

GRANDE-BRETAGNE ET IRLANDE
DU NORD ET SUISSE

Convention additionnelle au Traité d'extradition du 26 novembre 1880, signée à Berne, le 19 décembre 1934, et échange de notes relatif à l'adhésion de la Nouvelle-Zélande et du territoire sous mandat du Samoa occidental à ladite convention additionnelle, Berne, les 24 et 30 octobre et 18 et 21 décembre 1935.

GREAT BRITAIN AND NORTHERN
IRELAND AND SWITZERLAND

Supplementary Convention to the Extradition Treaty of November 26th, 1880, signed at Berne, December 19th, 1934, and Exchange of Notes regarding the Accession of New Zealand and the Mandated Territory of Western Samoa to the said Supplementary Convention, Berne, October 24th and 30th, and December 18th and 21st, 1935.

No. 3763. — CONVENTION¹ BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND SWITZERLAND SUPPLEMENTARY TO THE EXTRADITION TREATY OF NOVEMBER 26TH, 1880. SIGNED AT BERNE, DECEMBER 19TH, 1934.

French and English official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Convention took place November 20th, 1935.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE SWISS FEDERAL COUNCIL, desiring to make further provision for the reciprocal extradition of fugitive criminals, have resolved to conclude a Supplementary Convention to this end, and for this purpose have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

Sir Howard KENNARD, His Majesty's Envoy Extraordinary and Minister Plenipotentiary in Switzerland ;

THE SWISS FEDERAL COUNCIL :

M. Giuseppe MOTTA, Federal Counsellor, Chief of the Federal Political Department ;

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

Article 1.

From the date of the coming into force of the present Convention, Article 2 of the Extradition Treaty² signed at Berne on the 26th November, 1880, shall be amended by the addition of the following clause :

“ Extradition may also be granted at the discretion of the High Contracting Party applied to in respect of any other crime or offence for which, according to the laws of both of the High Contracting Parties for the time being in force, the grant may be made. ”

Article 2.

The foregoing amendment shall apply to extradition proceedings between Switzerland on the one hand, and, on the other hand, the following territories of His Majesty, that is to say, the United

¹ The exchange of ratifications took place at London, June 6th, 1935.
Came into force September 6th, 1935.

² *British and Foreign State Papers*, Vol. 71, page 54.

Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, British Colonies, British Protectorates to which the Extradition Treaty of the 26th November, 1880, applies, and mandated territories to which the said Treaty has been or may be extended, and in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3.

The High Contracting Parties agree that His Majesty the King may accede to the present Convention in respect of any other member of the British Commonwealth of Nations whose Government may desire that such accession be effected, by a notice given to that effect by the appropriate diplomatic representative of His Majesty at Berne. From the date that such notice comes into effect the amendment set forth in Article 1 shall apply to extradition proceedings between Switzerland on the one hand, and the territory of the member of the Commonwealth concerned on the other hand.

Any notice given under the first paragraph of this Article in respect of any member of the British Commonwealth of Nations may include any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is exercised by the Government of the member concerned.

Article 4.

The present Convention shall be ratified. The ratifications shall be exchanged in London as soon as possible.

Article 5.

The present Convention shall enter into force three months after the exchange of ratifications, and shall have the same duration as the Extradition Treaty of the 26th November, 1880.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate in English and French at Berne the nineteenth day of December, nineteen hundred and thirty-four.

(L. S.) H. W. KENNARD.

EXCHANGE OF NOTES

REGARDING THE ACCESSION OF NEW ZEALAND AND THE MANDATED TERRITORY OF WESTERN SAMOA TO THE SUPPLEMENTARY EXTRADITION CONVENTION OF DECEMBER 19TH, 1934. BERNE, OCTOBER 24TH AND 30TH AND DECEMBER 18TH AND 21ST, 1935.

Communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain, January 24th, 1936.

I.

BRITISH LEGATION.

(No. 17/16/35.)

