

N° 3747.

BELGIQUE ET CHILI

Convention additionnelle relative à l'application au Congo belge et aux territoires du Ruanda-Urundi du Traité d'extradition du 29 mai 1899 entre les deux pays. Signée à Santiago-du-Chili, le 21 février 1933.

BELGIUM AND CHILE

Additional Convention regarding the Application to the Belgian Congo and to the Territories of Ruanda-Urundi of the Extradition Treaty of May 29th, 1899, between the Two Countries. Signed at Santiago de Chile, February 21st, 1933.

TEXTE ESPAGNOL. — SPANISH TEXT.

Nº 3747. — CONVENIO ¹ ADICIONAL, RELATIVO A LA APLICACIÓN AL CONGO BELGA Y A LOS TERRITORIOS DE RUANDA-URUNDI DEL TRATADO DE EXTRADICIÓN DEL 29 DE MAYO DE 1899 ENTRE BELGICA Y CHILE. FIRMADO EN SANTIAGO DE CHILE, EL 21 DE FEBRERO DE 1933.

French and Spanish official texts communicated by the Belgian Minister for Foreign Affairs. The registration of this Convention took place October 17th, 1935.

SU MAJESTAD EL REY DE LOS BELGAS,

y

SU EXCELENCIA EL PRESIDENTE DE LA REPÚBLICA DE CHILE,

Considerando necesario aplicar al Congo belga y a los territorios de Ruanda-Urundi, sobre los cuales Bélgica ejerce un mandato en nombre de la Sociedad de las Naciones, el Tratado de Extradición entre Bélgica y Chile, de 29 de mayo de 1899, han nombrado Plenipotenciarios, à saber :

SU MAJESTAD EL REY DE LOS BELGAS : a

Su Excelencia el Señor Charles SYMON, Su Enviado Extraordinario y Ministro Plenipotenciario en Chile ; y

SU EXCELENCIA EL PRESIDENTE DE LA REPUBLICA DE CHILE :

Al Señor Don Miguel CRUCHAGA TOCORNAL, Ministro de Relaciones Exteriores ;

Los cuales, después de haberse exhibido sus Plenos Poderes y de haberlos encontrado en buena y debida forma, han convenido lo siguiente :

Artículo 1º.

Las disposiciones del Tratado de Extradición entre Bélgica y Chile, de 29 de mayo 1899, se aplicarán al Congo belga y a los territorios de Ruanda-Urundi.

Artículo 2º.

La demanda de extradición de un individuo refugiado en el Congo belga o en Ruanda-Urundi, será hecha por la vía diplomática.

La vía diplomática se empleará en todos los casos en que la requiera el Tratado de Extradición de 29 de mayo de 1899 con excepción de los casos urgentes previstos en el Artículo 6º del Tratado ; en estos casos, la detención del fugitivo podrá ser solicitada directamente por el Gobernador general del Congo belga al Ministerio de Relaciones Exteriores de Chile, y *vice-versa*.

¹ The exchange of ratifications took place at Brussels, June 20th, 1935.
Came into force September 20th, 1935.

¹ TRADUCTION. — TRANSLATION.

No. 3747. — ADDITIONAL CONVENTION REGARDING THE APPLICATION TO THE BELGIAN CONGO AND TO THE TERRITORIES OF RUANDA-URUNDI OF THE EXTRADITION TREATY OF MAY 29TH, 1899, BETWEEN BELGIUM AND CHILE. SIGNED AT SANTIAGO DE CHILE, FEBRUARY 21ST, 1933.

HIS MAJESTY THE KING OF THE BELGIANS
and

HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF CHILE,

Deeming it necessary to apply to the Belgian Congo and the territories of Ruanda-Urundi, over which Belgium holds a mandate on behalf of the League of Nations, the Extradition Treaty between Belgium and Chile of May 29th, 1899, have appointed as their Plenipotentiaries for this purpose :

HIS MAJESTY THE KING OF THE BELGIANS :

His Excellency Monsieur Charles SYMON, His Envoy Extraordinary and Minister Plenipotentiary in Chile ; and

HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF CHILE :

His Excellency Monsieur Miguel CRUCHAGA TOCORNAL, Minister for Foreign Affairs ;

Who, having communicated their full powers, found in good and due form, have agreed as follows :

Article 1.

The provisions of the Extradition Treaty of May 29th, 1899, between Belgium and Chile shall apply to the Belgian Congo and the territories of Ruanda-Urundi.

Article 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 diplomatic channels.

This procedure shall be followed in all the cases stipulated in the Extradition Treaty of May 29th, 1899, with the exception, however, of the urgent cases referred to in Article 6 of the Treaty, when the Governor-General of the Belgian Congo may make a direct request for the arrest of the fugitive to the Chilean Ministry for Foreign Affairs or *vice versa*.

Article 3.

For the purposes of the application of the Treaty of May 29th, 1899, and the present Convention :

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

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.

(b) Breaches of the criminal 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 delictual offences.

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

Article 4.

The time-limit of seventy days laid down in Article 6 of the Extradition Treaty of May 29th, 1899, between Belgium and Italy shall be increased to three months.

Article 5.

The present Convention shall be ratified and the ratifications shall be exchanged at Brussels. It shall come into force three months after this formality has been complied with and shall have the same duration as the Extradition Treaty of May 29th, 1899, between Belgium and Chile.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Santiago de Chile, the twenty-first day of February, one thousand nine hundred and thirty-three.

(L. C.) (*Signed*) C. SYMON.

(L. C.) (*Signed*) Miguel CRUCHAGA.