

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1994 Nr. 167

A. TITEL

*Europees Verdrag betreffende uitlevering;
Parijs, 13 december 1957*

B. TEKST

De tekst van het Verdrag is geplaatst in *Trb.* 1965, 9.

Het Verdrag is aangevuld bij Protocol van 15 oktober 1975 en bij Protocol van 17 maart 1978.

Voor de ondertekeningen zie ook *Trb.* 1969, 62, *Trb.* 1971, 130, *Trb.* 1982, 6, *Trb.* 1986, 47, *Trb.* 1991, 78, *Trb.* 1993, 110 en *Trb.* 1994, 7 en 115.

C. VERTALING

Zie *Trb.* 1965, 9.

D. PARLEMENT

Zie *Trb.* 1969, 62, *Trb.* 1991, 78 en *Trb.* 1993, 110, alsmede de rubrieken H van *Trb.* 1994, 7, 21, 38, 66 en 115 en rubriek H hieronder.

E. BEKRACHTIGING

Zie *Trb.* 1965, 9, *Trb.* 1969, 62, *Trb.* 1970, 131, *Trb.* 1971, 130, *Trb.* 1977, 20, *Trb.* 1982, 6, *Trb.* 1986, 47, *Trb.* 1987, 186, *Trb.* 1991, 78, *Trb.* 1993, 110¹⁾ en *Trb.* 1994, 115.

Behalve de aldaar genoemde Staten heeft nog de volgende Staat in overeenstemming met artikel 29, eerste lid, van het Verdrag een akte van bekrachtiging bij de Secretaris-Generaal van de Raad van Europa nederlegd:

Bulgarije²⁾. 17 juni 1994

¹⁾ Naar aanleiding van de Poolse verklaringen heeft Turkije op 21 juni 1994 de volgende verklaring afgelegd:

«Concernant les réserves et déclarations émises par la Pologne lors de la ratification de la Convention européenne d'extradition, le Gouvernement turc partage les interprétations précédemment formulées par la République fédérale d'Allemagne* et l'Autriche** enregistrées respectivement le 13 octobre 1993 et le 11 janvier 1994.

Le gouvernement turc considère que la déclaration de la Pologne concernant l'article 6 paragraphe 1.b, assimilant les personnes bénéficiant de l'asile en Pologne à des ressortissants polonais n'est compatible avec l'objet et le but de la Convention que si elle ne s'applique pas aux cas d'extradition desdites personnes vers un Etat tiers par rapport à celui au titre duquel l'asile a été accordé.».

* Voor de door de Bondsrepubliek Duitsland gedane mededeling zie *Trb.* 1994, 7, blz. 2.

** Voor de door Oostenrijk gedane mededeling zie *Trb.* 1994, 115, blz. 2.

²⁾ Onder de volgende voorbehouden en verklaringen:

Réserve relative à l'article 1:

L'extradition pourra être refusée si l'individu poursuivi doit être jugé par un tribunal extraordinaire dans l'Etat requérant ou si un jugement, prononcé par un tel tribunal, doit être mis en exécution à l'encontre de cette personne.

Réserve relative à l'article 4:

L'extradition en raison d'infractions militaires qui constituent aussi des infractions de droit commun, pourra être admise uniquement à condition que la personne extradée ne soit ni jugée par un tribunal militaire ni accusée d'une infraction militaire.

Déclaration relative à l'article 6, paragraphe 1(b):

La République de Bulgarie déclare qu'elle reconnaîtra comme ressortissant au sens de la présente Convention toute personne ayant la nationalité bulgare au moment de la prise de décision d'extradition.

Réserve relative à l'article 7:

La République de Bulgarie déclare son droit de refuser l'extradition si la Partie requérante refuse l'extradition dans de cas similaires, conformément à l'article 7, paragraphe 2.

Réserve relative à l'article 12:

La République de Bulgarie déclare son droit d'exiger de la Partie requérante la présentation des preuves concernant la perpétration de l'infraction par l'individu pour lequel l'extradition est demandée. Si elle admet que les preuves présentées sont insuffisantes, elle peut refuser l'extradition.

Réserve relative à l'article 21:

La République de Bulgarie déclare qu'elle accordera le transit aux mêmes conditions auxquelles est autorisée l'extradition.

Déclaration relative à l'article 23:

La République de Bulgarie déclare qu'elle exigera que tous les documents liés à l'exécution de la présente Convention soient accompagnés d'une traduction dans l'une des langues officielles du Conseil de l'Europe.

F. TOETREDING

Zie *Trb.* 1969, 62, *Trb.* 1970, 131, *Trb.* 1971, 130, *Trb.* 1993, 110 en *Trb.* 1994, 7.

G. INWERKINGTREDING

Zie *Trb.* 1965, 9, *Trb.* 1969, 62, *Trb.* 1991, 78, *Trb.* 1993, 110 en 163 en *Trb.* 1994, 7, 21, 38 en 66.

