

**MULTILATERAL TREATIES  
DEPOSITED WITH THE  
SECRETARY-GENERAL**

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**Status as at 31 December 1999**

**Volume II  
Part I, Chapters XII to XXVIII, and Part II**



**UNITED NATIONS**

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## **INTRODUCTION**

1. *Multilateral Treaties Deposited with the Secretary-General* comprises two volumes. Volume I contains information related to United Nations multilateral treaties included in part I, chapters I to XI. Volume II contains information related to United Nations multilateral treaties included in part I, chapters XII to XXVIII, and League of Nations multilateral treaties in part II.
2. The present publication continues that entitled *Multilateral Treaties in respect of which the Secretary-General Performs Depositary Functions*, the last issue of which appeared in 1980 (ST/LEG/SER.13) with data up to 31 December 1979. This volume, the seventeenth of the Series *Multilateral Treaties Deposited with the Secretary-General* (ST/LEG/SER.E/ - a supplement to the second volume was issued to cover actions from 1 January to 31 December 1983 under reference ST/LEG/SER.E/2/add.1) consolidates the information (signatures, ratifications, accessions, miscellaneous notifications, reservations, declarations, objections, etc.) relating to all multilateral treaties (500) covered up to 31 December 1999.
2. The previous publication consisted of a main part (comprehensive list of signatures, ratifications, etc.) printed annually, and of an annex entitled *Final Clauses* (ST/LEG/SER.D/1. Annex and *Supplements*) in loose-leaf form providing for each treaty deposited with the Secretary-General the text of formal and participation clauses. The annex was updated by annual supplements as required.
3. The present publication corresponds to the main part of the previous one. Under paragraph 6 of resolution 36/112 adopted by the General Assembly of the United Nations on 10 December 1981, the final clauses of multilateral treaties deposited with the Secretary-General are to be re-issued as part of a new publication entitled *Handbook of Final Clauses*.<sup>1</sup>

### **A. Treaties covered by this publication**

4. Like its predecessors, this publication covers (1) all multilateral treaties the original of which is deposited with the Secretary-General,<sup>2</sup> (2) the Charter of the United Nations, in respect of which certain depositary functions have been conferred upon the Secretary-General (although the original of the Charter itself is deposited with the Government of the United States of America) (3) multilateral treaties formerly deposited with the Secretary-General of the League of Nations, to the extent that formalities or decisions affecting them have been taken within the framework of the United Nations, and (4) certain pre-United Nations treaties, other than those formerly deposited with the Secretary-General of the League of Nations, which were amended by protocols adopted by the General Assembly of the United Nations.
5. Multilateral treaties formerly deposited with the Secretary-General of the League of Nations, by virtue of General Assembly resolution 24 (I) of 12 February 1946 and of a League of Nations Assembly resolution of 18 April 1946<sup>3</sup>, were transferred, upon dissolution of the League of Nations, to the custody of the United Nations. The Secretariat of the United Nations is now responsible for the performance of the functions formerly entrusted to the League of Nations; since those functions are of a *de facto* depositary nature, the treaties concerned have been included in the present publication.

### **B. Division into parts and chapters**

6. The publication follows the order adopted in previous ones. Thus, the material is so arranged into two parts: Part I is devoted to United Nations multilateral treaties and Part II to League of Nations multilateral treaties. For ease of reference, those League of Nations treaties and other pre-United Nations treaties that were amended by protocols adopted by the General Assembly of the United Nations are included in Part I, so that the lists of States which have become parties to the amending protocol and to the treaty as amended are followed immediately by a list showing the status of the treaty as at the time of its transfer to the custody of the United Nations.
7. Part I is divided into chapters related to given themes, and within each chapter the treaties are listed in the chronological order of their conclusion. Part II, which is not divided into chapters, lists the treaties in the order in which they first gave rise to formalities or decisions within the framework of the United Nations.<sup>4</sup>

### **C. Information provided in respect of each treaty**

#### **(a) United Nations treaties**

8. After the full title, particulars are given in respect of each treaty regarding its entry into force and its registration under Article 102 of the Charter. References are also given concerning the publication of the text of the Treaty and its annexes, (as well as that of amendments and adjustments) in the United Nations *Treaty Series* or, if it has not yet been published in the *Treaty Series*, the reference to United Nations documentation where its text may be found. A note below the title briefly recounts how the treaty was adopted.

9. Participants are listed alphabetically, along with the dates of their signature and deposit of their instrument of ratification, accession, etc.<sup>5</sup> The presentation for each treaty reflects the provisions in the final clauses of that treaty regarding methods of participation. The number, as at 31 December, of signatories and parties to each treaty appears at the beginning of each treaty, which number includes the participants which apply the treaty provisionally but does not include those States which have ceased to exist. The name of those participants, date of signature and date of the formality effected thereafter, appears in a footnote. Those participants having denounced the treaty are not included in that count either; their name and the date of the formality effected is placed in brackets and the information regarding the denunciation appears in a footnote as well.

10. The texts of declarations, reservations and objections are normally given in full, either in special sections or in footnotes, after the list of participants. The same applies to communications of a special nature such as declarations recognizing the competence of committees such as the Human Rights Committee or the Committee against Torture and notifications under article 4 (3) of the Covenant on Civil and Political Rights, and also to notifications of territorial application. Related communications, *inter alia*, declarations with respect to objections, appear in footnotes, the corresponding indicator being inserted in the original communication. Unless shown in quotation marks, the text is a translation (by the Secretariat) and unless otherwise indicated the reservations or declarations were made upon accomplishment of the final formality (ratification, accession, etc.).

#### **(b) League of Nations treaties**

11. The information provided is essentially based on the official records of the League of Nations - in particular, on the last official League of Nations publication of the list of signatures, ratifications and accessions in respect of multilateral treaties concluded under the auspices of the League of Nations.<sup>4</sup> This accounts for the difference in format as compared with treaties deposited with the Secretary-General of the United Nations. Due to the need to convert the manuscript into electronic format in keeping with the technological developments undertaken by the United Nations, the presentation of the League of Nations is, largely, similar to the presentation of other instruments deposited with the Secretary General but certain stylistic differences continue.

12. The list of signatures, ratifications, accessions, etc., in respect of each of the League of Nations multilateral treaties covered by this publication is divided into two sections. The first section reflects the position as at the time of the transfer of those treaties to the custody of the United Nations, without implying a judgement by the Secretary-General of the United Nations on the current legal effect of the actions as to which information is provided, or on the status of any of the last official list of the League of Nations. The second section gives a list of actions subsequent to publication in respect of the United Nations multilateral treaties.

13. Detailed explanations concerning the content and arrangement of material in the last official list of the League of Nations are given in the introduction to the publication containing that list. It will be sufficient to note that the procedure of *signature ad referendum* (under which a signature is not considered to have been definitively affixed until it has been confirmed) was somewhat more frequent in League of Nations days.

### **D. Information of a general nature**

14. On the occasion of treaty formalities, issues of a general character (mostly with regard to representation or territorial application) are sometimes raised. An effort has been made to regroup under chapter 1.1 and 2 (where a list of all States members of the United Nations is set out) all such issues as may pertain to the States concerned: thus General Assembly resolution 2758 (XXVI) of 25 October 1971 restoring all rights to the People's Republic of China is reproduced under the first mention of China, on page 3. Similarly, Part I, chapter 1.1 and 2 contains information transmitted by communications from Heads of States or Governments or Ministers for Foreign Affairs informing the Secretary-General of changes in the official denomination of States or territories, etc.. In the case of States that are not members of the United Nations or in the case of intergovernmental organizations, the information appears in notes corresponding to the formalities that gave rise to the issue. Cross-references are provided as required.

15. More detailed information regarding the previous publications is given in the Introduction to *Multilateral Treaties in respect of which the Secretary-General Performs Depositary Functions* (ST/LEG/SER.D/13).

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**Notes:**

<sup>1</sup> For the time being, the texts of the final clauses in multilateral treaties covered by the last volume of *Multilateral Treaties in respect of which the Secretary-General Performs Depositary Functions* (ST/LEG/SER.D/13) will be found in document ST/LEG/SER.D/1 Annex and Supplements I to II.

<sup>2</sup> For reasons of economy and size, and in order to maintain this publication in its present format, it will no longer be possible to include the comprehensive status of superseded commodity agreements herein. For the complete status of the superseded agreements, see *Multilateral Treaties Deposited with the Secretary-General, Status as at 31 December 1994* (ST/LEG/SER.E/13). In addition, for the same reasons as indicated with respect to the commodity agreements, and further to an understanding with the GATT Secretariat, the complete status of the General Agreement on Tariffs and Trade, with Annexes and Schedules of Tariffs Concessions of 30 October 1947, will no longer be published herein. For the last status of that Agreement published in this series, see *Multilateral Treaties Deposited with the Secretary-General, Status as at 31 April 1999* (ST/LEG/SER.E/17).

<sup>3</sup> League of Nations, *Official Journal, Special Supplement No. 194*, p. 57.

<sup>4</sup> The first 26 treaties are listed in the order in which they appear in the last League of Nations publication of signatures, ratifications and accessions: see League of Nations, *Official Journal, Special Supplement No. 193*, Twenty-first List, Geneva, 1944 and *ibid.*, *Special Supplement No. 195*, Supplement to the Twenty-first List, Geneva, 1946.

<sup>5</sup> The following main symbols are used: *a*, accession; *A*, acceptance, *AA*, approval; *c*, formal confirmation; *d*, succession; *P*, participation or consent to be bound; *s*, definitive signature (entailing those rights and obligations provided for in the treaty); *n*, notification (of provisional application, of special undertaking, etc.). Unless otherwise indicated the date of effect is determined by the relevant provisions of the treaty concerned.

***Suggestions for corrections or modifications should be communicated to:***

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**Part I**

**UNITED NATIONS MULTILATERAL TREATIES**

**Chapters XII to XXVIII**



**CHAPTER XII**  
**NAVIGATION**

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**1. CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION**

*Geneva, 6 March 1948*

**ENTRY INTO FORCE:** 17 March 1958, in accordance with article 60.  
**REGISTRATION:** 17 March 1958, No. 4214.  
**STATUS:** Signatories: 24. Parties: 157.  
**TEXT:** United Nations, *Treaty Series*, vol. 289, p. 3, and vol. 1520, p. 297 (procès-verbal of rectification of Spanish authentic text).

*Note:* The Convention was prepared and opened for signature and acceptance by the United Nations Maritime Conference convened by the Secretary-General of the United Nations pursuant to Economic and Social Council resolution 35 (IV) of 28 March 1947.<sup>1</sup> The Conference met at Geneva from 19 February to 6 March 1948. For the text of the Final Act of the Conference, see United Nations, *Treaty Series*, vol. 289, p. 3.

As a result of the entry into force of the amendments adopted by the IMCO Assembly by its resolutions A.358 (IX) of 14 November 1975 and A.371 (X) of 9 November 1977 [rectification of resolution A.358 (IX) (see chapter XII.1(d))], the name of the Intergovernmental Maritime Consultative Organization (IMCO) has been changed to "International Maritime Organization (IMO)" and the title of the Convention modified accordingly.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>
Albania . . . . .		24 May 1993 A	Czech Republic . . . . .		18 Jun 1993 A
Algeria . . . . .		31 Oct 1963 A	Democratic People's Republic of Korea		16 Apr 1986 A
Angola . . . . .		6 Jun 1977 A	Democratic Republic of the Congo . . . . .		16 Aug 1973 A
Antigua and Barbuda . . . . .		13 Jan 1986 A	Denmark . . . . .		3 Jun 1959 A
Argentina . . . . .	6 Mar 1948	18 Jun 1953 A	Djibouti . . . . .		20 Feb 1979 A
Australia . . . . .	6 Mar 1948	13 Feb 1952 A	Dominica . . . . .		18 Dec 1979 A
Austria . . . . .		2 Apr 1975 A	Dominican Republic . . . . .		25 Aug 1953 A
Azerbaijan . . . . .		15 May 1995 A	Ecuador . . . . .		12 Jul 1956 A
Bahamas . . . . .		22 Jul 1976 A	Egypt . . . . .	6 Mar 1948	17 Mar 1958 A
Bahrain . . . . .		22 Sep 1976 A	El Salvador . . . . .		12 Feb 1981 A
Bangladesh . . . . .		27 May 1976 A	Equatorial Guinea . . . . .		6 Sep 1972 A
Barbados . . . . .		7 Jan 1970 A	Eritrea . . . . .		31 Aug 1993 A
Belgium . . . . .	6 Mar 1948	9 Aug 1951 A	Estonia . . . . .		31 Jan 1992 A
Belize . . . . .		13 Sep 1990 A	Ethiopia . . . . .		3 Jul 1975 A
Benin . . . . .		19 Mar 1980 A	Fiji . . . . .		14 Mar 1983 A
Bolivia . . . . .		6 Jul 1987 A	Finland . . . . .	6 Mar 1948	21 Apr 1959 A
Bosnia and Herzegovina . . . . .		16 Jul 1993 A	France . . . . .	6 Mar 1948	9 Apr 1952 A
Brazil . . . . .		4 Mar 1963 A	Gabon . . . . .		1 Apr 1976 A
Brunei Darussalam . . . . .		31 Dec 1984 A	Gambia . . . . .		11 Jan 1979 A
Bulgaria . . . . .		5 Apr 1960 A	Georgia <sup>4,5</sup> . . . . .		22 Jun 1993 A
Cambodia . . . . .		3 Jan 1961 A	Germany <sup>4,5</sup> . . . . .		7 Jan 1959 s
Cameroon . . . . .		1 May 1961 A	Ghana . . . . .		6 Jul 1959 A
Canada . . . . .		15 Oct 1948 A	Greece . . . . .	6 Mar 1948	31 Dec 1958 A
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Chile . . . . .	6 Mar 1948	17 Feb 1972 A	Guatemala . . . . .		16 Mar 1983 A
China <sup>3</sup> . . . . .		1 Mar 1973 A	Guinea . . . . .		3 Dec 1975 A
Colombia . . . . .	6 Mar 1948	19 Nov 1974 A	Guinea-Bissau . . . . .		6 Dec 1977 A
Congo . . . . .		5 Sep 1975 A	Guyana . . . . .		13 May 1980 A
Costa Rica . . . . .		4 Mar 1981 A	Haiti . . . . .		23 Jun 1953 A
Côte d'Ivoire . . . . .		4 Nov 1960 A	Honduras . . . . .	13 Apr 1954	23 Aug 1954 A
Croatia . . . . .		8 Jul 1992 A	Hungary . . . . .		10 Jun 1970 A
Cuba . . . . .		6 Mar 1966 A	Iceland . . . . .		8 Nov 1960 A
Cyprus . . . . .		21 Nov 1973 A			

