

FRANCE



Treaty Series No. 38 (1994)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the French Republic

extending the European Convention on Mutual Assistance in
Criminal Matters signed at Strasbourg on 20 April 1959 and
the Additional Protocol thereto signed at Strasbourg on
17 March 1978 to Certain French Overseas Territories

London, 18 May 1993 and 25 August 1993

[The Agreement entered into force on 5 July 1994]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 1994*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE FRENCH REPUBLIC EXTENDING THE
EUROPEAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL
MATTERS SIGNED AT STRASBOURG ON 20 APRIL 1959
AND THE ADDITIONAL PROTOCOL THERETO SIGNED AT
STRASBOURG ON 17 MARCH 1978 TO CERTAIN
FRENCH OVERSEAS TERRITORIES**

No. 1

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

*Ambassade de France
Londres,
le 18 mai 1993*

Monsieur le Ministre,

A la suite des entretiens qui se sont déroulés entre les représentants de nos deux pays, j'ai l'honneur, d'ordre de mon Gouvernement, de proposer que l'application de la Convention européenne d'entraide judiciaire en matière pénale du 20 avril 1959 et du Protocole additionnel à cette Convention du 17 mars 1978, soit étendue aux Territoires français d'Outre Mer, de Polynésie française, de Nouvelle Calédonie et de Wallis et Futuna ainsi qu'aux collectivités territoriales de Mayotte et de Saint Pierre et Miquelon.

Les réserves et déclarations faites par le Gouvernement français et le Gouvernement du Royaume-Uni lors de leurs ratifications s'appliquent à cette extension territoriale, sauf en ce qui concerne l'article 7 paragraphe 3 de ladite Convention pour lequel les citations à comparaître destinées à des personnes poursuivies se trouvant sur l'un des Territoires d'Outre Mer ou collectivités territoriales susvisés devront être envoyées aux autorités françaises au moins 50 jours avant la date fixée pour la comparution de ces personnes.

Si cette proposition recueille l'agrément du Gouvernement du Royaume Uni, la présente lettre et votre réponse au nom du Gouvernement du Royaume Uni, dont les versions française et anglaise font également foi, constitueront un accord entre nos deux Gouvernements.

Chacune des Parties notifiera à l'autre l'accomplissement des procédures internes requises en ce qui la concerne pour l'entrée en vigueur du présent échange de lettres qui prendra effet 90 jours après la date de réception de la dernière notification.

Je vous prie d'agréer, Monsieur le Ministre, les assurances de ma très haute considération.

BERNARD DORIN

*The Secretary of State for Foreign and Commonwealth Affairs to the Ambassador
of the French Republic*

*Foreign and Commonwealth Office,
London*

25 August 1993

Note No. 3/93

Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs presents his compliments to His Excellency the French Ambassador and has the honour to acknowledge receipt of Your Excellency's Note of 18 May 1993 which in translation reads:

Following the discussions which have taken place between the representatives of our two countries, and acting upon instructions from my Government, I have the honour to propose that the application of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959,¹ and of the Additional Protocol to that Convention, of 17 March 1978,² be extended to the French Overseas Territories, French Polynesia, New Caledonia and the Wallis and Futuna Islands as well as to the "collectivités territoriales" of Mayotte and Saint Pierre and Miquelon.

The reservations and declarations made by the French Government and the Government of the United Kingdom at the time of ratification apply to this extension of territorial application, except in respect of paragraph 3 Article 7 of the said Convention, for the purposes of which service of summonses on accused persons who are in one of the aforementioned Overseas Territories or "collectivités territoriales" shall be sent to the French authorities not less than 50 days before the date set for the appearance of those persons.

If this proposal meets with the approval of the Government of the United Kingdom, this letter and your reply on behalf of the Government of the United Kingdom, the French and English versions of which being equally authoritative, shall constitute an agreement between our two Governments.

Each of the Parties shall notify the other of the completion of its respective internal procedures required for the entry into force of the present exchange of letters, which shall take effect 90 days after the date of receipt of the last notification.

In reply, I have the honour to confirm that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland and that Your Excellency's Note and the present reply shall constitute an Agreement between our two Governments in this matter which shall enter into force in accordance with the terms set out in Your Excellency's Note.

The Secretary of State avails himself of this opportunity to express to the Ambassador the assurance of his highest consideration.

^{1,2}Treaty Series No. 24 (1992) Cm 1928.