De overeenkomsten vervat in de in rubriek H afgedrukte nota's zullen ingevolge het aan het slot der nota's gestelde op 1 september 1994 in werking treden.

H. TOEPASSELIJKVERKLARING

Zie *Trb.* 1991, 78, *Trb.* 1993, 110 en 163 en *Trb.* 1994, 7, 21, 38, 66 en 115.

Bij notawisseling tussen de Nederlandse en de Griekse Regering is een overeenkomst als bedoeld in artikel 27, vierde lid, van het onderhavige Verdrag tot stand gekomen betreffende de uitbreiding van het Verdrag tot de Nederlandse Antillen en Aruba. De tekst van de nota's luidt als volgt:

*U/WR
Nr I*

ROYAL NETHERLANDS EMBASSY

ATHENS

Note verbale

T

K

AL

The Royal Netherlands Embassy presents its compliments to the Ministry of Foreign Affairs of the Hellenic Republic and has the honour to propose that the application of the European Convention on Extradition of 13 December 1957, in accordance with article 27, paragraph 4, be extended to the Netherlands Antilles and Aruba, that the declarations and reservations that apply in relations between the Kingdom of the Netherlands, in respect of the Kingdom in Europe, and the Hellenic Republic shall also apply in relations between the Hellenic Republic and the Kingdom of the Netherlands in respect of the Netherlands Antilles and Aruba, and that the declaration concerning articles 6 and 21 as made by the Kingdom of the Netherlands upon ratification of the Convention on 14 February 1969 and as amended on 14 October 1987 shall apply to the Netherlands Antilles and Aruba respectively, with regard to the extradition of Netherlands nationals, only when the European Convention on the Transfer of Sentenced Persons, concluded in Strasbourg on 21 March 1983, becomes applicable to the Netherlands Antilles and Aruba respectively.

If this proposal is acceptable to the Government of the Hellenic Republic, the Embassy has the honour further to propose that this Note and the Ministry's affirmative reply, shall constitute an arrangement as provided for in article 27, paragraph 4, of the Convention, which shall enter into force on the first day of the third month following the date on which the Embassy receives the Ministry's reply.

The Royal Netherlands Embassy takes this opportunity to renew to the Ministry of Foreign Affairs of the Hellenic Republic the assurances of its highest consideration.

Athens, 21 September 1993

*To the Ministry of Foreign Affairs
of the Hellenic Republic
Athens*

Nr. II

HELLENIC REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

D3 DIDY

F. 681/2

Verbal Note

The Ministry of Foreign Affairs of the Hellenic Republic present their compliments to the Royal Netherlands Embassy and with reference to the Embassy's Note dated September 21, 1993 have the honour to accept that the application of the European Convention on Extradition of 13 December 1957, in accordance with article 27, paragraph 4, be extended to the Netherlands Antilles and Aruba, that the declarations and reservations that apply in relations between the Kingdom of the Netherlands, in respect of the Kingdom in Europe and the Hellenic Republic shall also apply in relations between the Hellenic Republic and the Kingdom of the Netherlands in respect of the Netherlands Antilles and Aruba and that the declaration concerning articles 6 and 21 as made by the Kingdom of the Netherlands upon ratification of the Convention on 14 February 1969 and as amended on 14 October 1987 shall apply to the Netherlands Antilles and Aruba respectively, with regard to the extradition of Nether-

lands nationals, only when the European Convention on the Transfer of Sentenced Persons, concluded in Strasbourg on 21 March 1983, becomes applicable to the Netherlands Antilles and Aruba respectively.

Furthermore, the Ministry of Foreign Affairs of the Hellenic Republic have the honour to inform the Royal Netherlands Embassy of their agreement that the above mentioned Note together with this Note constitute an arrangement as provided for in article 27, paragraph 4, of the Convention, which shall enter into force on the first day of the third month following the date on which the Embassy receives the Ministry's reply.

The Ministry of Foreign Affairs of the Hellenic Republic avail themselves of this opportunity to renew to the Royal Netherlands Embassy the assurances of their highest consideration.

Athens, June 16, 1994

*Royal Netherlands Embassy
Athens*

Bij notawisseling tussen de Nederlandse en de Slowaakse Regering is een overeenkomst als bedoeld in artikel 27, vierde lid, van het onderhavige Verdrag tot stand gekomen betreffende de uitbreiding van het Verdrag tot de Nederlandse Antillen en Aruba. De tekst van de nota's luidt als volgt:

Nr. I

AMBASSADE ROYALE DES PAYS-BAS

Maltezské nám. 1

Malá Strana

No. Pra-2686

The Embassy of the Kingdom of the Netherlands presents its compliments to the Ministry of Foreign Affairs of the Slovak Republic and has the honour to propose that the application of the European Convention on Extradition of 13 December 1957, in accordance with article 27, paragraph 4, be extended to the Netherlands Antilles and Aruba, that the declarations and reservations that apply in relations between the Kingdom of the Netherlands, in respect of the Kingdom in Europe, and the Slovak Republic shall also apply in relations between Slovak Republic

and the Kingdom of the Netherlands in respect of the Netherlands Antilles and Aruba, and that the declaration concerning Articles 6 and 21 as made by the Kingdom of the Netherlands upon ratification of the Convention on 14 February 1969 and as amended on 14 October 1987 shall apply to the Netherlands Antilles and Aruba respectively, with regard to the extradition of Netherlands nationals, only when the European Convention on the transfer of sentenced persons, concluded in Strasbourg on 21 March 1983, becomes applicable to the Netherlands Antilles and Aruba Respectively.