BERNE, *October 24th, 1935.*

MONSIEUR LE CONSEILLER FÉDÉRAL,

In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs and at the instance of His Majesty's Government in New Zealand I have the honour to notify Your Excellency of the accession of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of New Zealand and the mandated territory of Western Samoa to the Supplementary Extradition Convention, signed at Berne on the 19th December, 1934, in accordance with Article 3 thereof.

2. This accession will take effect on the date — which I shall have the honour to communicate to you in due course — specified in the Order-in-Council applying the Extradition Acts to Switzerland in respect of New Zealand.

3. I have the honour to request that Your Excellency will be good enough to acknowledge the receipt of this notification.

I avail myself of this opportunity to renew to you, Monsieur le Conseiller fédéral, the assurance of my highest consideration.

G. R. WARNER.

Son Excellence

Monsieur Giuseppe Motta,
Conseiller fédéral.

II.

DÉPARTEMENT POLITIQUE FÉDÉRAL.
DIVISION DES AFFAIRES ÉTRANGÈRES.

B.14.2.G.B.3.-GX.
ad N° 17/16/35.

Par note, du 24 de ce mois, la Légation de Sa Majesté britannique a bien voulu notifier au Département politique fédéral l'accèsion de Sa Majesté le Roi à la convention additionnelle d'extradition, signée à Berne le 19 décembre 1934, au nom de la Nouvelle-Zélande et du territoire sous mandat Samoa occidental. La Légation a ajouté qu'elle communiquera ultérieurement au Département politique la date à laquelle cette accession produira son effet.

ÉCHANGE DE NOTES

RELATIF A L'ADHÉSION DE LA NOUVELLE-ZÉLANDE ET DU TERRITOIRE SOUS MANDAT DU SAMOA OCCIDENTAL A LA CONVENTION ADDITIONNELLE D'EXTRADITION DU 19 DÉCEMBRE 1934. BERNE, LES 24 ET 30 OCTOBRE ET 18 ET 21 DÉCEMBRE 1935.

Communiqué par le Secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne, le 24 janvier 1936.

¹ TRADUCTION. — TRANSLATION.

I.

LÉGATION DE GRANDE-BRETAGNE.

(N^o 17/16/35).

Berne, le 24 octobre 1935.

MONSIEUR LE CONSEILLER FÉDÉRAL,

D'ordre du principal secrétaire d'Etat de Sa Majesté aux Affaires étrangères et à la demande du Gouvernement de Sa Majesté en Nouvelle-Zélande, j'ai l'honneur de notifier à Votre Excellence l'accession de Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes, pour la Nouvelle-Zélande et le territoire sous mandat du Samoa occidental, à la Convention additionnelle d'extradition signée à Berne le 19 décembre 1934, conformément à l'article 3 de ladite convention.

2. Cette accession prendra effet à la date — j'aurai l'honneur de vous la communiquer en temps utile — indiquée dans l'ordre en conseil appliquant les lois d'extradition à la Suisse en ce qui concerne la Nouvelle-Zélande.

3. Je vous prie de bien vouloir accuser réception de la présente notification.

Je saisis cette occasion, etc.

G. R. WARNER.

Son Excellence

Monsieur Giuseppe Motta,
Conseiller fédéral.

II.

FEDERAL POLITICAL DEPARTMENT.

FOREIGN AFFAIRS DIVISION.

B.14.2.G.B.3.-GX.

ad No. 17/16/35.

By a note dated October 24th, His Britannic Majesty's Legation was good enough to inform the Federal Political Department of the accession of His Majesty the King to the Supplementary Extradition Convention, signed at Berne on December 19th, 1934, in respect of New Zealand and the mandated territory of Western Samoa. The Legation added that it would communicate to the Political Department in due course the date on which this accession would take effect.

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.

Le Département politique a pris acte de cette notification et en informe le Département fédéral de Justice et Police.

En attendant la communication ultérieure annoncée, le Département saisit l'occasion de renouveler à la Légation de Sa Majesté l'assurance de sa haute considération.

BERNE, le 30 octobre 1935.

A la Légation de Sa Majesté britannique,
Berne.

III.

BRITISH LEGATION.

