



Treaty Series No. 6 (1992)

## Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the Kingdom of the Netherlands  
concerning the Implementation of the Treaty for  
the Mutual Surrender of Fugitive Criminals,  
signed at London on 26 September 1898,  
with respect to Hong Kong

The Hague, 20 August and 13 September 1991

[The Exchange of Notes entered into force on 13 September 1991]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
January 1992*

LONDON : HMSO

£1.05 net

**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS  
CONCERNING THE IMPLEMENTATION OF THE TREATY FOR THE MUTUAL  
SURRENDER OF FUGITIVE CRIMINALS, SIGNED AT LONDON ON  
26 SEPTEMBER 1898<sup>1</sup>, WITH RESPECT TO HONG KONG**

No. 1

*The Ministry of Foreign Affairs of the Netherlands to Her Majesty's Embassy at the Hague*

*Ministry of Foreign Affairs  
The Hague*

General Affairs Department  
DAZ/JZ ISN/39687

The Ministry of Foreign Affairs presents its compliments to Her Britannic Majesty's Embassy and has the honour, with reference to the negotiations between delegations of the Kingdom of the Netherlands and Hong Kong concerning a bilateral Treaty between the Kingdom of the Netherlands and Hong Kong for the surrender of fugitive offenders, to submit the following to the British Government.

On 14 May 1991 the European Convention on Extradition of 13 December 1957<sup>2</sup> has entered into force in the relations between the Kingdom of the Netherlands (the part of the Kingdom in Europe) and the United Kingdom of Great Britain and Northern Ireland (including the Channel Islands and the Isle of Man).

Pursuant to Article 28, paragraph 1, of the Convention, the provisions of the bilateral Treaty concluded in London on 26 September 1898 on the extradition of criminals shall cease to apply with respect to the territories to which the Convention applies.

In view of the fact that the bilateral Treaty of 1898 shall remain in force between the Kingdom of the Netherlands and the United Kingdom in respect of Hong Kong until it has been replaced by a new agreement as envisaged, and in order to facilitate the practical application of its Article VIII, the Ministry has the honour to propose on behalf of the Government of the Kingdom of the Netherlands that with immediate effect:

- (a) requests by the Government of the Kingdom of the Netherlands for the extradition under the 1898 Treaty of persons found in Hong Kong shall be conveyed by the Representation of the Kingdom of the Netherlands in Hong Kong to the competent authorities of Hong Kong,
- and
- (b) requests by the Government of Hong Kong for the extradition under the 1898 Treaty of persons found in the Kingdom of the Netherlands shall be addressed to the competent authorities of the Kingdom of the Netherlands and presented to the Representation of the Kingdom of the Netherlands in Hong Kong.

If the foregoing is acceptable to the Government of the United Kingdom, the Ministry has the honour to suggest, on behalf of the Government of the Kingdom of the Netherlands, that the present note and the Embassy's reply to that effect shall constitute an agreement between our two Governments.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Her Britannic Majesty's Embassy the assurances of its highest consideration.

The Hague  
20 August 1991

---

<sup>1</sup>Treaty Series No. 1 (1899), C.—9089.

<sup>2</sup>Treaty Series No. 97 (1991), Cm 1762.

No. 2

*Her Majesty's Embassy at the Hague to the Ministry of Foreign Affairs of the Netherlands*

*British Embassy  
The Hague*

NOTE No. 212

Her Britannic Majesty's Embassy present their compliments to the Royal Netherlands Ministry of Foreign Affairs and have the honour to refer to the Ministry's Note Number ISN 39687, dated 20 August 1991, which reads as follows:

[As in No. 1]

Her Britannic Majesty's Embassy confirm that the proposals contained in the above mentioned note are acceptable to the government of the United Kingdom of Great Britain and Northern Ireland, and that the Ministry's note, together with this reply, shall constitute an agreement between the two governments which shall enter into force today.

The Embassy avail themselves of this opportunity to renew to the Ministry of Foreign Affairs the assurances of their highest consideration.

The Hague  
13 September 1991

