

**FRANCE ET COMMISSION
DE GOUVERNEMENT
DU BASSIN DE LA SARRE**

Echange de notes en vue d'appliquer aux extraditions entre la France et le Territoire de la Sarre, les dispositions du Traité d'extradition conclu le 21 juin 1845 entre la France et la Prusse, ainsi que des accords ultérieurs qui complétèrent ce traité. Paris, le 13, et Sarrebruck, le 30 juillet 1920.

**FRANCE AND SAAR BASIN
GOVERNING COMMISSION**

Exchange of Notes concerning the application to extraditions between France and the Saar Territory of the provisions of the Extradition Treaty of June 21, 1845, between France and Prussia, together with those of subsequent supplementary agreements. Paris, July 13, and Saarbruck, July 30, 1920.

¹ TRADUCTION. — TRANSLATION.

No. 687. — EXCHANGE OF NOTES BETWEEN THE FRENCH GOVERNMENT AND THE SAAR BASIN GOVERNING COMMISSION CONCERNING THE APPLICATION TO EXTRADITIONS BETWEEN FRANCE AND THE SAAR TERRITORY OF THE PROVISIONS OF THE EXTRADITION TREATY² OF JUNE 21, 1845, BETWEEN FRANCE AND PRUSSIA, TOGETHER WITH THOSE OF SUBSEQUENT SUPPLEMENTARY AGREEMENTS. PARIS, JULY 13, AND SAARBRUCK, JULY 30, 1920.

Official French text communicated by the Chairman of the Saar Basin Governing Commission. The registration of this exchange of Notes took place August 9, 1924.

PARIS, July 13, 1920.

MONSIEUR LE PRÉSIDENT,

I have the honour to transmit to you herewith, together with a statement of the facts, the text of a warrant for arrest issued by the Examining Magistrate of Saareguemines, for murder, against Rudolph ZIMMERMAN, who, according to the attached communication from the Examining Magistrate of Saarbruck, has been detained by the police in that city. I should be grateful if you would kindly allow the Government of the Republic to extradite this individual.

Moreover, the Keeper of the Seals informs me of the arrest at Saareguemines, by the Saar authorities, of Jacob DIETRICH, accused of theft, embezzlement and forgery at Saarbruck. My colleague is anxious to know whether a formal demand for extradition will be made in connection with this individual, as in that case the necessary legal documents will have to be sent.

As regards both enquiries from the French Government concerning individuals who have taken refuge in the Saar Territory, and enquiries from the Saar Government concerning accused persons who have taken refuge in France, the Government of the Republic is of opinion that the provisions of the Franco-Prussian Convention of June 21, 1845, and the Declarations of reciprocity additional thereto are applicable *mutatis mutandis* to the relations between France and the Saar Territory unless and until circumstances appear to warrant the conclusion of a further agreement between France and the Saar Territory on this subject.

I should be glad to receive an assurance that our respective Governments are in agreement on this point, and to be informed of the manner in which the Governing Commission of the Saar

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² British and Foreign State Papers vol. 34, page 1291.

has dealt with the communications concerning the accused persons ZIMMERMANN and DIETRICH, to whom this letter relates.

I have the honour, etc...

(Signed) PALÉOLOGUE.

The Chairman of the Saar Basin
Governing Commission.

SAARBRUCK, July 30, 1920.

THE COUNCILLOR OF STATE, Chairman of the Governing Commission of the Territory
of the Saar Basin, to

THE PRESIDENT OF THE COUNCIL, Minister for Foreign Affairs, PARIS.

In my letter of July 13 (No. 544), I had the honour to bring to your notice the delicate question raised by requests for extradition made by the Government of the Republic in respect of accused persons who have taken refuge in the Saar Basin, and requests for extradition formulated by the Governing Commission of the Saar Territory in respect of accused persons who have taken refuge in France.

You agreed that the question was an important one, and you were good enough to refer to the subject in a letter to me also dated July 13 last (Department of Administrative and Technical Affairs, Third Bureau).

According to this letter, the Government of the Republic considers that the provisions of the Franco-Prussian Convention of June 21, 1845, and the Declarations of reciprocity additional thereto, are applicable *mutatis mutandis* to the relations between France and the Saar Territory.

The Governing Commission had advanced the view that the Extradition Treaties concluded prior to 1914 between France and the various German States had lapsed by sole reason of the declaration of war. The Commission also observed that they are not included among the Treaties expressly restored to force by the Treaty of Peace. Moreover, the Saar Territory includes a portion of the Bavarian Palatinate, to which the Franco-Prussian Convention of June 21, 1845, was never applicable.

In my view therefore, it would be desirable to make arrangements for the future conclusion of an agreement between France and the Saar Territory on this subject. I have the honour to request you to inform me whether you give your consent to this proposal.

In order, however, to settle provisionally the question of extradition and to meet the wish which you have expressed, the Governing Commission has adopted a Declaration of which I have the honour to transmit to you a copy herewith. The text of this Declaration will be published in the next issue of the Official Journal of the Territory.

The terms of your letter of July 13 and the terms of this Declaration demonstrate the common desire of the two Governments to regulate, pending further decision, all questions of extradition in conformity with the provisions of the Convention of June 21, 1845, and the Agreements additional thereto.

I should be glad to receive an assurance that our respective Governments are in agreement on this point.

DECLARATION

BY THE SAAR BASIN GOVERNING COMMISSION CONCERNING THE CONDITIONS UNDER WHICH REQUESTS FOR EXTRADITION MADE BY THE FRENCH GOVERNMENT CAN BE COMPLIED WITH.

In examining all requests for extradition put forward by the French Government, the Governing Commission of the Saar Territory will conform to the regulations and procedure laid down in the Extradition Treaty concluded between France and Prussia on June 21, 1845, and in the subsequent agreements additional thereto, until such time as a special agreement shall have been concluded between France and the Saar Territory for the adoption of new regulations governing questions of extradition.

SAARBRUCK, *July* 21, 1920.

For the Governing Commission
of the Saar Territory :

(Signed) RAULT,
Councillor of State, President.