

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 115

A. TITEL

*Tweede Aanvullend Protocol bij het Europees Verdrag betreffende
uitlevering;
Straatsburg, 17 maart 1978*

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 1979, 120.

C. VERTALING

Zie *Trb.* 1979, 120.

D. PARLEMENT

Zie *Trb.* 1983, 70 en *Trb.* 1993, 129.

E. PARTIJGEGEVENS

Zie rubriek E van *Trb.* 1979, 120 en rubriek F van *Trb.* 1993, 129.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië	19-05-98	19-05-98	R	17-08-98		
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	21-06-83	13-04-84	R	12-07-84		
Denemarken	25-10-82	07-03-83	R	05-06-83		
Duitsland	08-11-85	08-03-91	R	06-06-91		
Estland	03-05-96	28-04-97	R	27-07-97		
Finland		30-01-85	T	30-04-85		
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		
Italië	23-04-80	23-01-85	R	23-04-85		
Kroatië		25-01-95	T	25-04-95		
Letland	30-10-96	02-05-97	R	31-07-97		
Litouwen	09-11-94	20-06-95	R	18-09-95		
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	05-06-83 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		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Oekraïne	29-05-97	11-03-98	R	09-06-98		
Oostenrijk	17-03-78	02-05-83	R	31-07-83		
Polen	19-02-93	15-06-93	R	13-09-93		
Portugal	27-04-78	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		
Turkije	16-07-87	10-07-92	R	08-10-92		
Verenigd Koninkrijk	09-11-92	08-03-94	R	06-06-94		
Zuid-Afrika		12-02-03	T	13-05-03		
Zuid-Korea		29-09-11	T	29-12-11		
Zweden	06-04-79	13-06-79	R	05-06-83		
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

Uitbreidingen

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Guernsey	25-04-2003	
Man	25-04-2003	

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.

België, 18 november 1997

Belgium declares that it does not accept Chapter V of the Second Additional Protocol to the European Convention on Extradition.

Bulgarije, 30 september 1993 en 17 juni 1994

In accordance with Article 9 paragraph 2, the Republic of Bulgaria declares that it reserves the right not to accept Chapter I and the right to accept Chapter II in respect of offences concerning taxes, customs charges and currency exchange charges which are punishable under the Bulgarian Criminal Code.

Georgië, 15 juni 2001

In pursuance of Article 9, paragraph 2, Georgia declares that it does not accept Chapter V of this Protocol.

According to the legislation of Georgia, the competent body to review extradition cases is the General Prosecutor's Office of Georgia. Herewith the use of the diplomatic channels for extradition cases is not excluded. 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.

Letland, 2 mei 1997

In pursuance of paragraph 2 of Article 9 of the Second Additional Protocol to the Convention on Extradition of 1978, the Republic of Latvia reserves the right not to accept Chapter V of the Protocol.

Malta, 20 november 2000

In accordance with Article 9 of the Protocol, Malta reserves the right not to apply Chapter I and Chapter III of the Protocol.

Monaco, 30 januari 2009

1. The Principality of Monaco declares, in accordance with Article 9, paragraph 1, of the Second Additional Protocol, that it reserves the right not to accept Chapter I of the Protocol.

2. The Principality of Monaco declares, in accordance with Article 9, paragraph 2.b, of the Second Additional Protocol, that it reserves the right only to accept Chapter II of the Protocol in respect of offences concerning indirect taxes, including VAT, customs and exchange, those relating to direct taxes being excluded.

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 decision”). 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 Second Additional Protocol to the European Convention on Extradition (“the Second 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 Second Additional Protocol.

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

- the Netherlands Antilles and Aruba and the Parties to the Second Additional Protocol, or
- the part of the Kingdom of the Netherlands situated in Europe and the Parties to the Second 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.

Noorwegen, 11 december 1986

Pursuant to Article 9, Norway declares that it does not accept Chapters I and V of the Protocol.

Oekraïne, 1 februari 2000

The Ministry of Justice of Ukraine (in case of requests by courts) and the Prosecutor-General’s Office of Ukraine (in case of requests by bodies of pre-trial investigation) shall be the authorities to which reference is made in article 12, paragraph 1 of the Convention, as amended by the Second Additional Protocol.

Oostenrijk, 9 september 1994

With respect to the member States of this Additional Protocol, Austria declares that, under the conditions provided by Chapter II, it will grant extradition also for offences which are exclusively contraventions against regulations concerning monopolies on the export, import, transit and rationing of goods.

Russische Federatie, 7 november 1996

The designated authority of the Russian Federation to consider questions of extradition is the Procurator-General's Office of the Russian Federation.

Russische Federatie, 7 november 1996 en 10 december 1999

The Russian Federation shall reserve the right not to apply Chapter V of the Second Additional Protocol of March 17, 1978 to the European Convention on Extradition of December 13, 1957.

Turkije, 10 juli 1992

The Government of the Republic of Turkey reserves the right to use diplomatic channels in transmitting extradition requests in order to follow-up and carry out the necessary proceedings by diplomatic missions in the requested State, taking into consideration the type of request.

Verenigd Koninkrijk, 8 maart 1994

In accordance with paragraph 2 of Article 9, the United Kingdom declares that it does not accept Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.

Verenigd Koninkrijk, 25 april 2003

In accordance with paragraph 2 of Article 9, the United Kingdom does not accept, in respect of the Isle of Man and Guernsey, Chapter I, Chapter III, Chapter IV or Chapter V of the Protocol.

Zuid-Korea, 29 september 2011

In respect of Article 5 of the Second Additional Protocol to the Convention, the Republic of Korea declares that it shall communicate through the diplomatic channel in principle, and directly between the Ministries of Justice of the Contracting Parties in urgent cases.

Zwitserland, 17 november 1981 en 11 maart 1985

Switzerland declares not to accept Chapter II of the Second Additional Protocol to the European Convention on Extradition.

G. INWERKINGTREDING

Zie *Trb.* 1983, 70, *Trb.* 1993, 129 en *Trb.* 2006, 171.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1979, 120, *Trb.* 1983, 70, *Trb.* 1993, 129, *Trb.* 1997, 285 en *Trb.* 2006, 171.

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