

Tonga Extradition Treaty-Exchange of Notes with the United States

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

March 14, 1977 and April 13, 1977, Date-Signed

April 13, 1977, Date-In-Force

STATUS:

Agreement effected by exchange of notes Signed at Nuku' Alofa and Wellington on March 14 and April 13, 1977; Entered into force on April 13, 1977.

The Tongan Prime Minister and Minister of Foreign Affairs to the American Ambassador

PRIME MINISTER'S OFFICE, NUKU' ALOFA, 14th MARCH, 1977.

SIR, I have the honour to refer to the declaration made on 18th June 1970 to the Secretary-General of the United Nations, in which it was stated that the Government of Tonga, 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 Kingdom of Tonga, for which the United Kingdom was responsible as the Protecting Power, would be inherited upon withdrawal of that Power's protection, 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 the withdrawal of the aforesaid protection, 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 Tonga might wish to treat as having lapsed.

The Government of Tonga has examined the extradition treaty entered into between the Government of the United Kingdom and the Government of the United States of America signed at London on December 22, 1931 and extended to Tonga on August 1, 1966.

I have the honour to inform you that it is the desire of the Government of Tonga 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. 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. Please accept, Your Excellency, the assurances of my highest consideration.

The American Ambassador to the Tongan Prime Minister and Minister of Foreign Affairs, April 13, 1977

YOUR ROYAL HIGHNESS: I have the honor to refer to Your Royal Highness' letter of March 14, 1977, regarding the continuation in force between the United States of America and the

Kingdom of Tonga of the Extradition Treaty signed by the United States and the United Kingdom on December 22, 1931.

The Government of the United States of America agrees that the above-mentioned treaty shall be considered as continuing in force between our two Governments. Accordingly, your letter and the present note in reply shall constitute the formal agreement between the two Governments in this matter. Accept, Your Royal Highness, the renewed assurances of my highest consideration.

SIGNATORIES:

(H.R.H. Prince Tu'ipelehake) Prime Minister & Minister of Foreign Affairs.

HIS EXCELLENCY THE AMBASSADOR FOR THE UNITED STATES OF AMERICA,

Wellington, New Zealand.

ARMISTEAD I. SELDON JR.

His Royal Highness Prince TU'IPELEHAKE

Prime Minister and Minister of Foreign Affairs Nuku' Alofa, Tonga