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>
India .....	6 Mar 1948	6 Jan 1959 A	Qatar .....		19 May 1977 A
Indonesia <sup>6</sup> .....		18 Jan 1961 A	Republic of Korea <sup>7</sup> ...		10 Apr 1962 A
Iran (Islamic Republic of) .....	10 Jun 1954	2 Jan 1958 A	Romania .....		28 Apr 1965 A
Iraq .....		28 Aug 1973 A	Russian Federation ...		24 Dec 1958 A
Ireland .....	6 Mar 1948	26 Feb 1951 A	Saint Lucia .....		10 Apr 1980 A
Israel .....		24 Apr 1952 A	Saint Vincent and the Grenadines .....		29 Apr 1981 A
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Jamaica .....		11 May 1976 A	Sao Tome and Principe		9 Jul 1990 A
Japan .....		17 Mar 1958 A	Saudi Arabia .....		25 Feb 1969 A
Jordan .....		9 Nov 1973 A	Senegal .....		7 Nov 1960 A
Kazakhstan .....		11 Mar 1994 A	Seychelles .....		13 Jun 1978 A
Kenya .....		22 Aug 1973 A	Sierra Leone .....		14 Mar 1973 A
Kuwait <sup>7</sup> .....		5 Jul 1960 A	Singapore .....		17 Jan 1966 A
Latvia .....		1 Mar 1993 A	Slovakia .....		24 Mar 1993 A
Lebanon .....	6 Mar 1948	3 May 1966 A	Slovenia .....		10 Feb 1993 A
Liberia .....	9 Mar 1954	6 Jan 1959 A	Solomon Islands .....		27 Jun 1988 A
Libyan Arab Jamahiriya .....		16 Feb 1970 A	Somalia .....		4 Apr 1978 A
Lithuania .....		7 Dec 1995 A	South Africa .....		28 Feb 1995 A
Luxembourg .....		14 Feb 1991 A	Spain .....		23 Jan 1962 A
Madagascar .....		8 Mar 1961 A	Sri Lanka .....		6 Apr 1972 A
Malawi .....		19 Jan 1989 A	Sudan .....		5 Jul 1974 A
Malaysia .....		17 Jun 1971 A	Suriname .....		14 Oct 1976 A
Maldives .....		31 May 1967 A	Sweden .....		27 Apr 1959 A
Malta .....		22 Jun 1966 s	Switzerland .....	6 Mar 1948	20 Jul 1955 A
Marshall Islands .....		26 Mar 1998 A	Syrian Arab Republic		28 Jan 1963 A
Mauritania .....		8 May 1961 A	Thailand .....		20 Sep 1973 A
Mauritius .....		18 May 1978 A	the former Yugoslav Republic of Macedonia .....		13 Oct 1993 A
Mexico .....		21 Sep 1954 A	Togo .....		20 Jun 1983 A
Monaco .....		22 Dec 1989 A	Trinidad and Tobago ..		27 Apr 1965 A
Mongolia .....		11 Dec 1996 A	Tunisia .....		23 May 1963 A
Morocco .....		30 Jul 1962 A	Turkey .....	6 Mar 1948	25 Mar 1958 A
Mozambique .....		17 Jan 1979 A	Turkmenistan .....		26 Aug 1993 A
Myanmar .....		6 Jul 1951 A	Ukraine .....		28 Mar 1994 A
Namibia .....		27 Oct 1994 A	United Arab Emirates		4 Mar 1980 A
Nepal .....		31 Jan 1979 A	United Kingdom of Great Britain and Northern Ireland ..	6 Mar 1948	14 Feb 1949 A
Netherlands .....	6 Mar 1948	31 Mar 1949 A	United Republic of Tanzania .....		8 Jan 1974 A
New Zealand .....		9 Nov 1960 A	United States of America .....	6 Mar 1948	17 Aug 1950 A
Nicaragua .....		17 Mar 1982 A	Uruguay .....		10 May 1968 s
Nigeria .....		15 Mar 1962 A	Vanuatu .....	15 Oct 1986	21 Oct 1986 A
Norway .....		29 Dec 1958 A	Venezuela .....		27 Oct 1975 A
Oman .....		30 Jan 1974 A	Viet Nam .....		12 Jun 1984 A
Pakistan .....		21 Nov 1958 A	Yemen <sup>8</sup> .....		14 Mar 1979 A
Panama .....		31 Dec 1958 A	Yugoslavia .....		12 Feb 1960 A
Papua New Guinea ...		6 May 1976 A			
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Peru .....		15 Apr 1968 A			
Philippines .....		9 Nov 1964 A			
Poland .....	6 Mar 1948	16 Mar 1960 A			
Portugal .....	6 Mar 1948	17 Mar 1976 A			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon definitive signature or acceptance.)

**BAHRAIN<sup>9</sup>**

"The acceptance of the Convention on the Inter-Governmental Maritime Consultative Organization by the State of Bahrain shall, however, in no way signify recognition of, or entry into any relations with Israel".

**CAMBODIA<sup>10</sup>**

In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, the Royal Government of Cambodia declares that the measures it has adopted or may adopt forgiving encouragement or assistance to its national

shipping and shipping industries (such, for instance, as loan-financing of national shipping companies at reasonable or even concessional rates of interest, or the allocation to Cambodian ships of cargoes owned or controlled by the Royal Government, or the reservation of coastal trade for national shipping) and such other matters as it may adopt with the object of promoting the development of its own national shipping, are consistent with the purposes of the Inter-Governmental Maritime Consultative Organization as defined in article 1 (b) of the Convention.

Accordingly, the Royal Government will proceed to a re-examination, before they are put into effect, of any recommendations relating to this subject that may be adopted by the Organization.

The Royal Government further declares that its acceptance of the above-mentioned Convention neither has nor shall have the effect of altering or modifying in any way the law in force in the territory of the Kingdom of Cambodia.

#### CUBA

In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, the Revolutionary Government of the Republic of Cuba declares that its current legislation, which is duly adapted to the encouragement and development of its Merchant Marine, is consistent with the General purposes of the Inter-Governmental Maritime Consultative Organization as defined in article 1 (b) of the Convention. Accordingly, any recommendations relating to this subject that may be adopted by the Organization will be re-examined by the Government of Cuba in the light of the national policy in this regard.

#### DENMARK

"The Government of Denmark supports the work programme adopted during the first Assembly of the Organization in January 1959 and holds the view that it is in the field of technical and nautical matters that the Organization can make its contribution towards the development of shipping and seaborne trade throughout the world.

"If the Organization were to extend its activities to matters of purely commercial or economic nature, a situation might arise where the Government of Denmark would have to consider resorting to the provisions regarding withdrawal contained in article 59 of the Convention."

#### ECUADOR

The Government of Ecuador declares that the protectionist measures adopted in the interests of its National Merchant Marine and the Merchant Fleet of Greater Colombia (Flota Mercante Grancolombiana), the vessels belonging to which are regarded as ecuadorian by reason of the participation of the Government of Ecuador in the said Fleet, are measures the sole object of which is to promote the development of the National Merchant Marine and of the Merchant Fleet of Greater Colombia and are consistent with the purposes of the Inter-Governmental Maritime Organization, as defined in article 1 (b) of the Convention. Accordingly, any recommendations relating to this subject that may be adopted by the Organization will be re-examined by the Government of Ecuador.

#### FINLAND

"The Government of Finland support the work programme proposed by the Preparatory Committee of the Organization in document IMCO/A.1/11. The Government of Finland hold the view that it is in the field of technical and nautical matters that

the Organization can make its contribution towards the development of shipping and seaborne trade throughout the world.

"If the Organization were to extend its activities to matters of a purely commercial or economic nature, a situation might arise where the Government of Finland would have to consider resorting to the provisions regarding withdrawal contained in article 59 of the Convention."

#### GREECE

"Greece, in re-confirming its acceptance, considers that the aforesaid Organization can play a useful and important role in the field of technical and nautical matters, thus contributing to the development of shipping and seaborne trade throughout the world. In case the Organization extends its activities to matters of commercial and economic nature, the Greek Government may find itself bound to reconsider its acceptance of the Convention and avail itself of its provisions concerning withdrawal as laid down in article 59."

#### ICELAND

"Iceland will reconsider its ratification, if it subsequently were decided to extend IMCO's competence so as also to deal with questions of an entirely financial or commercial nature.

"Great stress is laid by Iceland on the real validity of article 59 of the Convention, regarding withdrawal."

#### INDIA<sup>11</sup>

"In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, the Government of India declare that any measures which it adopts or may have adopted for giving encouragement and assistance to its national shipping and shipping industries (such, for instance, as loan-financing of national shipping companies at reasonable or even concessional rates of interest, or the allocation of Government-owned or Government-controlled cargoes to national ships or the reservation of the coastal trade for national shipping) and such other matters as the Government of India may adopt, the sole object of which is to promote the development of its own national shipping, are consistent with the purposes of the Inter-Governmental Maritime Consultative Organization as defined in article 1 (b) of the Convention. Accordingly, any recommendations relating to this subject that may be adopted by the Organization will be subject to re-examination by the Government of India. The Government of India further expressly state that its acceptance of the above-mentioned Convention neither has nor shall have the effect of altering or modifying in any way the law on the subject in force in the territories of the Republic of India."

#### INDONESIA<sup>12</sup>

"In accepting the Convention, the Government of the Republic of Indonesia declares that it is in the field of technical and nautical matters that the Organization can make its contribution towards the development of shipping and seaborne trade throughout the world.

"On matters of a purely commercial or economic nature, the Government holds the view that assistance and encouragement to its national shipping industries for the development of its domestic and foreign trade and for purposes of security, are consistent with the purposes of the Organization as defined in article 1 (b) of the Convention.

"Accordingly, the acceptance shall never have the effect of altering or modifying in any recommendation relating to this subject adopted by the Organization will be subject to re-examination by the Government of the Republic of Indonesia."

### **IRAQ<sup>13</sup>**

The participation of the Republic of Iraq in this Convention shall, however, in no way signify recognition of, or entry into any relations with Israel.

The Republic of Iraq hereby declares that article 1 (b) of the Convention is not in conflict with the measures taken by it to encourage and assist national shipping companies, such as the granting of financial loans, the assignment of cargo vessels flying its flag to carry specific goods and the assignment of commercial vessels, or any other measures aimed at the development and growth of the national fleet or national shipping.

### **MALAYSIA<sup>14</sup>**

"In accepting the Convention of the Inter-Governmental Maritime Consultative Organization, the Government of Malaysia declares that any measures which she may adopt for giving encouragement or assistance to her national shipping industries (for instance, such as loan financing of national shipping companies at reasonable or even concessional rates of interest or the allocation to Malaysian cargo ships owned or controlled by the Malaysian Government, or the reservation of coastal trade for national shipping) and such other matter as she may adopt with the object of promoting the development of her own national shipping, are consistent with the purposes of the Inter-Governmental Maritime Consultative Organization as defined in article 1 (b) of the Convention. Accordingly any recommendations relating to this subject that may be adopted by the Organization will be re-examined by the Government of Malaysia. The Government of Malaysia further expressly states that her acceptance of the above-mentioned Convention neither has nor shall have the effect of altering or modifying in any way the law on the subject in force in Malaysia."

### **MEXICO**

The Government of the United States of Mexico, in accepting the Convention on the Inter-Governmental Maritime Consultative Organization, on the understanding that nothing in the said Convention is intended to change national legislation relating to restrictive business practices, expressly states that its acceptance of the above-mentioned international instrument neither has nor shall have the effect of altering or modifying in any way the application of the laws against monopolies in the territory of the Republic of Mexico.

### **MOROCCO**

In joining the Inter-Governmental Maritime Consultative Organization, the Government of the Kingdom of Morocco wishes to declare that it is not in agreement with a possible broadening of the scope of the activities of this Organization from the purely technical and nautical activities into the field of matters of an economic and commercial nature as stated in article 1 (b) and (c) of the Convention for the Establishment of the Inter-Governmental Maritime Consultative Organization. If such a broadening of the field of activities of the Organization were to take place, the Government of the Kingdom of Morocco reserves the right to reconsider its position concerning the ensuing situation, and might be led to invoke the provisions of article 59 of the Convention, regarding the withdrawal of members from the Organization.

### **NORWAY**

"The Norwegian Government supports the work programme proposed by the Preparatory Committee of the Organization in document IMCO/A.1/11. The Norwegian Government

holds the view that it is in the field of technical and nautical matters that the Organization can make its contribution towards the development of shipping and seaborne trade throughout the world.

"If the Organization were to extend its activities to matters of a purely commercial or economic nature, a situation might arise where the Norwegian Government would have to consider resorting to the provisions regarding withdrawal contained in article 59 of the Convention."

### **POLAND**

"In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, signed at Geneva on 6 March 1948, the Government of the Polish People's Republic declares that it supports the work programme of the Organization, approved by the Assembly at its First Session held in January 1959.

"The Government of the Polish People's Republic holds the view that it is in the field of technical and nautical matters that the Organization shall make its contribution towards the development of shipping and seaborne trade throughout the world."

### **SPAIN**

The Inter-Governmental Maritime Consultative Organization may not extend its activities to economic or commercial questions but must limit itself to questions of a technical character.

### **SRI LANKA<sup>16</sup>**

In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, as amended, the Government of Ceylon declares that any measures which it adopts or may have adopted for giving encouragement and assistance to its national shipping and shipping industries (such, for instance, as loan-financing of national shipping companies at reasonable or even concessional rates of interest, or the allocation of Government-owned or Government-controlled cargoes to national ships or the reservation of the coastal trade for national shipping) and such other matters as the Government of Ceylon may adopt, the sole object of which is to promote the development of its own national shipping, are consistent with the purposes of the Inter-Governmental Maritime Consultative Organization as defined in article 1 (b) of the Convention. Accordingly, any recommendations relating to this subject that may be adopted by the Organization will be subject to re-examination by the Government of Ceylon. The Government of Ceylon further expressly states that its acceptance of the above-mentioned Convention neither has nor shall have the effect of altering or modifying in any way the law on the subject in force in Ceylon.

### **SWEDEN**

"In accepting the Convention on the Inter-Governmental Maritime Consultative Organization, the Government of Sweden declares that it supports the work programme of the Organization as per document A.1/11 and its corrigendum 1, decided upon by the first meeting of the Assembly of the Organization in January 1959.

