

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1994 Nr. 80

A. TITEL

*Verdrag tussen het Koninkrijk der Nederlanden ten behoeve van Aruba
en de Verenigde Staten van Amerika inzake de overdracht van
geconfisqueerde gelden;
's-Gravenhage, 11 maart 1994*

B. TEKST

**Agreement between the Government of the Kingdom of the
Netherlands and the Government of the United States of America
in respect of Aruba regarding the transfer of certain forfeited
assets**

The Government of the Kingdom of the Netherlands
and

the Government of the United States of America,

Considering that the Government of Aruba provided valuable assistance in detaining an individual who attempted to enter Aruba with U.S. currency removed from the United States in violation of reporting requirements under U.S. law, and

Considering that, as a result of such assistance, those funds were forfeited to the United States Customs Service,

Have agreed that:

1. The United States Customs Service shall transfer dollars 92,702.40 to the Government of Aruba, representing a portion of the funds forfeited to the United States Customs Service.

2. The Government of Aruba 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 Aruba 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 92,702.40 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 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 November 20, 1992, which has not yet entered into force.

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

DONE at The Hague, this eleventh day of March 1994, in duplicate in the English language.

For the Government of the Kingdom of the Netherlands:

(sd.) H. R. KROES

For the Government of the United States of America:

(sd.) MICHAEL KLOSSON

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 11 maart 1994 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt het Verdrag alleen voor Aruba.

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 wordt verwezen, is de tekst geplaatst in *Trb.* 1993, 5.

Uitgegeven de *achttiende* april 1994.

De Minister van Buitenlandse Zaken,

P. H. KOOIJMANS