

N° 3350.

BELGIQUE ET SALVADOR

Echange de notes comportant un accord relatif à l'application au Congo belge et au Ruanda-Urundi du Traité d'extradition du 27 février 1880. Guatémala, le 25 août 1933, et San Salvador, le 31 août 1933.

BELGIUM AND SALVADOR

Exchange of Notes constituting an Agreement regarding the Application to the Belgian Congo and to Ruanda-Urundi of the Extradition Treaty of February 27, 1880. Guatemala, August 25, 1933, and San Salvador, August 31, 1933.

TEXTE ESPAGNOL. — SPANISH TEXT.

N^o 3350. — ÉCHANGE DE NOTES¹ ENTRE LE GOUVERNEMENT BELGE ET LE GOUVERNEMENT DU SALVADOR COMPORTANT UN ACCORD RELATIF A L'APPLICATION AU CONGO BELGE ET AU RUANDA-URUNDI DU TRAITÉ D'EXTRADITION DU 27 FÉVRIER 1880. GUATÉMALA, LE 25 AOÛT 1933, ET SAN SALVADOR, LE 31 AOÛT 1933.

N^o 3350. — CANJE DE NOTAS¹ ENTRE EL GOBIERNO BELGA Y EL GOBIERNO DE EL SALVADOR ESTABLECIENDO UN ACUERDO RELATIVO A LA APLICACIÓN AL CONGO BELGA Y AL RUANDA-URUNDI DEL TRATADO DE EXTRADICIÓN DEL 27 DE FEBRERO DE 1880. GUATEMALA, 25 DE AGOSTO DE 1933 Y SAN SALVADOR, 31 DE AGOSTO DE 1933.

Textes officiels français et espagnol communiqués par le ministre des Affaires étrangères de Belgique. L'enregistrement de cet échange de notes a eu lieu le 15 février 1934.

French and Spanish official texts communicated by the Belgian Minister for Foreign Affairs. The registration of this Exchange of Notes took place February 15, 1934.

I.

Le soussigné Alphonse VAN BIERVLIET, envoyé extraordinaire et ministre plénipotentiaire de Sa Majesté le Roi des Belges à Guatémala, a l'honneur de porter à la connaissance de Son Excellence Monsieur le Docteur Miguel Angel ARAUJO, ministre des Affaires étrangères de la République du Salvador, que le Gouvernement du Roi marque son accord sur ce qui suit :

1. Les dispositions du Traité² d'Extradition entre la Belgique et le Salvador du 27 février 1880 s'appliqueront au Congo belge et aux territoires du Ruanda-Urundi au sujet desquels la Belgique exerce un mandat au nom de la Société des Nations.

I.

El infrascrito Alphonse VAN BIERVLIET, Enviado Extraordinario y Ministro Plenipotenciario de Su Majestad el Rey de los Belgas en Guatemala, tiene el honor de poner en conocimiento de Su Excelencia el Señor Doctor don Miguel Angel ARAUJO, Ministro de Relaciones Exteriores de la República de El Salvador, que el Gobierno del Rey dá su aprobación a lo que sigue :

1^o Las disposiciones del Tratado² de Extradición entre Bélgica y El Salvador del 27 de Febrero de 1880 se aplicarán al Congo Belga y a los territorios del Ruanda-Urundi sobre los cuales Bélgica ejerce un mandato en nombre de la Sociedad de las Naciones.

¹ Entré en vigueur le 25 décembre 1933.

² DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome VIII, page 501.

¹ Came into force December 25, 1933.

² *British and Foreign State Papers*, Vol. 71, page 526.

contractantes et aura la même durée que le Traité d'Extradition du 27 février 1880 entre la République du Salvador et la Belgique.

Partes Contratantes y tendrá la misma duración que el Tratado de Extradición del 27 de Febrero de 1880 entre la República de El Salvador y Bélgica.

Fait à San Salvador, le 31 août 1933.

Hecho en San Salvador, el 31 de Agosto de 1933.

(s) Miguel Angel ARAUJO.

Pour copie conforme :

Pour le Ministre des Affaires étrangères
de Belgique :

Le Directeur général,
Maurice Costermans.

¹ TRADUCTION. — TRANSLATION.