"The Government of Sweden holds the view that it is in the field of technical and nautical matters that the Organization can make its contribution towards the development of shipping and seaborne trade throughout the world.

"If the Organization were to extend its activities to matters of a purely commercial or economic nature, a situation might arise in which the Government of Sweden would have to consider resorting to the provisions regarding withdrawal contained in article 59 of the Convention."

## SWITZERLAND

In depositing its instrument of ratification of the Convention on the Inter-Governmental Maritime Consultative Organization (IMCO), Switzerland makes the general reservation that its participation in the work of IMCO, more particularly as regards that organizations relations with the United Nations, cannot exceed the bounds implicit in Switzerland's status as a perpetually neutral State. In conformity with this general reservation, Switzerland wishes to make a particular reservation both in respect of the text of article VI as incorporated in the Agreement, at present in draft form, between IMCO and the United Nations, and in respect of any similar clause which may replace or supplement that provision in the said agreement or in any other arrangement.

## TURKEY

"[Participation by Turkey] will in no way have any effect on the provisions of the Turkish laws concerning cabotage and monopoly."

## UNITED ARAB EMIRATES<sup>9</sup>

"The Government of the United Arab Emirates takes the view that its acceptance of the said Convention and amendments does not in any way imply its recognition of Israel, nor does it oblige to apply the provisions of the Convention and amendments in respect of the said Country.

"The Government of the United Arab Emirates wishes further to indicate that its understanding described above is in conformity with General practice existing in United Arab Emirates regarding signature, ratification, or acceptance to a Convention which a country not recognized by United Arab Emirates is a party."

## UNITED STATES OF AMERICA<sup>17</sup>

"It being understood that nothing in the Convention on the Inter-Governmental Maritime Consultative Organization is in-

tended to alter domestic legislation with respect to restrictive business practices, it is hereby declared that ratification of that Convention by the Government of the United States of America does not and will not have the effect of altering or modifying in any way the application of the anti-trust statutes of the United States of America."

## VIET NAM

In accepting the Convention on the International Maritime Organization, the Socialist Republic of Vietnam states to support the purposes of the said Organization as defined in article 1 of the Convention. On the basis of state sovereignty and proceeding from its foreign Policy of peace, friendship, co-operation, the Socialist Republic of Vietnam will take into consideration the recommendations relating to the subject as provided in article 1 (b) of the Convention and relating amendments which may arise.

## YUGOSLAVIA

"In joining the Inter-Governmental Maritime Consultative Organization, the Government of the Federal People's Republic of Yugoslavia wishes to declare that it is not in agreement with a possible broadening of the scope of the activities of this Organization from the purely technical and nautical activities into the field of matters of an economic and commercial nature as stated in Article 1, sections under (b) and (c) of the Convention for the establishment of the Inter-Governmental Maritime Consultative Organization. If such a broadening of the field of activities of the Organization were to take place the Government of the Federal People's Republic of Yugoslavia reserves the right to reconsider its position concerning the ensuing situation.

"At the same time, the Government of the Federal People's Republic of Yugoslavia declares its readiness to fulfil all its obligations toward the Organization, as stated in the instrument of ratification."

### *Participation of Territories in the Convention (article 58)*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Netherlands <sup>15</sup>	3 Oct 1949	Indonesia, Surinam and the Netherlands Antilles. [By a further notification received on 12 July 1951, notice was given that the participation Netherlands in this Convention, from 27 December 1949, no longer includes the territories under the jurisdiction of the Republic of Indonesia but includes Surinam, the Netherlands Antilles (formerly the Netherlands West Indies) and Netherlands New Guinea]
United Kingdom <sup>18,19,20</sup>	19 Jan 1960 2 Oct 1961 7 Jun 1967	Federation of Nigeria Sarawak and North Borneo Hong Kong

### *Associate Membership in the Organization (article 9)*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Associate Members</i>
Portugal <sup>21</sup>	2 Feb 1990	Macau
United Kingdom <sup>18,19,20</sup>	19 Jan 1960 2 Oct 1961 7 Jun 1967	Federation of Nigeria Joint associate membership of Sarawak and North Borneo Hong Kong

**1. a) Amendments to articles 17 and 18 of the Convention on the International Maritime Organization**

*London, 15 September 1964*

**ENTRY INTO FORCE:** 6 October 1967, in accordance with article 52 of the Convention, for all Members of the Organization.  
**REGISTRATION:** 6 October 1967, No. 4214.  
**STATUS:** Parties: 90.  
**TEXT:** United Nations, *Treaty Series*, vol. 607, p. 276.

*Note:* See "Note:" at beginning of chapter XII. I.

The amendments were adopted by the Assembly of the Organization by resolution A.69 (ES.II) of 15 September 1964.

Pursuant to article 54 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to articles 17 and 18 of the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

In accordance with article 52 of the Convention, the Assembly of the International Maritime Consultative Organization determined that these amendments were of such a nature that any Member which hereafter declares that it did not accept such amendments and within a period of twelve months after they had come into force would, upon the expiration of this period, cease to be a Party to the Convention.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania .....	24 May 1993 A	Kenya .....	22 Aug 1973 A
Algeria .....	3 Nov 1967 A	Kuwait .....	6 Sep 1966 A
Antigua and Barbuda .....	13 Jan 1986 A	Latvia .....	1 Mar 1993 A
Argentina .....	5 Oct 1966 A	Lebanon .....	20 Feb 1967 A
Australia .....	15 Feb 1965 A	Lithuania.....	7 Dec 1995 A
Azerbaijan.....	15 May 1995 A	Luxembourg .....	14 Feb 1991 A
Belgium .....	26 Jul 1965 A	Madagascar.....	25 Feb 1965 A
Belize .....	13 Sep 1990 A	Malta.....	8 Sep 1966 A
Benin.....	19 Mar 1980 A	Marshall Islands.....	26 Mar 1998 A
Bosnia and Herzegovina.....	16 Jul 1993 A	Mauritania .....	4 Nov 1966 A
Brazil .....	30 Dec 1966 A	Mexico .....	16 Oct 1967 A
Bulgaria .....	3 Oct 1966 A	Mongolia .....	11 Dec 1996 A
Cambodia .....	22 Aug 1966 A	Morocco .....	7 Oct 1965 A
Canada .....	15 Feb 1965 A	Myanmar .....	6 Oct 1966 A
China <sup>22</sup> .....		Namibia .....	27 Oct 1994 A
Costa Rica.....	4 Mar 1981 A	Netherlands.....	4 Oct 1965 A
Côte d'Ivoire.....	4 Oct 1965 A	New Zealand.....	26 Nov 1965 A
Croatia .....	8 Jul 1992 A	Nigeria .....	11 Dec 1967 A
Czech Republic.....	18 Jun 1993 A	Norway.....	13 Sep 1965 A
Democratic People's Republic of Korea.....	16 Apr 1986 A	Pakistan .....	18 Jun 1965 A
Democratic Republic of the Congo .....	16 Aug 1973 A	Panama .....	2 Aug 1966 A
Denmark .....	14 Jul 1965 A	Papua New Guinea.....	6 May 1976 A
Dominican Republic.....	11 Jul 1966 A	Paraguay .....	15 Mar 1993 A
Ecuador.....	18 Aug 1965 A	Philippines .....	2 Nov 1966 A
Egypt.....	18 Mar 1966 A	Poland.....	9 Jul 1965 A
Eritrea .....	31 Aug 1993 A	Republic of Korea .....	5 May 1965 A
Estonia .....	31 Jan 1992 A	Romania .....	3 Aug 1966 A
Finland .....	20 Jan 1967 A	Russian Federation.....	20 Dec 1965 A
France .....	21 Apr 1965 A	Samoa .....	25 Oct 1996 A
Georgia.....	22 Jun 1993 A	Sao Tome and Principe.....	9 Jul 1990 A
Germany <sup>4,5</sup> .....	7 Oct 1965 A	Senegal.....	6 Oct 1966 A
Ghana .....	17 May 1965 A	Sierra Leone .....	14 Mar 1973 A
Greece.....	3 Dec 1965 A	Singapore .....	18 Feb 1966 A
Grenada.....	3 Dec 1998 A	Slovakia .....	24 Mar 1993 A
Iceland .....	14 Sep 1965 A	Slovenia .....	10 Feb 1993 A
India .....	17 Mar 1965 A	Solomon Islands.....	27 Jun 1988 A
Indonesia.....	21 Oct 1966 A	South Africa .....	28 Feb 1995 A
Iran (Islamic Republic of) .....	15 Jun 1966 A	Spain.....	28 Jun 1965 A
Ireland.....	14 Jun 1965 A	Sudan .....	5 Jul 1974 A
Israel.....	9 Feb 1967 A	Sweden.....	13 Sep 1965 A
Kazakhstan .....	11 Mar 1994 A	Switzerland.....	13 Jan 1967 A



<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
the former Yugoslav Republic of Macedonia .....	13 Oct 1993 A
Trinidad and Tobago .....	5 Dec 1966 A
Tunisia .....	8 Apr 1966 A
Turkmenistan .....	26 Aug 1993 A
Ukraine .....	28 Mar 1994 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
United Kingdom of Great Britain and Northern Ireland .....	15 Feb 1965 A
United States of America .....	25 Jul 1966 A
Vanuatu .....	21 Oct 1986 A
Yugoslavia .....	11 Mar 1966 A

**1. b) Amendment to article 28 of the Convention on the International Maritime Organization**

*London, 28 September 1965*

**ENTRY INTO FORCE:** 3 November 1968, in accordance with article 52 of the Convention, for all Members of the Organization.  
**REGISTRATION:** 3 November 1968. No. 4214.  
**STATUS:** Parties: 85.  
**TEXT:** United Nations, *Treaty Series*, vol. 649, p. 335.

*Note:* See "Note:" at beginning of chapter XII.1.

The amendment was adopted by the Assembly of the Organization by resolution A.70 (IV) of 28 September 1965.

Pursuant to article 54 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendment to article 28 of the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

In accordance with article 52 of the Convention, the Assembly of the International Maritime Consultative Organization determined that these amendments were of such a nature that any Member which hereafter declares that it did not accept such amendments and within a period of twelve months after they had come into force would, upon the expiration of this period, cease to be a Party to the Convention.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania	24 May 1993 A	Lithuania	7 Dec 1995 A
Algeria	3 Nov 1967 A	Luxembourg	14 Feb 1991 A
Antigua and Barbuda	13 Jan 1986 A	Madagascar	27 Jan 1966 A
Argentina	5 Oct 1966 A	Maldives	22 Apr 1968 A
Australia	23 Jun 1966 A	Malta	8 Sep 1966 A
Azerbaijan	15 May 1995 A	Marshall Islands	26 Mar 1998 A
Belgium	6 Jun 1966 A	Mexico	16 Oct 1967 A
Belize	13 Sep 1990 A	Mongolia	11 Dec 1996 A
Benin	19 Mar 1980 A	Morocco	27 Jan 1966 A
Bosnia and Herzegovina	16 Jul 1993 A	Namibia	27 Oct 1994 A
Brazil	30 Dec 1966 A	Netherlands	15 May 1967 A
Bulgaria	3 Oct 1966 A	New Zealand	29 Jul 1968 A
Canada	29 Apr 1966 A	Nigeria	11 Dec 1967 A
China <sup>22</sup>		Norway	23 May 1966 A
Costa Rica	4 Mar 1981 A	Pakistan	5 Jul 1966 A
Côte d'Ivoire	20 Mar 1967 A	Panama	2 Aug 1966 A
Croatia	8 Jul 1992 A	Papua New Guinea	6 May 1976 A
Cuba	9 Feb 1973 A	Paraguay	15 Mar 1993 A
Czech Republic	18 Jun 1993 A	Philippines	2 Nov 1966 A
Democratic People's Republic of Korea	16 Apr 1986 A	Poland	19 Aug 1966 A
Democratic Republic of the Congo	16 Aug 1973 A	Republic of Korea	10 Jan 1967 A
Denmark	15 Nov 1966 A	Romania	27 Jul 1967 A
Egypt	15 Feb 1967 A	Russian Federation	7 Mar 1966 A
Eritrea	31 Aug 1993 A	Samoa	25 Oct 19 <sup>9</sup> A
Estonia	31 Jan 1992 A	Sao Tome and Principe	9 Jul 1990 A
Finland	20 Jan 1967 A	Sierra Leone	14 Mar 1973 A
France	14 Mar 1966 A	Singapore	18 Feb 1966 A
Georgia	22 Jun 1993 A	Slovakia	24 Mar 1993 A
Germany <sup>4,5</sup>	22 Jul 1966 A	Slovenia	10 Feb 1993 A
Ghana	21 Nov 1966 A	Solomon Islands	27 Jun 1988 A
Grenada	3 Dec 1998 A	South Africa	28 Feb 1995 A
Iceland	13 Mar 1967 A	Spain	9 May 1966 A
India	13 Oct 1966 A	Sudan	5 Jul 1974 A
Iran (Islamic Republic of)	1 Jul 1968 A	Sweden	26 Jul 1966 A
Ireland	23 Jun 1966 A	Switzerland	13 Jan 1967 A
Israel	9 Feb 1967 A	the former Yugoslav Republic of Mace-	
Kazakhstan	11 Mar 1994 A	donia	13 Oct 1993 A
Kenya	22 Aug 1973 A	Trinidad and Tobago	20 Apr 1967 A
Kuwait	6 Sep 1966 A	Tunisia	23 Feb 1966 A
Latvia	1 Mar 1993 A	Turkey	9 Jun 1967 A
Lebanon	20 Feb 1967 A	Turkmenistan	26 Aug 1993 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Ukraine .....	28 Mar 1994 A
United Kingdom of Great Britain and Northern Ireland .....	23 May 1966 A
United States of America.....	1 Feb 1968 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Vanuatu .....	21 Oct 1986 A
Yugoslavia.....	28 Nov 1966 A

**1. c) Amendments to articles 10, 16, 17, 18, 20, 28, 31 and 32 of the Convention on the International Maritime Organization**

*London, 17 October 1974*

**ENTRY INTO FORCE:** 1 April 1978, in accordance with article 52 of the Convention, for all Members of the Organization.  
**REGISTRATION:** 1 April 1978, No. 4214.  
**STATUS:** Parties: 116.  
**TEXT:** United Nations, *Treaty Series*, vol. 1080, p. 375.

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.315 (ES.V) of 17 October 1974.

