

N° 2605.

AUTRICHE ET BELGIQUE

Déclaration additionnelle à la Convention d'extradition du 12 janvier 1881. Signée à Vienne, le 1^{er} décembre 1930.

AUSTRIA AND BELGIUM

Additional Declaration to the Extradition Convention of January 12, 1881. Signed at Vienna, December 1, 1930.

¹ TRADUCTION. — TRANSLATION.

No. 2605. — ADDITIONAL DECLARATION² TO THE EXTRADITION CONVENTION³ OF JANUARY 12, 1881, BETWEEN AUSTRIA AND BELGIUM. SIGNED AT VIENNA, DECEMBER 1st, 1930.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Declaration took place February 4, 1931.

THE GOVERNMENT OF HIS MAJESTY THE KING OF THE BELGIANS and THE FEDERAL GOVERNMENT OF THE AUSTRIAN REPUBLIC, considering it desirable to extend the scope of reciprocal legal assistance by an additional Declaration to the Extradition Convention between Belgium and Austria of January 12, 1881, have agreed upon the following provisions :

Article 1.

In non-political criminal matters, should the Government of one of the two countries consider it necessary to notify a person resident in the territory of the other State of a judicial act or of a sentence, the document transmitted direct to the Minister of Justice of that State, either by the Minister of Justice of the other Contracting Party or by the consular or diplomatic agent of that Party, shall be served in person upon the recipient, in accordance with the regulations in force in the State applied to, through the medium of a competent official, and the document proving notification shall be sent by the same means to the applicant Government without refund of expenses.

If a document is sent in duplicate the certificate of notification must appear on one of the copies or be annexed thereto.

Article 2.

The foregoing provision does not preclude the sending of the legal documents referred to by the applicant authority direct by post to the addressee.

Article 3.

The Ministers of Justice of the two Contracting States shall communicate direct with one another with regard to the letters of request mentioned in Article XIII of the Extradition Convention of January 12, 1881, and also with regard to requests for the communication of articles serving as proof of the crime or the documents referred to in Article XV of the said Convention.

Nevertheless, in urgent cases the judicial authorities of the two countries shall be authorised to make the requests for legal assistance referred to in the first paragraph of the present Article

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Came into force, January 8, 1931.

³ *British and Foreign State Papers*, Vol. 72, page 539.

direct to the competent authority of the other Party, if necessary by telegraph. These requests and the documents relating to their execution shall always be returned through the medium of the Ministers of Justice.

Article 4.

The requests for legal assistance referred to either in the Extradition Convention of January 12, 1881, or in the present Agreement, the documents annexed thereto, and also the documents stating the action subsequently taken and those in support of the requisition for extradition, shall be drawn up either in German or in French, or accompanied by a translation in one of these languages.

Article 5.

The present Declaration shall enter into force ten days after its publication in the manner prescribed by the laws of the two countries. It shall have the same duration as the Extradition Convention of January 12, 1881, to which it refers.

In faith whereof the Plenipotentiaries, duly authorised for the purpose, have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at Vienna, December 1, 1930.

(L. S.) (Signed) R. LEGHAIT.

(L. S.) (Signed) SEIPEL.