

BELGIQUE ET BOLIVIE

Echange de notes comportant un accord relatif à l'application au Congo belge et aux territoires du Ruanda-Urundi du Traité d'extradition belgo-bolivien du 24 juillet 1908. Lima, le 16 décembre 1932, et La Paz, le 6 janvier 1933.

BELGIUM AND BOLIVIA

Exchange of Notes constituting an Agreement regarding the Application to the Belgian Congo and to the Territories of Ruanda-Urundi of the Extradition Treaty between Belgium and Bolivia of July 24th, 1908. Lima, December 16th, 1932, and La Paz, January 6th, 1933.

¹ TRADUCTION. — TRANSLATION.

No. 3390. — EXCHANGE OF NOTES BETWEEN THE BELGIAN AND BOLIVIAN GOVERNMENTS CONSTITUTING AN AGREEMENT REGARDING THE APPLICATION TO THE BELGIAN CONGO AND TO THE TERRITORIES OF RUANDA-URUNDI OF THE EXTRADITION TREATY BETWEEN BELGIUM AND BOLIVIA OF JULY 24TH, 1908. LIMA, DECEMBER 16TH, 1932, AND LA PAZ, JANUARY 6TH, 1933.

I.

BELGIAN LEGATION.

No. 907/24.

LIMA, December 16th, 1932.

MONSIEUR LE MINISTRE,

I have the honour to inform Your Excellency that the Government of His Majesty the King of the Belgians considers it expedient to apply the Extradition Treaty between Belgium and Bolivia of July 24th, 1908, to the Belgian Congo and the territories of Ruanda-Urundi, over which Belgium exercises a mandate on behalf of the League of Nations.

The Government of the Bolivian Republic also regards this extension of the application of the said Treaty as desirable, and the present letter and Your Excellency's reply will accordingly constitute the official confirmation of the Agreement reached between the two Governments on the following points :

(1) The stipulations of the Extradition Treaty between Belgium and Bolivia of July 24th, 1908, shall apply to the Belgian Congo and the territories of Ruanda-Urundi.

(2) Requests for the extradition of persons who have taken refuge in the Belgian Congo or in Ruanda-Urundi shall be made through the diplomatic channel.

This procedure shall be followed in all the cases stipulated in the Extradition Treaty of July 24th, 1908 ; in the urgent cases referred to in Article 6 of the Treaty, however, the provisional arrest of the accused shall also be effected on notice of the existence of one of the documents mentioned in Article 5 of the Treaty being given to the Bolivian Ministry of Foreign Affairs by the Governor-General of the Belgian Congo, and *vice versa*.

(3) For the purposes of the application of the Treaty of July 24th, 1908, and the present Agreement :

(a) The term "Belgian nationals" shall be taken to mean Belgian citizens and natives of the Belgian Congo ; natives of Ruanda-Urundi shall be regarded as Belgian nationals ;

(b) Breaches of the penal law of the Belgian Congo and Ruanda-Urundi punishable by more than five years' penal servitude shall be regarded as crimes, and those punishable by more than two 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.

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.

(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 July 24th, 1908, between Belgium and Bolivia.

I have the honour, etc.

(Signed) ERN. FRANCK.

His Excellency Monsieur Tamayo,
Minister for Foreign Affairs,
La Paz.

II.

MINISTRY OF FOREIGN AFFAIRS
AND ECCLESIASTICAL AFFAIRS.
TREATY AND BOUNDARY SECTION.

No. 7.

LA PAZ, January 6th, 1933.

MONSIEUR LE MINISTRE,

I have the honour to inform Your Excellency that, after examining the proposal of the Government of His Majesty the King of the Belgians to apply the Extradition Treaty between Bolivia and Belgium of July 24th, 1908, to the Belgian Congo and the territories of Ruanda-Urundi, the Bolivian Government considers it expedient to extend the application of the said Treaty to the colony of the Belgian Congo and the territories of Ruanda-Urundi, over which Belgium exercises a mandate on behalf of the League of Nations.

I am therefore instructed to inform Your Excellency that the present note and the note which I had the honour of receiving from you, dated December 16th last, will constitute the official confirmation of the Agreement reached between the two Governments on the following points :

(1) The stipulations of the Extradition Treaty between Bolivia and Belgium of July 24th, 1908, shall apply to the Belgian Congo and the territories of Ruanda-Urundi.

(2) Requests for the extradition of persons who have taken refuge in the Belgian Congo or in Ruanda-Urundi shall be made through the diplomatic channel.

This procedure shall be followed in all the cases stipulated in the Extradition Treaty of July 24th, 1908 ; in the urgent cases referred to in Article 6 of the Treaty, however, the provisional arrest of the accused shall also be effected on notice of the existence of one of the documents mentioned in Article 5 of the Treaty being given to the Bolivian Ministry of Foreign Affairs by the Governor-General of the Belgian Congo, and *vice versa*.

(3) For the purposes of the application of the Treaty of July 24th, 1908, and the present Agreement :

(a) The term " Belgian nationals " shall be taken to mean Belgian citizens and natives of the Belgian Congo ; natives of Ruanda-Urundi shall be regarded as Belgian nationals ;

(b) Breaches of the penal law of the Belgian Congo and Ruanda-Urundi punishable by more than five years' penal servitude shall be regarded as crimes, and those punishable by more than two month' 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 July 24th, 1908, between Bolivia and Belgium.

I have the honour, etc.

(Signed) TAMAYO.

His Excellency Monsieur Ernesto Franck,
Envoy Extraordinary and
Minister Plenipotentiary
of Belgium to Bolivia,
Lima.