Pursuant to article 54 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to articles 10, 16, 17, 18, 20, 28, 31 et 32 of the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

In accordance with article 52 of the Convention, the Assembly of the International Maritime Consultative Organization determined that these amendments were of such a nature that any Member which hereafter declares that it did not accept such amendments and within a period of twelve months after they had come into force would, upon the expiration of this period, cease to be a Party to the Convention.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania	24 May 1993 A	Guinea	1 Apr 1977 A
Algeria	8 Mar 1976 A	Guinea-Bissau	6 Dec 1977 A
Angola	6 Jun 1977 A	Hungary	30 Dec 1976 A
Antigua and Barbuda	13 Jan 1986 A	Iceland	13 May 1976 A
Argentina	8 Oct 1979 A	India	16 Jan 1976 A
Austria	1 Mar 1977 A	Indonesia	23 Nov 1976 A
Azerbaijan	15 May 1995 A	Iran (Islamic Republic of)	8 Jul 1975 A
Bahamas	31 Jan 1977 A	Iraq <sup>25</sup>	11 Mar 1976 A
Bahrain <sup>8</sup>	22 Sep 1976 A	Ireland	6 Nov 1978 A
Barbados	30 Jun 1975 A	Israel	8 Sep 1976 A
Belgium	6 Jul 1976 A	Italy	13 May 1976 A
Belize	13 Sep 1990 A	Jordan	5 Apr 1977 A
Bosnia and Herzegovina	16 Jul 1993 A	Kazakhstan	11 Mar 1994 A
Brazil	30 Jul 1976 A	Latvia	1 Mar 1993 A
Bulgaria	16 Apr 1975 A	Liberia	8 Sep 1975 A
Cameroon	1 Nov 1976 A	Libyan Arab Jamahiriya	30 Jul 1976 A
Canada	16 Jul 1975 A	Lithuania	7 Dec 1995 A
Cape Verde	24 Aug 1976 A	Luxembourg	14 Feb 1991 A
Chile	11 Feb 1976 A	Madagascar	29 Dec 1975 A
China	28 Apr 1975 A	Maldives	21 Jul 1975 A
Colombia	4 Sep 1979 A	Malta	2 Nov 1976 A
Croatia	8 Jul 1992 A	Marshall Islands	26 Mar 1998 A
Cuba	24 Nov 1975 A	Mauritius	18 May 1978 A
Cyprus	24 Feb 1976 A	Mexico	23 Mar 1976 A
Czech Republic	18 Jun 1993 A	Mongolia	11 Dec 1996 A
Democratic People's Republic of Korea	16 Apr 1986 A	Morocco <sup>26</sup>	17 Sep 1976 A
Denmark	20 Jul 1976 A	Myanmar	29 Jan 1980 A
Dominican Republic	30 Dec 1976 A	Namibia	27 Oct 1994 A
Ecuador	3 Jan 1977 A	Netherlands <sup>27</sup>	10 Nov 1975 A
Egypt	16 Nov 1976 A	New Zealand	24 Mar 1976 A
Eritrea	31 Aug 1993 A	Nigeria	30 Jun 1976 A
Estonia	31 Jan 1992 A	Norway	28 Apr 1975 A
Ethiopia	2 Aug 1977 A	Oman	17 Nov 1976 A
Finland	19 Oct 1976 A	Pakistan	13 May 1976 A
France	24 Mar 1975 A	Panama	23 May 1975 A
Gabon	15 Nov 1977 A	Paraguay	15 Mar 1993 A
Georgia	22 Jun 1993 A	Peru	17 Nov 1976 A
Germany <sup>23,24</sup>	1 Dec 1975 A	Poland	15 Mar 1976 A
Ghana	18 Oct 1976 A	Portugal	24 Oct 1977 A
Greece	16 May 1977 A	Qatar	19 May 1977 A
Grenada	3 Dec 1998 A	Republic of Korea	8 Nov 1976 A
Guatemala	16 Mar 1983 A	Romania	25 Jul 1977 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Russian Federation .....	28 Apr 1975 A
Samoa .....	25 Oct 1996 A
Sao Tome and Principe .....	9 Jul 1990 A
Saudi Arabia .....	23 Mar 1977 A
Seychelles .....	13 Jun 1978 A
Singapore .....	18 Jan 1977 A
Slovakia .....	24 Mar 1993 A
Slovenia .....	10 Feb 1993 A
Solomon Islands .....	27 Jun 1988 A
Somalia .....	4 Apr 1978 A
South Africa .....	28 Feb 1995 A
Spain .....	24 Mar 1975 A
Sri Lanka .....	17 May 1976 A
Suriname .....	26 Nov 1976 A
Sweden .....	5 May 1975 A
Switzerland .....	16 Jan 1976 A
Syrian Arab Republic .....	25 Mar 1977 A
Thailand .....	1 Dec 1975 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
the former Yugoslav Republic of Macedonia .....	13 Oct 1993 A
Trinidad and Tobago .....	16 May 1975 A
Tunisia .....	13 May 1976 A
Turkey .....	28 Dec 1978 A
Turkmenistan .....	26 Aug 1993 A
Ukraine .....	28 Mar 1994 A
United Arab Emirates <sup>26</sup> .....	4 Mar 1980 A
United Kingdom of Great Britain and Northern Ireland .....	26 Jun 1975 A
United Republic of Tanzania .....	28 Sep 1976 A
United States of America .....	11 Feb 1976 A
Uruguay .....	19 Sep 1978 A
Vanuatu .....	21 Oct 1986 A
Venezuela .....	27 Oct 1975 A
Yugoslavia .....	30 Mar 1976 A

**1. d) Amendments to the title and substantive provisions of the Convention on the International Maritime Organization**

*London, 14 November 1975 and 9 November 1977*

**ENTRY INTO FORCE:** 22 May 1982 for all Members of the Organization, in accordance with article 51 of the Convention (except article 51); and on 28 July 1982 in respect of article 51, in accordance with article 62..

**REGISTRATION:** 22 May 1982, No. 4214<sup>40</sup>.

**STATUS:** Parties: 122.

**TEXT:** United Nations, *Treaty Series*, vol. 1276, p. 468; and vol. 1285, p. 318.

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.358 (IX) of 14 November 1975 and A.371 (X) of 9 November 1977 [rectification of resolution A.358 (IX)].

Note: Pursuant to article 53 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to the title and substantive provisions of the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania	24 May 1993 A	Guatemala	16 Mar 1983 A
Algeria	6 Jul 1976 A	Guinea	1 Apr 1977 A
Angola	6 Jun 1977 A	Guinea-Bissau	6 Dec 1977 A
Antigua and Barbuda	13 Jan 1986 A	Guyana	13 May 1980 A
Argentina	31 Dec 1979 A	Honduras	9 Oct 1985 A
Australia	10 Jun 1980 A	Hungary	31 Mar 1980 A
Azerbaijan	15 May 1995 A	Iceland	28 Jul 1980 A
Bahamas	1 Mar 1979 A	India	1 May 1978 A
Bahrain	25 Apr 1980 A	Indonesia	29 Jul 1983 A
Bangladesh	8 Oct 1979 A	Iraq	5 Sep 1979 A
Barbados	30 Aug 1977 A	Ireland	27 Oct 1981 A
Belgium	28 Apr 1978 A	Israel	31 Dec 1979 A
Belize	13 Sep 1990 A	Jamaica	9 Apr 1979 A
Bosnia and Herzegovina	16 Jul 1993 A	Jordan	5 Apr 1977 A
Brazil	1 Aug 1977 A	Kazakhstan	11 Mar 1994 A
Bulgaria	4 Mar 1980 A	Kuwait	28 Dec 1978 A
Canada	22 Apr 1977 A	Latvia	1 Mar 1993 A
Cape Verde	23 Apr 1980 A	Liberia	19 Nov 1979 A
Chile	20 Mar 1978 A	Libyan Arab Jamahiriya	13 Sep 1976 A
China	14 Mar 1979 A	Lithuania	7 Dec 1995 A
Colombia	9 Aug 1985 A	Luxembourg	14 Feb 1991 A
Côte d'Ivoire	4 Nov 1981 A	Malaysia	12 Apr 1982 A
Croatia	8 Jul 1992 A	Maldives	25 Feb 1980 A
Cuba	27 Dec 1979 A	Malta	23 Apr 1979 A
Cyprus	6 Dec 1977 A	Marshall Islands	26 Mar 1998 A
Czech Republic	18 Jun 1993 A	Mexico	19 Dec 1980 A
Democratic People's Republic of Korea	16 Apr 1986 A	Mongolia	11 Dec 1996 A
Denmark	18 Sep 1976 A	Morocco <sup>36</sup>	25 Jul 1980 A
Djibouti	20 Feb 1979 A	Mozambique	10 Nov 1983 A
Dominica	18 Dec 1979 A	Myanmar	29 Jan 1980 A
Egypt	16 Nov 1976 A	Namibia	27 Oct 1994 A
El Salvador	12 Feb 1981 A	Nepal	31 Jan 1979 A
Eritrea	31 Aug 1993 A	Netherlands <sup>30</sup>	19 Jul 1977 A
Estonia	31 Jan 1992 A	New Zealand	15 Aug 1978 A
Ethiopia	2 Feb 1979 A	Nicaragua	17 Mar 1982 A
Finland	19 Oct 1976 A	Nigeria	11 Dec 1984 A
France	1 Feb 1977 A	Norway	8 Aug 1977 A
Gambia	11 Jan 1979 A	Oman	22 May 1981 A
Georgia	22 Jun 1993 A	Pakistan	23 Jan 1981 A
Germany <sup>28,29</sup>	24 Oct 1977 A	Panama	22 Jun 1977 A
Ghana	5 Feb 1980 A	Paraguay	15 Mar 1993 A
Greece	28 Jul 1981 A	Peru	21 Jan 1980 A
Grenada	3 Dec 1998 A	Philippines	17 Nov 1981 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Poland .....	13 Feb 1979 A
Portugal .....	3 Mar 1980 A
Qatar .....	19 May 1977 A
Republic of Korea .....	19 Sep 1978 A
Romania .....	25 Jul 1977 A
Russian Federation .....	2 Jul 1979 A
Saint Lucia .....	10 Apr 1980 A
Saint Vincent and the Grenadines .....	29 Apr 1981 A
Samoa .....	25 Oct 1996 A
Sao Tome and Principe .....	9 Jul 1990 A
Saudi Arabia .....	1 Aug 1979 A
Seychelles .....	13 Jun 1978 A
Singapore .....	15 Jun 1979 A
Slovakia .....	24 Mar 1993 A
Slovenia .....	10 Feb 1993 A
Solomon Islands .....	27 Jun 1988 A
South Africa .....	28 Feb 1995 A
Spain .....	14 Apr 1981 A
Sri Lanka .....	12 Jul 1977 A
Suriname .....	11 Apr 1979 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Sweden .....	23 Mar 1977 A
Switzerland .....	22 May 1981 A
Thailand .....	20 Feb 1981 A
the former Yugoslav Republic of Macedonia .....	13 Oct 1993 A
Tunisia .....	1 Aug 1979 A
Turkmenistan .....	26 Aug 1993 A
Ukraine .....	28 Mar 1994 A
United Arab Emirates <sup>26</sup> .....	4 Mar 1980 A
United Kingdom of Great Britain and Northern Ireland <sup>31</sup> .....	22 Feb 1980 A
United Republic of Tanzania .....	23 Apr 1979 A
United States of America .....	28 Aug 1980 A
Uruguay .....	17 Dec 1980 A
Vanuatu .....	21 Oct 1986 A
Venezuela .....	29 May 1985 A
Yemen <sup>32</sup> .....	20 Jun 1983 A
Yugoslavia .....	4 Aug 1980 A

**1. e) Amendments to the Convention on the International Maritime Organization  
relating to the institutionalization of the Committee on Technical Co-operation in  
the Convention**

*London, 17 November 1977*

**ENTRY INTO FORCE:** 10 November 1984, in accordance with article 62 of the Convention, for all members of the Organization.

**REGISTRATION:** 10 November 1984, No. 4214.

**STATUS:** Parties: 120.

**TEXT:** United Nations, *Treaty Series*, vol. 1380, p. 268.

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.400 (X) of 17 November 1977.

Pursuant to article 64 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to the Convention relating to the institutionalization of the Committee on Technical Co-operation in the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania	24 May 1993 A	Grenada	3 Dec 1998 A
Antigua and Barbuda	13 Jan 1986 A	Guyana	13 May 1980 A
Argentina	26 May 1981 A	Honduras	9 Oct 1985 A
Australia	10 Jun 1980 A	Hungary	31 Mar 1980 A
Austria	6 Apr 1983 A	Iceland	28 Jul 1980 A
Azerbaijan	15 May 1995 A	India	22 Jan 1979 A
Bahamas	1 Mar 1979 A	Indonesia	29 Jul 1983 A
Bahrain	25 Apr 1980 A	Iraq	5 Sep 1979 A
Bangladesh	8 Oct 1979 A	Ireland	27 Oct 1981 A
Barbados	20 Aug 1979 A	Israel <sup>35</sup>	31 Dec 1979 A
Belgium	30 Oct 1985 A	Italy <sup>35</sup>	13 Jun 1983 A
Belize	13 Sep 1990 A	Jamaica	9 Apr 1979 A
Bosnia and Herzegovina	16 Jul 1993 A	Kazakhstan	11 Mar 1994 A
Brazil	20 Mar 1979 A	Kuwait	27 Nov 1979 A
Brunei Darussalam	31 Dec 1984 A	Latvia	1 Mar 1993 A
Bulgaria	4 Mar 1980 A	Liberia	14 Dec 1979 A
Canada	19 Nov 1979 A	Lithuania	7 Dec 1995 A
Cape Verde	23 Apr 1980 A	Luxembourg	14 Feb 1991 A
Chile	13 Feb 1979 A	Malaysia	28 Sep 1981 A
China	30 Oct 1979 A	Maldives	25 Feb 1980 A
Colombia	9 Aug 1985 A	Malta	23 Apr 1979 A
Côte d'Ivoire	4 Nov 1981 A	Marshall Islands	26 Mar 1998 A
Croatia	8 Jul 1992 A	Mexico	23 Mar 1983 A
Cuba	26 Oct 1982 A	Mongolia	11 Dec 1996 A
Cyprus	10 Jul 1979 A	Morocco <sup>26</sup>	25 Jul 1980 A
Czech Republic	18 Jun 1993 A	Mozambique	10 Nov 1983 A
Democratic People's Republic of Korea	16 Apr 1986 A	Namibia	27 Oct 1994 A
Denmark	2 Jan 1979 A	Nepal	31 Jan 1979 A
Djibouti	20 Feb 1979 A	Netherlands <sup>27</sup>	29 Jun 1981 A
Dominica	18 Dec 1979 A	New Zealand	9 Mar 1979 A
Dominican Republic	10 Nov 1983 A	Nicaragua	17 Mar 1982 A
Egypt	17 Nov 1980 A	Nigeria	11 Dec 1984 A
El Salvador	12 Feb 1981 A	Norway	5 Sep 1978 A
Eritrea	31 Aug 1993 A	Oman	22 May 1981 A
Estonia	31 Jan 1992 A	Pakistan	23 Jan 1981 A
Ethiopia	11 Apr 1979 A	Panama	23 Dec 1980 A
Finland	19 Nov 1979 A	Paraguay	15 Mar 1993 A
Gabon	27 Feb 1979 A	Peru	21 Jan 1980 A
Gambia	11 Jan 1979 A	Philippines	17 Nov 1981 A
Georgia	22 Jun 1993 A	Poland	2 Jan 1980 A
Germany <sup>33,34</sup>	2 Apr 1979 A	Portugal	22 Dec 1982 A
Ghana	5 Feb 1980 A	Republic of Korea	31 May 1979 A
Greece	28 Jul 1981 A	Romania	14 Sep 1982 A



