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The Ministry of External Affairs of the Republic of Malawi presents its compliments to the Ministry of Foreign Affairs of the Republic of Peru and has the honour to refer to the Treaty between the United Kingdom and Peru for the Mutual Surrender of Fugitives and Criminals, signed at Lima, the 26th January, 1904, which was applied to the former territory of Nyasaland by the provisions of Article XVII and which was inherited by Malawi upon its Independence.

As the Ministry of Foreign Affairs is well aware, the Government of Malawi notified the United Nations on the 24th November, 1964 and subsequently on the 5th January, 1966 that it would continue to be bound by all inherited bilateral treaties, including the aforementioned Treaty, on a reciprocal basis until the 6th January, 1967. After that date all such treaties which have not been agreed as extended between the Government of Malawi and the other Government party to the treaty are considered to have lapsed and terminated.

The Ministry of External Affairs is pleased to state that it is the wish of the Government of Malawi that the aforementioned Treaty for the Mutual Surrender of Fugitive Criminals should not terminate as between Malawi and Peru, and to propose that it should be considered by the two Governments to have continued in force on a reciprocal basis from and beyond the 6th January, 1967, to be interpreted and applied in all respects as if it were originally concluded between the Government of Malawi and Peru, and that it should remain in force until a new agreement on extradition is concluded by the two Governments.

If this proposal is acceptable to the Government of Peru, the Ministry of External Affairs has the honour to suggest that this Note and the reply of the Ministry of Foreign Affairs indicating the acceptance of the Government of Peru should constitute an Agreement between the Governments of Malawi and Peru to continue in force the aforementioned Treaty for the Mutual Surrender of Fugitive Criminals from and beyond the 6th January, 1967 on the basis of the above proposal.

The Ministry of External Affairs of the Republic of Malawi avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Peru the assurance of its highest consideration.

BLANTYRE.

9th August, 1967.

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Nº (A)

El Ministerio de Relaciones Exteriores del Perú saluda muy atentamente al Ministerio de Relaciones Exteriores de Malawi y tiene el agrado de avisarle recibo de su estimable nota Nº 292, de fecha 9 de agosto último, por la que tiene a bien expresar el deseo del Gobierno de su país de continuar aplicando al Tratado de Extradición suscrito entre el Perú y el Reino Unido de la Gran Bretaña e Irlanda del Norte el 26 de enero de 1904, y posteriormente ampliado al territorio que hoy pertenece a Malawi, antes de su independencia.

En respuesta, el Ministerio de Relaciones Exteriores del Perú se complace en comunicar al Ministerio de Relaciones Exteriores de Malawi la aceptación de su propuesta en el sentido de que el Tratado de Extradición de 1904 y su ampliación de 1927 y 1928 continuará en vigencia para los Gobiernos del Perú y de Malawi hasta que un nuevo convenio sobre extradición lo sustituya. Consecuentemente, la presente nota constituye un acuerdo al respecto entre el Gobierno del Perú y el Gobierno de Malawi.

El Ministerio de Relaciones Exteriores del Perú aprovecha la oportunidad para ofrecer al Ministerio de Relaciones Exteriores de Malawi las seguridades de su más distinguida consideración.

Lima, 6 de setiembre de 1967.

Al Ministerio de Relaciones Exteriores  
Blantyre  
MALAWI.