

BELGIUM



Treaty Series No. 59 (1985)

## Exchange of Notes

between the United Kingdom of Great Britain  
and Northern Ireland and the Kingdom of Belgium  
amending Articles IV and XIII of the Treaty for the  
Mutual Surrender of Fugitive Criminals,  
signed at Brussels on 29 October 1901, as amended

London, 10 September 1985

[The Exchange of Notes entered into force on 10 November 1985]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
November 1985*

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**EXCHANGE OF NOTES  
BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND AND THE KINGDOM OF  
BELGIUM AMENDING ARTICLES IV AND XIII  
OF THE TREATY FOR THE MUTUAL SURRENDER OF FUGITIVE  
CRIMINALS, SIGNED AT BRUSSELS ON 29 OCTOBER 1901,  
AS AMENDED**

No. 1

*The Ambassador of Belgium at London to the  
Secretary of State for Foreign and Commonwealth Affairs*

*Ambassade de Belgique  
Londres, le 10 septembre 1985*

Votre Excellence,

J'ai l'honneur de me référer au Traité entre la Belgique et le Royaume-Uni pour l'extradition des criminels fugitifs, signé à Bruxelles le 29 octobre 1901, complété et modifié par les Conventions signées à Londres les 5 mars 1907 et 3 mars 1911 et par les notes échangées à Bruxelles le 15 mai 1975.

Je propose, au nom de la Belgique, de modifier comme suit les articles IV et XIII de ce Traité:

— *Article IV*: La dernière phrase du premier alinéa de cet Article est remplacée par la disposition suivante:

"Il sera relâché tant dans le Royaume-Uni qu'en Belgique si, dans les vingt-et-un jours, une demande d'extradition n'a pas été faite par l'Agent Diplomatique du pays requérant, suivant le mode indiqué par les Articles II et III de ce Traité".

— *Article XIII*: Cet Article est complété par l'alinéa suivant:

"La Partie requise prendra toutes les mesures nécessaires pour représenter la Partie requérante dans toute procédure portée devant ses tribunaux à la suite d'une demande d'extradition et elle supportera les frais de cette représentation".

Si la proposition qui précède est acceptable pour le Royaume-Uni, j'ai l'honneur de suggérer que la présente note et la réponse de Votre Excellence à cet effet constitueront un accord entre la Belgique et le Royaume-Uni, qui entrera en vigueur deux mois après la date de la réponse de Votre Excellence.

Je saisis l'occasion, Monsieur le Ministre, de renouveler à Votre Excellence l'assurance de ma très haute considération.

J-P. VAN BELLINGHEN

*The Secretary of State for Foreign and Commonwealth Affairs to the  
Ambassador of Belgium at London*

*Foreign and Commonwealth Office  
London  
10 September 1985*

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date, which in translation reads as follows:

'I have the honour to refer to the Treaty between Belgium and the United Kingdom for the Mutual Surrender of Fugitive Criminals, signed at Brussels on 29 October 1901<sup>1</sup>, as supplemented and amended by the Conventions signed at London on 5 March 1907<sup>2</sup> and 3 March 1911<sup>3</sup> and by the Notes exchanged at Brussels on 15 May 1975<sup>4</sup>.

I have to propose on behalf of Belgium that Articles IV and XIII of the Treaty shall be amended as follows:

— *Article IV*: The last sentence of the first paragraph of this Article shall be replaced by the following provision:

'He shall be discharged, as well in the United Kingdom as in Belgium, if within twenty-one days a requisition shall not have been made for his surrender by the Diplomatic Agent of the requiring State in the manner directed by Articles II and III of this Treaty.'

— *Article XIII*: This Article shall be supplemented by the following paragraph:

'The requested Party shall make all necessary arrangements for and meet the cost of representation of the requesting Party in any proceedings before the Courts of the requested Party arising out of the request for extradition.'

If the foregoing proposal is acceptable to the United Kingdom, I have the honour to suggest that the present Note, together with Your Excellency's reply to that effect, shall constitute an Agreement between Belgium and the United Kingdom, which shall enter into force two months after the date of Your Excellency's reply.'

In reply, I have the honour to inform Your Excellency that the foregoing proposal is acceptable to the United Kingdom, which therefore agrees that your

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<sup>1</sup>Treaty Series No. 7 (1902), Cd. 1008.

<sup>2</sup>Treaty Series No. 16 (1907), Cd. 3580.

<sup>3</sup>Treaty Series No. 21 (1911), Cd. 5807.

<sup>4</sup>Treaty Series No. 107 (1975), Cmnd. 6203.

Note and this reply shall constitute an Agreement between the United Kingdom and Belgium which shall enter into force on 10 November 1985.

I have the honour to convey to Your Excellency the assurance of my highest consideration.

(for the Secretary of State)

**DEREK W. PARTRIDGE**