<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Russian Federation .....	2 Jul 1979 A
Saint Lucia .....	10 Apr 1980 A
Saint Vincent and the Grenadines .....	29 Apr 1981 A
Samoa .....	25 Oct 1996 A
Sao Tome and Principe .....	9 Jul 1990 A
Saudi Arabia .....	1 Aug 1979 A
Seychelles .....	7 Jul 1982 A
Singapore .....	15 Jun 1979 A
Slovakia .....	24 Mar 1993 A
Slovenia .....	10 Feb 1993 A
Solomon Islands .....	27 Jun 1988 A
South Africa .....	28 Feb 1995 A
Spain .....	14 Apr 1981 A
Sri Lanka .....	10 Jan 1980 A
Suriname .....	11 Apr 1979 A
Sweden .....	5 Jan 1979 A
Switzerland .....	22 May 1981 A
Thailand .....	20 Feb 1981 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
the former Yugoslav Republic of Macedonia .....	13 Oct 1993 A
Togo .....	20 Jun 1983 A
Trinidad and Tobago .....	22 Aug 1984 A
Tunisia .....	1 Aug 1979 A
Turkey .....	4 Dec 1985 A
Turkmenistan .....	26 Aug 1993 A
Ukraine .....	28 Mar 1994 A
United Arab Emirates .....	2 Nov 1981 A
United Kingdom of Great Britain and Northern Ireland <sup>31</sup> .....	22 Feb 1980 A
United Republic of Tanzania .....	23 Apr 1979 A
United States of America .....	28 Aug 1980 A
Uruguay .....	17 Dec 1980 A
Vanuatu .....	21 Oct 1986 A
Venezuela .....	29 May 1985 A
Yemen <sup>32</sup> .....	14 Mar 1979 A
Yugoslavia .....	27 Jun 1979 A

**1. f) Amendments to articles 17, 18, 20 and 51 of the Convention on the  
International Maritime Organization**

*London, 15 November 1979*

**ENTRY INTO FORCE:** 10 November 1984, in accordance with article 62 of the Convention, for all Members of the Organization.  
**REGISTRATION:** 10 November 1984, No. 4214.  
**STATUS:** Parties: 122.  
**TEXT:** United Nations, *Treaty Series*, vol. 1380, p. 288.

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.450 (XI) of 15 November 1979.

Pursuant to article 64 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments 17, 18, 20 et 51 to the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>	<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Albania	24 May 1993 A	Iceland	28 Jul 1980 A
Algeria	28 Oct 1983 A	India	5 May 1980 A
Antigua and Barbuda	13 Jan 1986 A	Indonesia	29 Jul 1983 A
Argentina	13 Jun 1983 A	Iraq	6 Apr 1983 A
Australia	17 Nov 1980 A	Ireland	27 Oct 1981 A
Austria	6 Apr 1983 A	Israel	15 Dec 1982 A
Azerbaijan	15 May 1995 A	Italy <sup>35</sup>	13 Jun 1983 A
Bahamas	23 May 1980 A	Jamaica	30 Apr 1980 A
Bahrain	25 Apr 1980 A	Jordan	18 Jan 1984 A
Bangladesh	17 Mar 1980 A	Kazakhstan	11 Mar 1994 A
Barbados	3 Mar 1980 A	Kenya	19 Apr 1983 A
Belgium	23 Dec 1980 A	Kuwait	1 Apr 1986 A
Belize	13 Sep 1990 A	Latvia	1 Mar 1993 A
Bosnia and Herzegovina	16 Jul 1993 A	Lebanon	19 Apr 1983 A
Brunei Darussalam	31 Dec 1984 A	Liberia	8 Jan 1981 A
Bulgaria	21 Oct 1980 A	Lithuania	7 Dec 1995 A
Cameroon	2 Feb 1984 A	Luxembourg	14 Feb 1991 A
Canada	23 May 1980 A	Malaysia	2 Apr 1981 A
Cape Verde	30 Aug 1983 A	Maldives	2 Apr 1980 A
Chile	16 Mar 1981 A	Marshall Islands	26 Mar 1998 A
China	29 Jul 1981 A	Mexico	23 Mar 1983 A
Colombia	9 Aug 1985 A	Mongolia	11 Dec 1996 A
Côte d'Ivoire	4 Nov 1981 A	Morocco <sup>26</sup>	25 Jul 1980 A
Croatia	8 Jul 1992 A	Namibia	27 Oct 1994 A
Cuba	3 Nov 1983 A	Nepal	1 Nov 1982 A
Cyprus	7 Oct 1982 A	Netherlands <sup>27</sup>	29 Jun 1981 A
Czech Republic	18 Jun 1993 A	New Zealand	15 Dec 1980 A
Democratic People's Republic of Korea	16 Apr 1986 A	Nicaragua	17 Mar 1982 A
Denmark	12 May 1981 A	Nigeria	11 Dec 1984 A
Djibouti	1 Jun 1982 A	Norway	28 Jul 1981 A
Ecuador	30 Jun 1986 A	Oman	24 May 1982 A
Egypt	14 Sep 1982 A	Pakistan	10 Dec 1982 A
Eritrea	31 Aug 1993 A	Panama	11 Dec 1984 A
Estonia	31 Jan 1992 A	Paraguay	15 Mar 1993 A
Ethiopia	8 Dec 1982 A	Peru	28 Jul 1982 A
Finland	14 Jan 1980 A	Philippines	11 Jul 1983 A
France	26 May 1983 A	Poland	20 Nov 1980 A
Georgia <sup>36,37</sup>	22 Jun 1993 A	Portugal	22 Dec 1982 A
Germany	23 Jun 1980 A	Qatar	29 Jun 1982 A
Ghana	14 Nov 1983 A	Republic of Korea	31 Mar 1980 A
Greece	28 Jul 1981 A	Romania	14 Sep 1982 A
Grenada	3 Dec 1998 A	Russian Federation	23 Jan 1981 A
Guyana	16 Aug 1985 A	Saint Lucia	14 Sep 1983 A
Honduras	9 Oct 1985 A	Saint Vincent and the Grenadines	29 Apr 1981 A
Hungary	3 May 1982 A	Samoa	25 Oct 1996 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Sao Tome and Principe .....	9 Jul 1990 A
Saudi Arabia .....	15 May 1985 A
Senegal .....	20 Jun 1983 A
Seychelles .....	7 Jul 1982 A
Singapore .....	1 Nov 1983 A
Slovakia .....	24 Mar 1993 A
Slovenia .....	10 Feb 1993 A
Solomon Islands .....	27 Jun 1988 A
Somalia .....	6 Dec 1983 A
South Africa .....	28 Feb 1995 A
Spain .....	14 Apr 1981 A
Sri Lanka .....	17 Mar 1981 A
Suriname .....	28 May 1980 A
Sweden .....	25 Nov 1980 A
Switzerland .....	22 May 1981 A
Thailand .....	23 Mar 1983 A
the former Yugoslav Republic of Macedonia .....	13 Oct 1993 A

<i>Participant<sup>2</sup></i>	<i>Acceptance (A)</i>
Togo .....	20 Jun 1983 A
Trinidad and Tobago .....	5 Jul 1983 A
Tunisia .....	5 Jan 1983 A
Turkey .....	4 Dec 1985 A
Turkmenistan .....	26 Aug 1993 A
Ukraine .....	28 Mar 1994 A
United Arab Emirates .....	2 Nov 1981 A
United Kingdom of Great Britain and Northern Ireland .....	14 Sep 1983 A
United Republic of Tanzania .....	26 May 1983 A
United States of America .....	17 Nov 1981 A
Uruguay .....	13 Oct 1983 A
Vanuatu .....	21 Oct 1986 A
Venezuela .....	29 May 1985 A
Yemen <sup>38</sup> .....	20 Jun 1983 A
Yugoslavia .....	15 May 1981 A

**1. g) Amendments to the Convention on the International Maritime Organization,  
(institutionalization of the Facilitation Committee)**

*London, 7 November 1991*

**NOT YET IN FORCE:** (See article 62 of the Convention.)  
**STATUS:** Parties: 45.  
**TEXT:** IMO Resolution A.724 (17).

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.724 (17) of 7 November 1991.

Pursuant to article 64 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to the Convention relating to the institutionalization of the facilitation committee in the Convention, either upon acceptance of the Convention or thereafter, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

<i>Participant</i>	<i>Acceptance (A)</i>	<i>Participant</i>	<i>Acceptance (A)</i>
Australia .....	1 Jul 1994 A	Mexico .....	1 Sep 1998 A
Bahamas .....	7 May 1998 A	Morocco .....	16 Jun 1995 A
Barbados .....	1 Jul 1998 A	Netherlands .....	6 Dec 1993 A
Belgium .....	5 Apr 1994 A	Norway .....	10 Sep 1992 A
Brazil .....	16 Nov 1995 A	Panama .....	19 Mar 1999 A
Brunei Darussalam .....	23 Dec 1998 A	Peru .....	7 May 1996 A
Bulgaria .....	29 Jan 1997 A	Republic of Korea .....	22 Dec 1994 A
Cameroon .....	17 Mar 1994 A	Russian Federation .....	23 Aug 1993 A
Canada .....	24 Jun 1993 A	Seychelles .....	14 Jul 1992 A
Chile .....	20 Nov 1995 A	Singapore .....	25 May 1994 A
China .....	27 Oct 1994 A	Slovakia .....	12 Jun 1995 A
Cuba .....	22 Dec 1993 A	Slovenia .....	10 Mar 1998 A
Cyprus .....	24 Jun 1996 A	Spain .....	6 Oct 1993 A
Denmark .....	6 Jan 1994 A	Sweden .....	1 Sep 1994 A
Egypt .....	12 Jul 1994 A	Thailand .....	19 Apr 1994 A
Estonia .....	26 Aug 1992 A	Trinidad and Tobago .....	10 Nov 1995 A
Finland .....	26 Jan 1994 A	Tunisia .....	15 Jan 1999 A
France .....	28 May 1996 A	United Kingdom of Great Britain and Northern Ireland .....	14 Sep 1994 A
Greece .....	2 Dec 1994 A	United States of America .....	14 Oct 1998 A
Iceland .....	17 Feb 1998 A	Uruguay .....	30 Jan 1998 A
India .....	31 Oct 1995 A	Vanuatu .....	18 Feb 1999 A
Indonesia .....	21 May 1996 A		
Malta .....	16 Jan 1998 A		
Marshall Islands .....	7 Sep 1998 A		

## 1. h) Amendments to the Convention on the International Maritime Organization

*London, 4 November 1993*

**NOT YET IN FORCE:** (See article 62 of the Convention.).

**STATUS:** Parties: 83.

**TEXT:** IMO Resolution A.735. (18).

*Note:* See "Note:" at beginning of chapter XII.1.

The amendments were adopted by the Assembly of the Organization by resolution A.735 (18) of 4 November 1993.

Pursuant to article 68 of the Convention, the acceptance of an amendment shall be made by the communication of an instrument to the Secretary-General of the Organization for deposit with the Secretary-General of the United Nations. Following is the list of States which have accepted the amendments to the Convention, showing the dates of deposit of their instruments with the Secretary-General of the United Nations.

