhavige Verdrag worden verwezen, is de tekst geplaatst in *Trb.* 1993, 5.

Uitgegeven de *negenentwintigste* juni 1994.

De Minister van Buitenlandse Zaken,

P. H. KOOLJMAN