

Fiji Extradition Treaty-Exchange of Notes with the United States

July 14, 1972 and August 17, 1973, Date-Signed

August 17, 1973, Date-In-Force

Extradition: Continued Application to Fiji of the United States-United Kingdom Treaty of December 22, 1931

STATUS:

Agreement effected by exchange of notes Signed at Suva and Washington on July 14, 1972 and August 17, 1973. It Entered into force on August 17, 1973.

The Fijian Prime Minister and Minister for Foreign Affairs to the Secretary of State

PRIME MINISTER

SUVA, FIJI

14th JULY, 1972.

SIR,

I have the honour to refer to the declaration made on 10 October 1970 to the Secretary-General of the United Nations, in which it was stated that the Government of Fiji, conscious of the desirability of maintaining existing legal relationships, and conscious of its obligations under international law to honour its treaty commitments, acknowledged that many treaty rights and obligations of the Government of the United Kingdom in respect of Fiji were succeeded to by Fiji upon independence by virtue of customary international law; but that since it is likely that in virtue of customary international law certain treaties might have lapsed at the date of independence of Fiji it seemed essential that each treaty should be subjected to legal examination; and that it was proposed that after this examination would have been completed, to indicate which, if any, of the treaties which might have lapsed by customary international law the Government of Fiji might wish to treat as having lapsed.

The Government of Fiji has examined the extradition treaty entered into between the United Kingdom and United States of America on 22 December 1931.

I have the honour to inform you that it is the desire of the Government of Fiji that the above treaty should be regarded as in force between our respective countries, and as continuing to regulate extradition arrangements between them pending any new treaty which might be concluded. The Government of Fiji records its understanding that the functions performed by the Governor of Fiji are now performable by the Governor-General.

I have the honour to suggest that your Government's reply in the above sense and this Note should be considered by our respective Governments as constituting an Agreement to that effect.

Reference is made to Circular Note LE 313 of 27 February 1964 in which the Secretary General of the United Nations requested members which were hosts to a major office or regional headquarters of the United Nations to raise the question with countries with which those States had extradition arrangements of extradition of United Nations personnel.

Fiji is host to the office of the Representative for the South Pacific of the World Health Organisation. Pursuant to the above mentioned Circular Note, the Government of Fiji requests your Government when considering the continuation of extradition relations with Fiji to consider also giving assurance that it will not request or take steps to effect the extradition of persons who are in Fiji in response to a United Nations invitation, during a period of time reasonably related to the invitation.

I have the honour to be,

Sir,

Your Obedient Servant

The Secretary of State to the Fijian Prime Minister and Minister for Foreign Affairs

DEPARTMENT OF STATE

WASHINGTON

AUGUST 17, 1973

SIR:

I have the honor to refer to your note of July 14, 1972 in which it is stated that the Government of Fiji desires that the extradition treaty of December 22, 1931 between the United States of

America and the United Kingdom be regarded as in force between the United States and Fiji, and as continuing to regulate extradition arrangements between them pending any new treaty which might be concluded. It is noted that the Government of Fiji records its understanding that the functions performed by the Governor of Fiji are now performable by the Governor-General.

I have the honor to inform you that the Government of the United States of America considers that the above-mentioned treaty continues in force between the United States of America and Fiji and that your note and this reply constitute an agreement to that effect.

The Government of the United States continues to have under consideration the giving of assurance that it will not request or take steps to effect the extradition of persons who are in Fiji in response to a United Nations invitation, during a period of time reasonably related to the invitation.

Accept, Sir, the renewed assurances of my highest consideration.

SIGNATORIES:

K.K.T. Mara

Prime Minister and Minister for Foreign Affairs

THE SECRETARY OF

STATE, United States of

American WILLIAM P.

ROGERS

Secretary of State of the United States of America

The Right Honorable

Ratu Sir KAMISESE K. T. MARA, K. B. E., P. C.,

Prime Minister and Minister for Foreign Affairs of Fiji, Suva.