<i>Participant</i>	<i>Acceptance (A)</i>	<i>Participant</i>	<i>Acceptance (A)</i>
Algeria.....	18 Dec 1996 A	Madagascar.....	9 Oct 1996 A
Argentina.....	21 Sep 1995 A	Malta.....	4 Feb 1994 A
Australia.....	10 Mar 1995 A	Marshall Islands.....	7 Sep 1998 A
Bahamas.....	7 May 1998 A	Mauritius.....	16 Jan 1997 A
Bahrain.....	28 Jul 1998 A	Mexico.....	4 May 1995 A
Bangladesh.....	13 Jul 1998 A	Monaco.....	27 Jan 1994 A
Barbados.....	1 Jul 1998 A	Morocco.....	16 Jun 1995 A
Belgium.....	15 Sep 1998 A	Myanmar.....	7 Jul 1998 A
Belize.....	6 May 1997 A	Nepal.....	22 Sep 1998 A
Brazil.....	23 Dec 1996 A	Netherlands <sup>39</sup> .....	26 Sep 1994 A
Brunei Darussalam.....	23 Dec 1998 A	Nigeria.....	4 May 1995 A
Bulgaria.....	29 Jan 1997 A	Oman.....	20 May 1998 A
Canada.....	23 Jun 1995 A	Panama.....	28 Oct 1997 A
Chile.....	19 Jun 1998 A	Peru.....	7 May 1996 A
China.....	27 Oct 1994 A	Philippines.....	8 Dec 1997 A
Côte d'Ivoire.....	4 Nov 1998 A	Poland.....	29 Dec 1995 A
Cuba.....	28 Feb 1994 A	Qatar.....	27 Oct 1998 A
Cyprus.....	24 Jun 1996 A	Republic of Korea.....	5 Apr 1994 A
Democratic People's Republic of Korea.....	5 Apr 1994 A	Russian Federation.....	8 Sep 1994 A
Denmark.....	6 Jan 1994 A	Saint Lucia.....	10 Sep 1998 A
Dominica.....	29 Apr 1997 A	Saudi Arabia.....	27 Feb 1996 A
Ecuador.....	30 Jan 1998 A	Seychelles.....	30 Jun 1998 A
Egypt.....	12 Jul 1994 A	Singapore.....	28 Nov 1995 A
Estonia.....	22 Feb 1994 A	Slovakia.....	12 Jun 1995 A
Finland.....	28 Aug 1995 A	Slovenia.....	10 Mar 1998 A
France.....	18 Nov 1997 A	South Africa.....	21 Oct 1999 A
Germany.....	17 Mar 1995 A	Spain.....	24 Jan 1995 A
Ghana.....	1 Jul 1996 A	Sri Lanka.....	21 Jan 1998 A
Greece.....	2 Dec 1994 A	Sweden.....	1 Sep 1994 A
Guyana.....	16 Sep 1998 A	Switzerland.....	21 Dec 1995 A
Honduras.....	26 Oct 1999 A	Syrian Arab Republic.....	18 Nov 1997 A
Iceland.....	17 Feb 1998 A	Thailand.....	10 Sep 1996 A
India.....	28 Nov 1995 A	Trinidad and Tobago.....	10 Nov 1995 A
Indonesia.....	21 May 1996 A	Tunisia.....	16 Jul 1996 A
Iran (Islamic Republic of).....	20 Jun 1996 A	United Arab Emirates.....	3 Mar 1995 A
Ireland.....	16 Nov 1998 A	United Kingdom of Great Britain and Northern Ireland.....	14 Sep 1994 A
Jamaica.....	31 Aug 1999 A	United Republic of Tanzania.....	24 Jul 1998 A
Kenya.....	4 Nov 1999 A	United States of America.....	14 Oct 1998 A
Kuwait.....	15 Sep 1995 A	Vanuatu.....	18 Feb 1999 A
Lebanon.....	10 Jul 1995 A	Viet Nam.....	20 Jul 1998 A
Liberia.....	16 Jun 1995 A		
Libyan Arab Jamahiriya.....	6 Nov 1998 A		
Lithuania.....	16 Nov 1999 A		

**Notes :**

<sup>1</sup> *Official Records of the Economic and Social Council, fourth session, E/437, p. 7.*

<sup>2</sup> Czechoslovakia had accepted the Convention on 1 October 1963. Subsequently, the Government of Czechoslovakia deposited an instrument of acceptance of the following amendments at IMCO and UN, respectively, on the dates indicated hereinafter:

<i>Amendments adopted by resolution no</i>	<i>Date of receipt of the instrument of acceptance(IMCO)</i>	<i>Date of receipt of the instrument of acceptance(UN)</i>
A.6 9 (ES.II)	3 Oct 1966	6 Oct 1966
A.70 (IV)	3 Oct 1966	6 Oct 1966
A.315 (ES.V)		23 Nov 1976
A.358 (IX) and A.371 (X)		23 Nov 1976
A.400 (X)	4 Nov 1982	17 Nov 1982
A.450 (XI)	4 Nov 1982	17 Nov 1982

See also note 11 in chapter I.2.

<sup>3</sup> The Convention was accepted on behalf of the Republic of China on 1 July 1958. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned acceptance, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of the Union of Soviet Socialist Republics, on the one hand, and of China on the other hand. For the nature of these communications, see note 3 in chapter VI.14.

In its instrument of acceptance, the Government of the People's Republic of China declared that the acceptance of and signature of the Convention on the Inter-Governmental Maritime Consultative Organization and related conventions and regulations by the Chiang Kai-shek clique usurping the name of China are illegal and null and void.

<sup>4</sup> The German Democratic Republic had accepted the Convention on 25 September 1973. See also note 14 in chapter I.2.

<sup>5</sup> The application of the Federal Republic of Germany for membership in the Organization was approved on 5 January 1959, in accordance with article 8 of the Convention.

In notes accompanying the respective instruments of acceptance of the amendments to articles 17 and 18 and the amendment to article 28 of the Convention on the Inter-Governmental Maritime Consultative Organization, the Government of the Federal Republic of Germany declared that the said Convention and amendments "shall also apply to *Land Berlin* with effect from the date on which they enter into force for the Federal Republic of Germany". In a communication addressed to the Secretary-General, the Government of Poland stated that the said declarations "are in contradiction to the international status of West Berlin which is not part of the Federal Republic of Germany". Furthermore, in a communication addressed to the Secretary-General with regard to the representation of the interests of Berlin (West) in the Inter-Governmental Maritime Consultative Organization, the Government of the German Democratic Republic stated that, in accordance with the Quadripartite Agreement of 3 September 1971, Berlin (West) is not part of the Federal Republic of Germany and should not be governed by it. Accordingly, the declaration by the Federal Republic of Germany extending its membership in the aforementioned Organization to include *Land Berlin* is at variance with the Quadripartite Agreement and has no legal validity.

In a communication received by the Secretary-General on 10 December 1973, the Permanent Representatives of France and the United Kingdom of Great Britain and Northern Ireland to the United Nations as well as the Acting Permanent Representative of the United States of America to the United Nations made the following statement:

"With regard to the declaration concerning the representation of the interests of the western sectors of Berlin contained in the instrument,

the Governments of France, the United Kingdom and the United States wish to bring to the attention of the member states of the United Nations and of IMCO that the extension of the Convention on IMCO to the western sectors of Berlin in 1965 and the consequent representation of the interests of these sectors in IMCO by the Federal Republic of Germany received the prior authorization, under established procedures, of the authorities of France, the United Kingdom and the United States on the basis of their supreme authority in these sectors.

"In a communication to the Government of the USSR which is an integral part (Annex IV A) of the Quadripartite Agreement of September 3, 1971, registered with the Secretariat of the United Nations on June 14, 1973, the three powers reaffirmed that, provided matters of security and status are not affected, the Federal Republic of Germany may represent the interests of the western sectors of Berlin in international conferences and international organizations. For its part, the Government of the USSR, in a communication to the Governments of the three powers which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of September 3, 1971, affirmed that it would raise no objection to such a representation.

"The representation of the western sectors of Berlin in IMCO by the Federal Republic of Germany, as described above, therefore continues in full force and effect."

In a communication received on 10 December 1973, the Permanent Representative of the Federal Republic of Germany to the United Nations made the following statement:

"By their note of 7 December 1973 the Governments of France, the United Kingdom, and the United States answered the assertions made in the communication of the authorities of the German Democratic Republic referred to above. The Government of the Federal Republic of Germany shares the position set out in the note of the three powers. The extension in 1965 of the IMCO Convention to Berlin (West) and the consequent representation of the interests of Berlin (West) in IMCO by the Federal Republic of Germany continue to be in full force and effect."

In a communication received by the Secretary-General on 16 April 1974, the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations, stated that the Soviet Union could take note of the extension of the application of the IMCO Convention to the Western sectors of Berlin by the Federal Republic of Germany only on the understanding that this action was being taken in accordance with the Quadripartite Agreement of 3 September 1971 and subject to compliance with established procedures.

See also note 4 above.

<sup>6</sup> In a communication received on 9 October 1965, the First Deputy Prime Minister and Minister for Foreign Affairs of Indonesia notified the Secretary-General of the withdrawal of the Republic of Indonesia from the Inter-Governmental Maritime Consultative Organization. The notification of withdrawal contains the following statement:

"With reference to the provision of Article 59 which stipulates that the withdrawal from IMCO's membership will take effect twelve months from the date on which the notification of withdrawal is received by the Secretary-General of the United Nations, Indonesia will observe her obligations and responsibilities accordingly. Nevertheless, the Indonesian Government has decided to discontinue its participation in the activities of the IMCO as of this date.

"In conclusion, I wish to add that, notwithstanding the withdrawal from IMCO, Indonesia will continue to work for the attainment of mutually beneficial principles of International maritime cooperation."

In a communication received on 29 September 1966, the Presidium Minister and Minister for Foreign Affairs of Indonesia informed the Secretary-General that his government had decided to resume active participation in the Organization and requested that this communication be considered as superseding the above-mentioned notification of withdrawal.

<sup>7</sup> The applications of Kuwait, Mauritania and the Republic of Korea for membership in the Organization were approved on 5 July 1960, 13 April 1961 and 21 December 1961, respectively, in accordance with article 8 of the Convention.

<sup>8</sup> Democratic Yemen had accepted the Convention on 2 June 1980 with the following declaration:

"The acceptance of the People's Democratic Republic of Yemen of the said Convention does not mean in any way recognition of Israel, or entering with it into relations governed by the Convention thereto acceded."

See also note 33 in chapter I.2.

<sup>9</sup> In a communication received by the Secretary-General on 8 November 1976, the Government of Bahrain confirmed that the general reservation "is intended to constitute a general declaration of policy of the Government of the State of Bahrain and should not be interpreted as expanding or diminishing the scope of the Convention or its application to States parties to the Convention."

Upon depositing its instrument of acceptance of the amendments adopted by resolution No. A.315 (ES.V) of 17 October 1974 (i.e. chapter XII.1.c), the Government of Bahrain reiterated the same declaration as the one made upon acceptance of the Convention.

With regard to the said reservation the Government of Israel, in a communication received by the Secretary-General on 23 December 1976, stated the following:

"The instrument deposited by the Government of Bahrain contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Bahrain cannot in any way affect whatever obligations are binding upon Bahrain, under general international law or under particular treaties."

The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Bahrain an attitude of complete reciprocity."

Identical communications, *mutatis mutandis*, were received from the Government of Israel on 25 July 1980 in respect of the declarations made by Democratic Yemen upon acceptance of the Convention (see note 8 above) and the United Arab Emirates upon acceptance of the Convention and acceptance of the amendments adopted by resolutions A.358 (IX) of 14 November 1975 and A.371 (X) of 9 November 1977 (i.e. chapter XII.1.d).

<sup>10</sup> In communications addressed to the Secretary-General on 14 September 1961, 30 November 1961 and 14 March 1962, respectively, the Governments of the United Kingdom of Great Britain and Northern Ireland, Norway and Greece, referring to the declaration made by Cambodia, stated that they assumed that it was a declaration of policy and did not constitute a reservation; and that it had no legal effect with regard to the interpretation of the Convention. They further stated that they would welcome assurances from the Government of Cambodia that the declaration was to be understood in this sense.

In a communication addressed to the Secretary-General on 31 January 1962, the Government of Cambodia stated that "... the Royal Government agrees that the first part of the declaration which it made at the time of the acceptance of the Convention is of a political nature. It therefore has no legal effect regarding the interpretation of the Convention. The statements contained in the third paragraph of the declaration, on the other hand, constitute a reservation to the Convention by the Royal Government of Cambodia."

In a communication addressed to the Secretary-General on 3 July 1962, the Government of the United Kingdom of Great Britain and Northern Ireland stated that "... Her Majesty's Government do not share the view of the Cambodian Government that the third paragraph of the declaration constitutes a reservation, but they do not wish on that account, to raise formal objection to the terms of Cambodia's acceptance of the Convention."

In a communication addressed to the Secretary-General on 23 July 1962, the Government of France stated that "... it considers that, for reasons of principle as well as of fact, it cannot accept the terms of the declaration in question, the third paragraph of which is, moreover, described by the Permanent Representative of Cambodia as constituting a reservation."

<sup>11</sup> In resolution 1452 (XIV) adopted on 7 December 1959, the General Assembly of the United Nations, noting the statement made on

behalf of India at the 614th meeting of its Sixth Committee (Legal) explaining that the Indian declaration was a declaration of policy and that it did not constitute a reservation, expressed the hope "that, in the light of the above-mentioned statement of India an appropriate solution may be reached in the Inter-Governmental Maritime Consultative Organization at an early date to regularize the position of India".

By a resolution adopted on 1 March 1960, the Council of the Inter-Governmental Maritime Consultative Organization, taking note of the statement made on behalf of India referred to in the foregoing resolution and noting, therefore, that the declaration of India has no legal effect with regard to the interpretation of the Convention "considers India to be a member of the Organization".

<sup>12</sup> In communications addressed to the Secretary-General on 14 September 1961, 30 November 1961 and 14 March 1962, respectively, the Governments of the United Kingdom of Great Britain and Northern Ireland, Norway and Greece, referring to the declaration made by Indonesia, stated that they assumed that it was a declaration of policy and did not constitute a reservation; and that it had no legal effect with regard to the interpretation of the Convention. They further stated that they would welcome assurances from the Government of Indonesia that the declaration was to be understood in this sense.

In communications addressed to the Secretary-General on 30 October 1961, 12 January 1962 and 28 March 1962, the Government of Indonesia stated that the declaration in question :

"... does not constitute a reservation but is an interpretation of article I (b) of the said Convention and should be understood as such.

"In view of the above fact, the Government of Indonesia cannot accept the assumption made by [the above-mentioned Governments] that this declaration has no legal effect with regard to the interpretation of the Convention."

In a communication addressed to the Secretary-General on 18 April 1962, the Government of the United Kingdom of Great Britain and Northern Ireland stated that "... Her Majesty's Government do not wish to raise formal objection to the terms of Indonesia's acceptance, but they desire to place on record that they do not thereby concede that they will necessarily regard any measures of assistance and encouragement which the Government of Indonesia may give to its national shipping as consistent with the Convention."

In a communication addressed to the Secretary-General on 23 July 1962, the Government of France stated that "... it considers that, for reasons of principle as well as of fact, it cannot accept the terms of the declaration in question."

In a communication addressed to the Secretary-General on 5 September 1962, the Government of the United States of America stated the following:

"The Government of the United States will not raise objection to the terms of Indonesia's acceptance of the Convention on the Inter-Governmental Maritime Consultative Organization. However, it does not thereby concede that it will necessarily regard every measure of assistance and encouragement which the Government of Indonesia may give to its national shipping as consistent with the Convention."

<sup>13</sup> In a communication received by the Secretary-General on 28 November 1973, the Permanent Representative of Israel to the United Nations stated the following:

"The instrument of acceptance by the Government of Iraq of the above-mentioned Convention contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That statement, therefore, possesses no legal validity whatsoever.

"The Government of Israel utterly rejects that statement and will proceed on the assumption that it has no validity as to the rights and duties of any Member State to the said Organization.

"The declaration of the Government of Iraq cannot in any way affect Iraq's obligations under the Constitution of the Inter-Governmental Maritime Consultative Organization or whatever other obligations are binding upon that State by virtue of general international law.

"The Government of Israel will, in so far as concerns the substance of the matter, adopt toward the Government of Iraq an attitude of complete reciprocity."