No. 17/23/35.

BERNE, December 18th, 1935.

MONSIEUR LE CONSEILLER FÉDÉRAL,

With reference to my note of October 24th last regarding the accession of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of New Zealand and the mandated territory of Western Samoa to the Supplementary Extradition Convention, signed at Berne on December 19th, 1934, I have the honour under instructions from His Majesty's Principal Secretary of State for Foreign Affairs and at the instance of His Majesty's Government in New Zealand to notify Your Excellency that the Order-in-Council applying the Extradition Acts to Switzerland in respect of New Zealand will be published on December 24th next and that the accession will take effect ten days later, namely, on January 3rd, 1936.

2. I have the honour to request Your Excellency to be so good as to acknowledge the receipt of this notification.

I avail myself of this opportunity to renew to you, Monsieur le Conseiller fédéral, the assurance of my highest consideration.

G. R. WARNER.

Son Excellence
Monsieur Giuseppe Motta,
Conseiller fédéral.

IV.

DÉPARTEMENT POLITIQUE FÉDÉRAL.
DIVISION DES AFFAIRES ÉTRANGÈRES.

B. 14.2.G.B.3. — HL.
ad N° 17/23/35.

Par note du 18 décembre, la Légation de Sa Majesté britannique a bien voulu faire connaître au Département politique fédéral que la Convention additionnelle d'extradition, signée à Berne le 19 décembre 1934, au nom de la Nouvelle-Zélande et du territoire sous mandat Samoa occidental, sera publiée le 24 décembre prochain et qu'elle prendra effet dix jours plus tard, soit le 3 janvier 1936.

Le Département remercie la Légation de Sa Majesté de son obligeante communication dont il a également informé le Département fédéral de Justice et Police et saisit cette occasion de lui renouveler l'assurance de sa haute considération.

BERNE, le 21 décembre 1935.

A la Légation de Sa Majesté britannique,
Berne.

The Political Department acknowledges the receipt of this notification, which it has communicated to the Federal Department of Justice and Police.

Pending the receipt of a further communication, the Department avails itself of the opportunity, etc.

BERNE, *October 30th*, 1935.

To His Britannic Majesty's Legation,
Berne.

III.

LÉGATION DE GRANDE-BRETAGNE.

N° 17/23/35.

BERNE, *le 18 décembre* 1935.

MONSIEUR LE CONSEILLER FÉDÉRAL,

Me référant à ma note du 24 octobre dernier concernant l'accession de Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes, pour la Nouvelle-Zélande et le territoire sous mandat du Samoa occidental, à la Convention additionnelle d'extradition signée à Berne le 19 décembre 1934, j'ai l'honneur, d'ordre du principal secrétaire d'Etat de Sa Majesté aux Affaires étrangères et à la demande du Gouvernement de Sa Majesté en Nouvelle-Zélande, de notifier à Votre Excellence que l'ordre en conseil appliquant les lois d'extradition à la Suisse en ce qui concerne la Nouvelle-Zélande sera publié le 24 décembre prochain et que l'accession prendra effet dix jours plus tard, à savoir le 3 janvier 1936.

2. Je vous prie de bien vouloir accuser réception de la présente notification.

Je saisis cette occasion, etc.

G. R. WARNER.

Son Excellence
Monsieur Giuseppe Motta,
Conseiller fédéral.

IV.

FEDERAL POLITICAL DEPARTMENT.
FOREIGN AFFAIRS DIVISION.

B.14.2.G.B.3.- HL.
ad No. 17/23/35.

By a note dated December 18th, His Britannic Majesty's Legation was good enough to inform the Federal Political Department that the Supplementary Extradition Convention, signed at Berne on December 19th, 1934, in respect of New Zealand and the mandated territory of Western Samoa, would be published on December 24th next and would take effect ten days later, namely, on January 3rd, 1936.

The Department thanks His Majesty's Legation for its communication of which it has also notified the Federal Department of Justice and Police. It avails itself of this opportunity, etc.

BERNE, *December 21st*, 1935.

To His Britannic Majesty's Legation,
Berne.