

AGREEMENT of 25 May 1987 on the application among the Member States of the European Communities of the Council of Europe Convention on transfer of sentenced persons

THE MEMBER STATES OF THE EUROPEAN COMMUNITIES (hereinafter referred to as “the Member States”),

MINDFUL of the close links existing between their peoples.

DESIRING to facilitate the transfer of sentenced persons, to apply in their mutual relations the Convention on the Transfer of Sentenced Persons, which was opened for signature in Strasbourg on 21 March 1983 (hereinafter referred to as “the Convention on Transfer”), to extend the field of application of the Convention and to improve its operation,

HAVE AGREED AS FOLLOWS :

Art. 1. – 1 As between Member States which have ratified the Convention on Transfer, that Convention shall be supplemented by the provisions of this Agreement.

2. As between Member States, at least one of which has not ratified the Convention on Transfer, the provisions of that Convention as supplemented by the provisions of this Agreement shall be applicable.

Art. 2. – For the purpose of applying Article 3(1) (a) of the Convention on Transfer, each Member State shall regard as its own nationals the nationals of another Member State whose transfer is deemed to be appropriate and in the interest of the persons concerned, taking into account their habitual and lawful residence in its territory.

Art. 3. – 1. Declarations made pursuant to the Convention on Transfer shall not apply with respect to the Member States that are party to this Agreement.

2. In its relations with Member States that are party to this Agreement, each Member State may make, renew or alter any declaration provided for by the Convention on Transfer and shall send any such declaration to the Foreign Ministry of Belgium.

Art. 4. – 1. This Agreement shall be open for signature by the Member States. It shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Foreign Ministry of Belgium.

2. This Agreement shall enter into force 90 days after the deposit of the instruments of ratification, acceptance or approval by all the States which are members of the European Communities at the date on which this Agreement is opened for signature.

3. Each State may, when depositing its instrument of ratification, acceptance or approval, or at any later date until the entry into force of this Agreement, declare that this Agreement will apply to it in its relations with other States that have made the same declaration 90 days after the date of deposit.

4. State that has not made such a declaration may apply the Agreement with other contracting States on the basis of bilateral arrangements.

5. The Foreign Ministry of Belgium shall notify all the Member States of any signature, deposit of instruments or declaration.

Art. 5. – 1. This Agreement shall be open for accession by any State which becomes a Member of the European Communities. The instruments of accession shall be deposited with the Foreign Ministry of Belgium.

2. This Agreement shall enter into force for any State acceding thereto 90 days after the deposit of its instrument of accession.

The Foreign Ministry of Belgium shall transmit a certified copy to the Government of each Member State.

AGREEMENT of 26 May 1989 between the Member States of the European Communities on the simplification and modernization of methods of transmitting extradition requests

THE MEMBER STATES OF THE EUROPEAN COMMUNITIES, hereinafter referred to as “the Member States”,