

259536



Treaty Series No. 8 (1936)

## CONVENTION

between His Majesty in respect of the United Kingdom  
and His Majesty the King of Denmark and Iceland  
in respect of Denmark

Supplementary to the Treaty of March 31, 1873  
regarding

# EXTRADITION

Copenhagen, October 15, 1935

[Ratifications exchanged at London on March 30, 1936]

*Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty*

LONDON

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Cmd. 5172

CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE  
UNITED KINGDOM AND HIS MAJESTY THE KING OF  
DENMARK AND ICELAND IN RESPECT OF DENMARK,  
SUPPLEMENTARY TO THE TREATY OF MARCH 31, 1873,  
REGARDING EXTRADITION.

Copenhagen, October 15, 1935.

[Ratifications exchanged at London on March 30, 1936.]

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as His Majesty the King and Emperor), and His Majesty the King of Denmark and Iceland,

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 :

Commander Henry Fitzhardinge Berkeley Maxse, His  
Chargé d'Affaires *ad interim* in Copenhagen ;

His Majesty the King of Denmark and Iceland :

For Denmark :

His Prime Minister Thorvald August Marinus Stauning,  
Acting Minister for Foreign Affairs ;

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 1 of the Extradition Treaty signed at Copenhagen on the 31st March, 1873, 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.”

HANS Majestæt Kongen af Danmark og Island og Hans Majestæt Kongen af Storbritannien, Irland og de britiske oversøiske Dominions, Kejser af Indien (herefter kaldet Hans Majestæt Kongen og Kejseren),

Har, i det Ønske at træffe yderligere Bestemmelser angaaende den gensidige Udlevering af Forbrydere,

Besluttet at afslutte en Tillægskonvention i dette Øjemed og udnævnt til deres Befuldmægtigede :

Hans Majestæt Kongen af Danmark og Island :

For Danmark :

Sin Statsminister Thorvald August Marinus Stauning, fungerende Udenrigsminister ;

Hans Majestæt Kongen af Storbritannien, Irland og de britiske oversøiske Dominions, Kejser af Indien :

For Storbritannien og Nord-Irland :

Sin Chargé d'Affaires *ad interim* i København, Orlogskap-tajn Henry Fitzhardinge Berkeley Maxse ;

Hvilke, efter at have meddelt hinanden deres Fuldmagter og befundet dem i god og behørig Form, er kommet overens om følgende :

ARTIKEL 1.

Fra det Tidspunkt, da nærværende Konvention træder i Kraft føjes til Artikel 1 i Udleveringstraktaten, undertegnet i København den 31 Marts 1873, følgende Bestemmelse :

“ Udlevering kan ogsaa tilstaaes efter vedkommende høje kontraherende Parts Skøn for hvilkensomhelst anden Forbrydelse eller Lovovertrædelse, for hvilken Udlevering kan ske efter begge de høje kontraherende Parters, paa det paagældende Tidspunkt gældende Lovgivning.”

## ARTICLE 2.

The foregoing amendment shall apply to extradition proceedings between the territory of His Majesty the King of Denmark and Iceland on the one hand, that is to say, Denmark and Danish colonies, and, on the other hand, the following territories of His Majesty the King and Emperor, that is to say, the United 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 31st March, 1873, 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 and Emperor 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 the King and Emperor at Copenhagen. From the date that such notice comes into force the amendment set forth in Article 1 shall apply to extradition proceedings between the territory of His Majesty the King of Denmark and Iceland, on the one hand, and on the other the territory of the Member of the Commonwealth concerned.

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 the King and Emperor 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 31st March, 1873.

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

Done in duplicate in English and Danish at Copenhagen the 15th day of October, 1935.

(L.S.) H. FITZ B. MAXSE.

(L.S.) TH. STAUNING.

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## ARTIKEL 2.

Den foregaaende Tilføjelse skal komme til Anvendelse paa Begæringer om Udlevering mellem paa den ene Side følgende af Hans Majestæt Kongen og Kejserens Lande: Det Forenede Kongerige Storbritannien og Nord-Irland, Kanal-øerne, Øen Man, Newfoundland, de britiske Kolonier, de britiske Protektorater, i hvilke Udleveringstraktaten af 31 Marts 1873 er anvendelig, samt de Mandatomraader, for hvilke den nævnte Traktat er blevet eller vil blive udvidet til at gælde, og som bestyres af Hans Majestæts Regering i Det Forenede Kongerige Storbritannien og Nord-Irland, og paa den anden Side Hans Majestæt Kongen af Danmark og Islands Rige Danmark samt danske Kolonier.

## ARTIKEL 3.

De høje kontraherende Parter er enige om, at Hans Majestæt Kongen og Kejseren kan tiltræde nærværende Konvention, forsaavidt angaar ethvert andet Medlem af Det Britiske Rige, hvis Regering fremsætter Ønske om en saadan Tiltrædelse, ved en af Hans Majestæt Kongen og Kejserens diplomatiske Repræsentant i København i dette Øjemed givet Notifikation. Fra den Dag, da en saadan Notifikation er sket, skal den i Artikel 1 nævnte Tilføjelse være anvendelig ved Udleveringsbegæringer imellem vedkommende Medlem af Det Britiske Riges Landomraade paa den ene Side og Hans Majestæt Kongen af Danmark og Islands Rige paa den anden Side.

En Notifikation, der i Henhold til 1'Stk. i nærværende Artikel gives af et Medlem af Det Britiske Rige, kan omfatte ethvert Omraade, med Hensyn til hvilket Hans Majestæt Kongen og Kejseren har paataget sig Bestyrelsen paa Folkeforbundets Vegne, og som udøves af vedkommende Medlem af Det Britiske Rige (Mandatomraade).

## ARTIKEL 4.

Nærværende Konvention skal ratificeres. Ratifikationerne skal udveksles i London saa snart som muligt.

## ARTIKEL 5.

Nærværende Konvention skal træde i Kraft 3 Maaneder efter, at Udvekslingen af Ratifikationerne har fundet Sted, og skal have samme Varighed som Udleveringstraktaten af 31. Marts 1873.

Til Bekræftelse heraf har de ovennævnte Befuldmægtigede underskrevet nærværende Konvention og forsynet den med deres Segl.

Udfærdiget i 2 Eksemplarer paa Dansk og Engelsk i København den 15. Oktober 1935.

(L.S.) H. FITZ B. MAXSE.

(L.S.) TH. STAUNING.