No. 3350. — EXCHANGE OF NOTES BETWEEN THE BELGIAN GOVERNMENT AND THE GOVERNMENT OF SALVADOR CONSTITUTING AN AGREEMENT REGARDING THE APPLICATION TO THE BELGIAN CONGO AND TO RUANDA-URUNDI OF THE EXTRADITION TREATY OF FEBRUARY 27, 1880. GUATEMALA, AUGUST 25, 1933, AND SAN SALVADOR, AUGUST 31, 1933.

I.

The undersigned Alphonse VAN BIERVLIET, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Belgians to Guatemala, has the honour to inform His Excellency Dr. Miguel Angel ARAUJO, Minister for Foreign Affairs of the Republic of Salvador, that His Majesty's Government has agreed to the following provisions :

1. The stipulations of the Extradition Treaty between Belgium and Salvador of February 27, 1880, shall apply to the Belgian Congo and the territories of Ruanda-Urundi over which Belgium holds a mandate on behalf of the League of Nations.

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. A request for the extradition of a person who has taken refuge in the Belgian Congo or in Ruanda-Urundi shall be made through the diplomatic or consular channel.

This procedure shall be followed in all the cases stipulated in the Extradition Treaty of February 27, 1880; however, in the urgent cases referred to in Article 5 of the Treaty, the provisional arrest of the accused shall also be effected on notification of the existence of a warrant of arrest, given to the Minister of Justice of the Republic of Salvador by the Government General of the Belgian Congo and *vice versa*.

3. For the purposes of the application of the Treaty of February 27, 1880, and the present Convention :

(a) The term Belgian nationals, subjects and citizens shall be taken to mean Belgian citizens and natives of the Belgian Congo; natives of Ruanda-Urundi shall be assimilated thereto;

(b) Breaches of the laws of the Belgian Congo and Ruanda-Urundi punishable by more than 5 years' penal servitude shall be regarded as crimes, and those punishable by more than 2 months' penal servitude as delicts;

(c) Penal servitude as provided for in the legislation of the Belgian Congo and Ruanda-Urundi shall be regarded as equivalent to imprisonment.

4. The present Agreement shall come into force ten days after its publication in the forms prescribed by the laws of the High Contracting Parties and shall have the same duration as the Extradition Treaty of February 27, 1880, between Belgium and the Republic of Salvador.

Done at Guatemala, August 25, 1933.

(Signed) A. VAN BIERVLIET.

II.

The undersigned Miguel Angel ARAUJO, Minister for Foreign Affairs of the Republic of Salvador, has the honour to inform His Excellency M. Alphonse VAN BIERVLIET, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Belgians to Guatemala, that the Government of Salvador approves the following :

1. The stipulations of the Extradition Treaty between Salvador and Belgium of February 27, 1880, shall apply to the Belgian Congo and the territories of Ruanda-Urundi over which Belgium holds a mandate on behalf of the League of Nations.

2. A request for the extradition of a person who has taken refuge in the Belgian Congo or in Ruanda-Urundi shall be made through the diplomatic or consular channel.

This procedure shall be followed in all the cases stipulated in the Extradition Treaty of February 27, 1880; however, in the urgent cases referred to in Article 5 of the Treaty, the provisional arrest of the accused shall also be effected on notification of the existence of a warrant of arrest, given to the Government General of the Belgian Congo by the Minister of Justice of the Republic of Salvador and *vice versa*.

3. For the purposes of the application of the Treaty of February 27, 1880, and the present Convention :

(a) The term Belgian nationals, subjects and citizens shall be taken to mean Belgian citizens and natives of the Belgian Congo; natives of Ruanda-Urundi shall be assimilated thereto;

(b) Breaches of the laws of the Belgian Congo and Ruanda-Urundi punishable by more than 5 years' penal servitude shall be regarded as crimes, and those punishable by more than 2 months' penal servitude as delicts ;

(c) Penal servitude as provided for in the legislation of the Belgian Congo and Ruanda-Urundi shall be regarded as equivalent to imprisonment.

4. The present Agreement shall come into force ten days after its publication in the forms prescribed by the laws of the High Contracting Parties and shall have the same duration as the Extradition Treaty of February 27, 1880, between the Republic of Salvador and Belgium.

Done at San Salvador, August 31, 1933.

(Signed) Miguel Angel ARAUJO.