14 In a letter of 3 June 1971, the Prime Minister and Minister of Foreign Affairs of Malaysia notified the Secretary-General as follows:

"The declaration by the Malaysian Government with regard to the above-mentioned Convention is a declaration of policy of the Government of Malaysia, and does not constitute a reservation by the Government of Malaysia to the Convention as stated in the instrument of acceptance."

15 See note 8 in chapter I.1.

16 Upon deposit of the instrument of acceptance, the Government of Sri Lanka declared that "... the declaration set forth in the instrument of acceptance does not constitute a reservation, but is an interpretation of article 1 (b) of the Convention and should be understood as such."

17 In a note verbale accompanying the instrument of acceptance, the Permanent Representative of the United States of America drew the attention of the Secretary-General to the fact that ... "Article 2 of the Convention provides that the functions of the Organization 'shall be consultative and advisory'. Article 3 of the Convention indicates that the functions of the Organization are to make recommendations and to facilitate consultation and exchange of information. The history of the Convention and the records of the conference at which it was formulated indicate no intention to nullify or alter the domestic legislation of any contracting party relating to restrictive business practices or to alter or modify in any way the application of domestic statutes governing the prevention or regulation of business monopolies. It is considered therefore, that the statement as quoted above is merely a clarification of the intended meaning of the Convention and a safeguard against any possible misinterpretation, particularly as to the application of article 4."

18 On 15 March 1962, the Federation of Nigeria became a member of the Organization by depositing on that date the instrument of acceptance of the Convention.

19 In a communication received on 6 August 1964, the Government of the United Kingdom requested the Secretary-General, in his capacity as depositary of the Convention on the Inter-Governmental Maritime Consultative Organization, "to take note that, as a result of the Agreement relating to Malaysia signed at London on July 9, 1963, and legislation enacted in accordance with that Agreement, Sarawak and North Borneo, together with the State of Singapore, federated with the existing States of the Federation of Malaya and the Federation is now called Malaysia. Her Majesty's Government in the United Kingdom are therefore no longer responsible for the international relations of Sarawak and North Borneo."

In a subsequent communication received on 4 March 1965, the Government of the United Kingdom, in amplification of the information contained in the above-mentioned communication, drew the attention of the Secretary-General to the fact "that the Agreement relating to Malaysia which was signed in London on the 9th of July 1963—the date on which Sarawak and North Borneo, together with the State of Singapore, federated with the States of the Federation of Malaya—Her Majesty's Government in the United Kingdom ceased to be responsible for the international relations of Sarawak and North Borneo." It also requested the Secretary-General "to take note that Her Majesty's Government accordingly consider that the joint associate membership in the Inter-Governmental Maritime Consultative Organization of Sarawak and North Borneo under article 9 of the Convention on the Inter-Governmental Maritime Consultative Organization automatically lapsed on the 16th of September 1963."

20 On 25 August 1987, the Secretary-General received from the Permanent Representative of the People's Republic of China and from the Acting Permanent Representative of the United Kingdom of Great Britain and Northern Ireland and Chargé d'Affaires, respectively, the following communications both dated 25 August 1987:

#### United Kingdom of Great Britain and Northern Ireland

"I am instructed by her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs to refer to the Declaration made by the United Kingdom on 6 June 1967 concerning the application to Hong Kong of the Convention on the International Maritime

Organisation, signed at Geneva on 6 March 1948. By virtue of that Declaration and in accordance with articles 72 (a) and 8 of the Convention, Hong Kong became an associate member of the Organisation with effect from 7 June 1967.

I am also instructed to state that having regard to the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the question of Hong Kong, signed in Beijing on 19 December 1984, the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997 and that the United Kingdom will continue to have international responsibility for Hong Kong until that date."

*(Signed) John Birch*

*Acting Permanent Representative*

*United Kingdom of Great Britain and Northern Ireland  
and Charge d'Affaires*

#### China

I am instructed by the Minister of Foreign Affairs of the People's Republic of China, with reference to the communication which the United Kingdom Mission to the United Nations addressed to Your Excellency today, to notify Your Excellency of the declaration of the People's Republic of China as follows:

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed in Beijing on 19 December 1984, the People's Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong, as an inseparable part of the territory of the People's Republic of China, will become a special administrative region with effect from that date. The People's Republic of China will have international responsibility for the Hong Kong Special Administrative Region.

I am also instructed to declare that since China is a contracting State to the Convention on the Maritime Organization, signed in Geneva on 6 March 1948, and the Government of the People's Republic of China accepted the Convention on 1 March 1973, the said Convention will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. Accordingly, the Government of the People's Republic of China notifies you that, with effect from 1 July 1997, the Hong Kong Special Administrative Region will continue to meet the essential requirements of the Convention for being an associate member of the Organization, and therefore may, using the name of "Hong Kong, China", continue to be an associate member of the Organization.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

*(Signed) Li Luyue*

*Permanent Representative of  
the People's Republic of China  
to the United Nations*

21 On 2 February 1990, the Secretary-General received from the Government of Portugal a declaration, in accordance with article 72 (a) of the Convention, to the effect that the said Convention is made applicable to Macau with effect from 2 February 1990 and that, in accordance with article 8 of the said Convention, Macau becomes and Associate Member of the International Maritime Organization as from the same date. The declaration also specifies the following:

"The present declaration is made in conformity with the agreement established by the Joint Liaison Group of the Republic of Portugal and the People's Republic of China in accordance with the Joint Declaration of the Governments of the Republic of Portugal and the People's Republic of China on the question of Macau, signed in Beijing on 13 April 1987, whereby the People's Republic of China will resume the exercise of sovereignty over Macau with effect from the 20th of December 1999 and that Portugal will continue to have international responsibility for Macau until the 19th of December 1999."

In this regard to the said declaration, the Secretary-General received on that same date, a communication from the Government of China



identical in essence, *mutatis mutandis*, as the one made in respect of Hong Kong (see note 20 ).

<sup>22</sup> The amendments to articles 17 and 18, and 28 of the Convention were accepted on behalf of the Republic of China. The dates of receipt of the instruments of acceptance by the Secretary-General of the Organization were 27 January 1966 (articles 17 and 18) and 22 July 1966 (article 28) and the dates of its deposit with the Secretary-General of the United Nations were 31 January 1966 and 27 July 1966. See note concerning signatures, ratifications, accessions, etc. on behalf of China (note 4 in chapter I.1).

In communications addressed to the Secretary-General with reference to the above-mentioned acceptance, the Permanent Mission of Romania to the United Nations stated that the only government entitled to represent and to assume obligations on behalf of China is the Central Government of the People's Republic of China and that, consequently, the Government of Romania cannot take note of the said acceptance.

<sup>23</sup> The German Democratic Republic had deposited its instrument of acceptance of the amendments IMO on 18 September 1975 and at the UN on 30 September 1975. See also note 14 in chapter I.2.

<sup>24</sup> With a declaration that the said amendments shall also apply to Berlin (West) with effect from the date on which they enter into force for the Federal Republic of Germany provided that the Federal Republic of Germany does not make a declaration to the contrary to the Inter-Governmental Maritime Consultative Organization within three months. See also note 23 above.

<sup>25</sup> With the following declaration:

Acceptance of the above amendments by the Republic of Iraq shall, however, in no way signify recognition of Israel or be conducive to entry into any relations with it.

In this connection, the Secretary-General received, on 28 February 1977, from the Government of Israel the following communication:

"The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon Iraq, under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq and attitude of complete reciprocity."

<sup>26</sup> With the same declaration as the one made in respect of the Convention on the International Maritime Organization.

<sup>27</sup> For the Kingdom in Europe, Surinam and the Netherlands Antilles. See also note 8 in chapter I.1.

<sup>28</sup> The German Democratic Republic had deposited its instrument of acceptance of the amendments at the UN on 29 November 1977. See also note 14 in chapter I.2.

<sup>29</sup> In a letter accompanying the instrument of acceptance, the Government of the Federal Republic of Germany declared that with effect from the day on which the amendments enter into force for the Federal Republic of Germany they shall also apply to Berlin (West).

In this connection the Secretary-General received on 10 February 1978, the following communication from the Government of the Union

of Soviet Socialist Republics (the said communication was addressed to the Secretary-General of the Intergovernmental Maritime Consultative Organization, who transmitted it to the Secretary-General):

The Soviet side can take note of the declaration by the Government of the Federal Republic of Germany concerning the extension of the application of the amendments to the IMCO Convention to Berlin (West) only on the understanding that such extension is made in accordance with the Quadripartite Agreement of 3 September 1971 and in compliance with established procedures.

See also note 28 above.

<sup>30</sup> For the Kingdom in Europe and the Netherlands Antilles. See also note 8 in chapter I.1.

<sup>31</sup> 22 February 1980: acceptance of the amendments except those relating to article 51 of the Convention.

In a communication accompanying the instrument of acceptance, the Government of the United Kingdom stated the following:

"Although this instrument does not include the amendments to article 51 and should not therefore be counted among the acceptances required for the coming into force of those amendments, [the Secretary of State writes] to inform [the Secretary-General], for the sake of clarification, that the Government of the United Kingdom does not wish to make a "declaration" of non-acceptance under the provisions of the present article 51, and will consider itself bound by the amendments to article 51 when these come into force for all Members of IMCO."

28 September 1981: acceptance of amendments to article 51.

<sup>32</sup> Democratic Yemen had deposited its instrument of acceptance of the amendments at the IMO on 13 June 1983 and at the UN on 20 June 1983. See also note 33 in chapter I.2.

<sup>33</sup> The German Democratic Republic had deposited its instrument of acceptance of the amendments at the IMO on 29 January 1980 and at the UN on 5 February 1980. See also note 14 in chapter I.2.

<sup>34</sup> In a communication accompanying the instrument of acceptance, the Government of the Federal Republic of Germany stated that the said amendments will also apply to Berlin (West) with effect from the date on which they will enter into force for the Federal Republic of Germany. See also note 33 above.

<sup>35</sup> Acceptance by the Government of Italy of the 1977 amendments exclude the amendment to what was article 52 at the time of adoption of resolution A.400(X) of 17 November 1977 and became article 62 with the entry into force of the amendments adopted by resolutions A.315 (ES.V) of 17 October 1974 and A.358 (IX) of 14 November 1975.

<sup>36</sup> The German Democratic Republic had deposited its instrument of acceptance of the amendments at the IMO on 2 June 1980 and at the UN on 10 June 1983. See also note 14 in chapter I.2.

<sup>37</sup> See notes 29 and 36 above.

<sup>38</sup> The Yemen Arab Republic had deposited its instrument of acceptance of the amendments with IMO on 8 November 1983 and with the UN on 10 November 1983. See also note 33 in chapter I.2.

<sup>39</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>40</sup> Amendments to article 51 were registered on 28 July 1982 under No. 4214.

**2. CONVENTION REGARDING THE MEASUREMENT AND REGISTRATION OF VESSELS  
EMPLOYED IN INLAND NAVIGATION**

*Bangkok, 22 June 1956*

**NOT YET IN FORCE:** (see article 9).  
**STATUS:** Signatories: 4.  
**TEXT:** United Nations publication, Sales No.: 1957.II.F.9 (E/CN.11/461).

*Note:* The Convention was adopted by the Inland Waterway Sub-Committee of the Inland Transport Committee of the Economic Commission for Asia and the Far East at its third session, held at Dacca, East Pakistan, in October 1955.

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<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Cambodia .....	22 Jun 1956		Lao People's Demo- cratic Republic ...	22 Jun 1956	
China <sup>2</sup> .....			Thailand .....	22 Jun 1956	
Indonesia .....	22 Jun 1956				

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**Notes:**

<sup>1</sup> The Convention was signed on behalf of the Republic of Viet-Nam on 22 June 1956. See also note 32 in chapter I.2 and note 1 in chapter III.6.

<sup>2</sup> Signed on behalf of the Republic of China on 22 June 1956. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

**3. CONVENTION RELATING TO THE UNIFICATION OF CERTAIN RULES CONCERNING  
COLLISIONS IN INLAND NAVIGATION**

*Geneva, 15 March 1960*

**ENTRY INTO FORCE:** 13 September 1966, in accordance with article 11.  
**REGISTRATION:** 13 September 1966, No. 8310.  
**STATUS:** Signatories: 5. Parties: 10.  
**TEXT:** United Nations, *Treaty Series*, vol. 572, p. 133.

*Note:* The Convention was prepared by the Sub-Committee on Inland Water Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe and its subsidiary bodies (Working Party on River Law and Groups of Rapporteurs). The Inland Transport Committee decided to open it for signature at its nineteenth session, held from 14 to 18 December 1959 (See Report of the Inland Transport Committee on its nineteenth session, document E/ECE/TRANS/S14, para. 49).

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Austria.....	14 Jun 1960	27 Sep 1962	Poland.....		8 May 1972 a
Belgium.....	15 Jun 1960		Romania.....		4 Aug 1969 a
France.....	15 Jun 1960	12 Mar 1962	Russian Federation..		26 Jan 1962 a
Germany <sup>1,2</sup> .....	14 Jun 1960	29 May 1973	Switzerland.....		26 Apr 1972 a
Hungary.....		24 Jul 1973 a	Yugoslavia.....		14 Feb 1962 a
Netherlands.....	14 Jun 1960	15 Jun 1966			

***Declarations and Reservations***  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)*

**AUSTRIA**

[The Government of Austria] considers the German text as authentic, in accordance with article 19 of the Convention.

**BELGIUM**

[The Government of Belgium] considers the French text as authentic, in accordance with article 19 of the Convention.

**FRANCE**

In accordance with article 19 of the Convention, [the Government of France] considers the French text as authentic.

**HUNGARY**

(a) Pursuant to article 9 of the Convention, the Hungarian People's Republic reserves the right to provide by law that the provisions of this Convention shall not apply:

- To vessels exclusively employed by the public authorities;
- To those waterways in the territory of the Hungarian People's Republic which are reserved exclusively for its own shipping.

(b) Pursuant to article 15 of the Convention, the Hungarian People's Republic declares that it does not consider itself bound by the provisions of article 14 of the Convention in so far as it concerns the referral of disputes to the International Court of Justice.

**POLAND<sup>3</sup>**

[The Polish People's Republic] reserves the right not to apply the present Convention to inland waterways reserved exclusively for its own shipping.

**ROMANIA**

The Socialist Republic of Romania declares, in accordance with the provisions of article 15, that it does not consider itself bound by the provisions of article 14 of the Convention.