If the proposal is acceptable to the Government of the Slovak Republic, the Embassy has the honour further to propose that this note and the Ministry's affirmative reply, shall constitute an arrangement as provided for in article 27, paragraph 4, of the convention, which shall enter into force on the first day of the third month following the date on which the Embassy receives the Ministry's reply.

The Embassy of the Kingdom of the Netherlands takes this opportunity to renew to the Ministry of Foreign Affairs of the Slovak Republic the assurances of its highest consideration.

Prague, 20 July 1993

*The Ministry of Foreign Affairs
of the Slovak Republic
Bratislava*

Nr. II

No. 2151/93-II-KO/4

The Ministry of Foreign Affairs of the Slovak Republic presents its compliments to the Embassy of the Kingdom of the Netherlands in Bratislava and with reference to the Note No. Pra-2686 dated 20 July, 1993 has the honour to confirm the proposal concerning the application of the European Convention on Extradition of 13 December 1957, in accordance with article 27, paragraph 4, be extended to the Netherlands Antilles and Aruba, that the declarations and reservations that apply in relations between the Kingdom of the Netherlands, in respect of the Kingdom in Europe, and the Slovak Republic shall also apply in relations between Slovak Republic and the Kingdom of the Netherlands in respect of the Netherlands Antilles and Aruba, and that the declaration concerning articles 6 and 21 as made by the Kingdom of the Netherlands upon ratification of the Convention on 14 February 1969 and as amended on 14 October 1987 shall apply to the Netherlands Antilles and Aruba respec-

tively, with regard to the extradition of Netherlands nationals, only when the European Convention on the transfer of sentenced persons, concluded in Strasbourg on 21 March 1983, becomes applicable to the Netherlands Antilles and Aruba respectively is acceptable.

The Ministry of Foreign Affairs of the Slovak Republic agree with the proposal that this note and the Ministry's affirmative reply, shall constitute an arrangement as provided for in article 27, paragraph 4, of the Convention, which shall enter into force on the first day of the third month following the date on which the Embassy receives the Ministry's reply.

The Ministry of Foreign Affairs of the Slovak Republic avails itself of this opportunity to renew to the Embassy of the Kingdom of the Netherlands the assurance of its highest consideration.

Bratislava, 30 June 1994

*The Embassy
of the Kingdom of the Netherlands
Bratislava*

Bij brieven van 11 juli 1994 zijn de op 3 februari 1994 tot stand gekomen overeenkomst met Turkije, de op 4 februari 1994 tot stand gekomen overeenkomst met Denemarken, de op 18 februari 1994 tot stand gekomen overeenkomst met Noorwegen (teksten in rubriek H van *Trb.* 1994, 66), de op 21 februari 1994 tot stand gekomen overeenkomst met de Tsjechische Republiek en de op 3 maart 1994 tot stand gekomen overeenkomst met Cyprus (teksten in rubriek H van *Trb.* 1994, 115) medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal en aan de Staten van de Nederlandse Antillen en van Aruba.

De hierboven afgedrukte overeenkomsten behoeven niet de goedkeuring van de Staten-Generaal ingevolge artikel 91, juncto additioneel artikel XXI, eerste lid, onderdeel b, van de Grondwet en juncto artikel 62, eerste lid, onderdeel a (wat betreft Aruba) respectievelijk onderdeel b (wat betreft de Nederlandse Antillen) van de Grondwet naar de tekst van 1972. Zie rubriek D van *Trb.* 1993, 110.

J. GEGEVENS

Zie *Trb.* 1965, 9, *Trb.* 1969, 62, *Trb.* 1970, 131, *Trb.* 1971, 130, *Trb.* 1977, 20, *Trb.* 1982, 6, *Trb.* 1986, 47, *Trb.* 1987, 186, *Trb.* 1991, 78 en *Trb.* 1993, 110 en 163 en *Trb.* 1994, 7, 21, 38, 66 en 115.

In overeenstemming met artikel 5, tweede zin, van de Rijkswet van 22 juni 1961 (Stb. 207), houdende regeling inzake de bekendmaking van internationale overeenkomsten en besluiten van volkenrechtelijke orga-

nisaties heeft de Minister van Buitenlandse Zaken bepaald dat de in rubriek H afgedrukte overeenkomsten in het gehele Koninkrijk zullen zijn bekendgemaakt op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *elfde* augustus 1994.

De Minister van Buitenlandse Zaken a.i.,

R. F. M. LUBBERS