The position of the Socialist Republic of Romania is that disputes relating to the interpretation or application of the Convention may be referred to the International Court of Justice only with the agreement of all the parties in dispute in each particular case.

The Socialist Republic of Romania reserves the right, in accordance with article 9, paragraphs (a) and (b) of the Convention, to provide by law or international agreement that the provisions of the Convention shall not apply to vessels exclusively employed by the public authorities, or to waterways reserved exclusively for its own shipping.

**RUSSIAN FEDERATION**

(a) *With respect to the Convention as a whole:* The Government of the Union of Soviet Socialist Republics declares that the provisions of this Convention will not be applied on inland waterways of the Union of Soviet Socialist Republics that are open to navigation only by ships sailing under the flag of the USSR;

(b) *With respect to article 14:* The Government of the Union of Soviet Socialist Republics does not consider itself bound by article 14 of this Convention with regard to the reference of disputes to the International Court.

In acceding to the Convention, the Government of the USSR deems it necessary at the same time to state its view that article 10 of the Convention, which limits the number of States which may become Parties to it, is illegal.

## YUGOSLAVIA

The Federal People's Republic of Yugoslavia declares in accordance with article 9 of the afore-mentioned Convention:

(a) that it reserves the right to provide by law or international agreement that the provisions of this Convention shall not apply to vessels exclusively employed by the public authorities;

(b) that it reserves the right to provide by law that the provisions of this Convention shall not apply on waterways reserved exclusively for its own shipping.

### Territorial Application

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Netherlands	15 Jun 1966	Surinam

#### Notes:

<sup>1</sup> The German Democratic Republic had acceded to the Convention on 8 October 1976 with reservations and a declaration. For the text of the reservations and the declaration, see United Nations, *Treaty Series*, vol. 1025, p. 378. See also note 14 in chapter 1.2.

<sup>2</sup> The instrument of ratification contains the following statement:

"... The said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany."

In this connexion, the Secretary-General received the following communications:

*German Democratic Republic (communication received on 8 October 1976):*

"The German Democratic Republic, in connexion with its accession to the Convention Relating to the Unification of Certain Rules Concerning Collisions in Inland Navigation of 15 March 1960, declares that the statement of the Federal Republic of Germany according to which this Convention is to be extended to Berlin (West) cannot have any legal consequences and, furthermore, is invalid. The statement of the FRG is incompatible with the four-power agreements and regulations of the post-war period as well as with the Quadripartite Agreement of 3 September 1971. As is known, the German Democratic Republic is competent for the waterways in Berlin (West)."

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (communication received on 13 June 1977—in relation to the communication by the German Democratic Republic):*

"The claim of the German Democratic Republic that it is competent for the waterways in the Western Sectors of Berlin is incorrect. Soon after the war it was decided, with the approval of the respective Sector Commandants, that German technical agencies situated in the Eastern Sector of Berlin would exercise limited operational functions in respect of some of the waterways in the Western Sectors of Berlin. This decision in no way conferred on those agencies any form of sovereignty or jurisdiction over any of the canals, waterways or locks located in the Western Sectors of Berlin, and it has no bearing on the validity of the extension to the Western Sectors of Berlin by the Federal Republic of Germany, in accordance with established procedures, of the Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation.

"When authorising the extension of this Convention to the Western Sectors of Berlin, the authorities of the Three Powers, acting in the exercise of their supreme authority, ensured, in accordance with established procedures, that the Convention is applied in the Western Sectors of Berlin in such a way as not to affect matters of security and status. Accordingly, the application of this Convention to the Western Sectors of Berlin continues in full force and effect.

"The German Democratic Republic is not a party to wartime and post-war Four Power agreements or decisions on Germany and Berlin, nor to the Quadripartite Agreement which was concluded in Berlin on 3 September 1971 by the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, the United

States of America and the Union of Soviet Socialist Republics. The German Democratic Republic is not, therefore, competent to comment authoritatively on those agreements.

"The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications of a similar nature by States which are not parties to the Quadripartite Agreement (or parties to other relevant agreements concluded between the Four Powers). This should not be taken to imply any change in the position of those Governments in this matter."

*Federal Republic of Germany (communication received on 19 July 1977—in relation to the communication by the German Democratic Republic):*

"By their note of 13 June 1977, disseminated [on] 6 July 1977, the Governments of France, the United Kingdom and the United States answered the assertions made in the communication referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the note of the Three Powers, wishes to confirm that the application in Berlin (West) of the above-mentioned instrument extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

*Union of Soviet Socialist Republics (communication received on 18 October 1977—in relation to the communication by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America):*

The Soviet side cannot agree with the claim contained in the above-mentioned letter regarding the status of waterways in the Western Sectors of Berlin, which creates a false picture of their *de facto* and *de jure* situation. It is well known that Berlin was never territorially separate from the former Soviet occupation zone of Germany, and the waterways of its Western Sectors were always regarded as an integral part of the water system of that zone and were under the jurisdiction of the Soviet authorities. This situation was reflected and corroborated in the relevant post-war Four-Power agreements and decisions. The corresponding rights and powers were thereafter transferred by the Soviet authorities to the authorities of the German Democratic Republic.

Therefore, the claim contained in the three Power statement that agencies of the German Democratic Republic are competent only to "exercise limited operational functions in respect of some of the waterways in the Western Sectors of Berlin", does not correspond to the real situation. The German Democratic Republic is competent to express its view as to which international agreements regulating problems of inland navigation may apply to these waterways.

The Permanent Mission of the Union of Soviet Socialist Republics declares that the Soviet side, as a party to the wartime and post-war Four-Power agreements and decisions, as well as to the Quadripartite Agreement of 3 September 1971, fully endorses and supports the declaration of the Government of the German Democratic Republic

regarding the invalidity of the extension to Berlin (West) by the Federal Republic of Germany of the Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation.

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (communication received on 21 April 1978—in relation to the communication by the Union of Soviet Socialist Republics received on 18 October 1977):*

"The Governments of France, the United Kingdom and the United States do not accept the assertions contained in the communication of the Union of Soviet Socialist Republics dated 18 October 1977 concerning the status of waterways in the Western Sectors of Berlin. They reaffirm the views expressed in their communication of 13 June 1977 concerning the status of those waterways and concerning the validity of the extension to the Western Sectors of Berlin by the Federal Republic of Germany of the Convention relating to the Unification of Certain Rules Concerning Collisions in Inland Navigation.

"The Soviet communication referred to above also incorrectly asserts that Berlin was never territorially separate from the Soviet Occupation Zone of Germany. In this connection the Governments of France, the United Kingdom and the United States wish to recall *inter alia* the provision in the London Protocol of 12 September 1944 according to

which, separately from the Zones of Occupation, a "special Berlin area" under joint occupation was established in Germany."

*Federal Republic of Germany (communication received on 30 May 1978—in relation to the note by the Union of Soviet Socialist Republics received on 18 October 1977):*

"By their Note of 20 April 1978, [...], the Governments of France, the United Kingdom and the United States answered the assertions made in the communication referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the Note of the Three Powers, wishes once more to confirm that the application in Berlin (West) of the above-mentioned instrument extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

See also note 1 above.

<sup>3</sup> On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 14 of the Convention made upon accession. For the text of the reservation see United Nations, *Treaty Series*, vol. 823, p. 414.

#### 4. CONVENTION ON THE REGISTRATION OF INLAND NAVIGATION VESSELS

Geneva, 25 January 1965

**ENTRY INTO FORCE:** 24 June 1982, in accordance with article 17 (1).  
**REGISTRATION:** 24 June 1982, No. 21114.  
**STATUS:** Signatories: 8. Parties: 6.  
**TEXT:** United Nations, *Treaty Series*, vol. 1281, p. 111.

*Note:* The Convention was prepared by the Sub-Committee on Inland Water Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe and its subsidiary bodies (Working Party on River Law and Groups of Rapporteurs). The Inland Transport Committee, at its twenty-first session held from 20 to 24 January 1964, decided that the question of the opening of the Convention for signature should be settled by the Sub-Committee on Inland Water Transport at its next session (see Report of the Inland Transport Committee on its twenty-third session, document E/ECE/TRANS/535, paragraph 52). The decision to open the Convention for signature was taken by the said Sub-Committee at its eighth session held from 28 to 30 October 1964 (see document TRANS/291, paragraph 17).

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Austria . . . . .	18 Jun 1965	26 Aug 1977	Netherlands <sup>2</sup> . . . . .	30 Dec 1965	14 Nov 1974
Belgium . . . . .	31 Dec 1965		Switzerland . . . . .	28 Dec 1965	14 Jan 1976
France . . . . .	31 Dec 1965	13 Jun 1972	Yugoslavia . . . . .	17 May 1965	11 Oct 1985
Germany <sup>1</sup> . . . . .	5 Nov 1965				
Luxembourg . . . . .	14 Dec 1965	26 Mar 1982			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)*

**AUSTRIA**

1. Austria accepts Protocol No. 1 annexed to the Convention concerning the Rights *in rem* in Inland Navigation Vessels.
2. Austria accepts Protocol No. 2 annexed to the Convention concerning Attachment and Forced Sale of Inland Navigation Vessels.

**BELGIUM**

Belgium enters the reservations provided for in article 21, paragraph 1 (b), (c) and (d).

**FRANCE**

*Upon signature:*

France declares that it accepts Protocol No. 1, annexed hereto, concerning Rights *in rem* in Inland Navigation Vessels, and Protocol No. 2, also annexed hereto, concerning Attachment and Forced Sale of Inland Navigation Vessels.

*Upon ratification:*

France, exercising the reservation provided for in article 19 of Protocol No. 1, declares pursuant to article 21, paragraph 2, of the Convention, that it will not apply the provisions of article 14, paragraph 2 (b), of this Protocol in the event of a forced sale in its territory.

**GERMANY<sup>1</sup>**

The Federal Republic of Germany declares that:

1. German registration offices will supply extracts from documents deposited with them and referred to by the entries in the register only to applicants who produce evidence of a legitimate interest in obtaining such extracts.

2. It will not apply the Convention to vessels navigating on lakes and adjacent sections of waterways and belonging to the German Federal Railways.

**LUXEMBOURG**

Luxembourg declares that it accepts Protocol No. 1 concerning Rights *in rem* in Inland Navigation Vessels, and Protocol No. 2 concerning Attachment and Forced Sale of Inland Navigation Vessels.

**NETHERLANDS**

In accordance with article 21, paragraph 1 (d) of the Convention, the Netherlands will not apply this Convention to vessels used exclusively for a non-commercial government service.

13 June 1985

[The Netherlands], in accordance with the provision of article 15, paragraph 1, accepts Protocol No. 1 concerning Rights *in rem* in inland navigation vessels

**SWITZERLAND**

*Reservations made upon signature and confirmed upon ratification:*

Switzerland enters the following reservations pursuant to article 21, paragraph 1 (b), (c) and (d), of the Convention:

- ad (b):* Its registration offices will supply extracts as specified in article 2, paragraph 3, of the Convention only to applicants who produce evidence of a legitimate interest in obtaining such extracts;

*ad (c)*: It will not apply the Convention to vessels navigating on lakes and adjacent sections of waterways and belonging to national railways administrations or operating under licence;

*ad (d)*: It will not apply the Convention to vessels used exclusively for a non-commercial government service.

Switzerland declares that it accepts Protocol No. 1 concerning Rights *in rem* in Inland Navigation Vessels and declares that, pursuant to article 19 of the said Protocol and to article 21, paragraph 2, of the Convention, it will not apply the provisions

of article 14, paragraph 2 (b), of the said Protocol in the event of a forced sale in its territory.

#### YUGOSLAVIA

[The Government of Yugoslavia] exercising the option provided for in article 15 (1), the Government of Yugoslavia specified that it accepts Protocol No. 1 concerning rights *in rem* in Inland Navigation Vessels and Protocol No. 2 concerning Attachment and Forced Sale of Inland Navigation Vessels, annexed to the Convention.

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#### Notes:

<sup>1</sup> See note 14 in chapter I.2.

<sup>2</sup> For the Kingdom in Europe.

## 5. CONVENTION ON THE MEASUREMENT OF INLAND NAVIGATION VESSELS

*Geneva, 15 February 1966*

**ENTRY INTO FORCE:** 19 April 1975, in accordance with article 11.  
**REGISTRATION:** 19 April 1975, No. 13899.  
**STATUS:** Signatories: 7. Parties: 13.  
**TEXT:** United Nations, *Treaty Series*, vol. 964, p. 177.

*Note:* The Convention was prepared by the Sub-Committee on Inland Water Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe and its subsidiary bodies (Working Party on River Law and Groups of Rapporteurs). The Inland Transport Committee decided to open it for signature at its twenty-fifth session held from 17 to 20 January 1966 (see Report of the Inland Transport Committee on its twenty-fifth session, document E/ECE/TRANS/544, para. 63).

<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Belgium .....	2 Nov 1966	9 Mar 1972	Netherlands <sup>5</sup> .....	14 Nov 1966	14 Aug 1978
Bulgaria .....	14 Nov 1966	4 Mar 1980	Romania .....		24 May 1976 a
Czech Republic <sup>2</sup> .....		2 Jun 1993 d	Russian Federation...		19 Feb 1981 a
France .....	17 May 1966	8 Jun 1970	Slovakia <sup>2</sup> .....		28 May 1993 d
Germany <sup>3,4</sup> .....	14 Nov 1966	19 Apr 1974	Switzerland .....	14 Nov 1966	7 Feb 1975
Hungary .....		5 Jan 1978 a	Yugoslavia .....		8 Dec 1969 a
Luxembourg .....	29 Jul 1966	26 Mar 1982			

### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

#### BELGIUM

*Article 15, paragraph 2:*

The extension of measurement certificates shall not be applicable to certificates issued by Belgium in order to guarantee the value and accuracy of the document.

#### BULGARIA<sup>6</sup>

*Upon signature and confirmed upon ratification:*

It further declares that the validity of measurement certificates issued by its measurement offices for vessels intended for the carriage of goods may be extended only by one of the said offices.

*Upon ratification:*

The term of validity of measurement certificates issued by its measurement offices for inland navigation vessels is 15 years and cannot be extended.

#### CZECH REPUBLIC<sup>2</sup>

#### FRANCE

*Upon signature of the Protocol of Signature:*

Since the measurement signs affixed by the French services are not intended solely to establish the fact of measurement, the said signs shall not be either removed or effaced at the time of remeasurement; instead, an indelible mark consisting of a small cross with vertical and horizontal arms of equal length shall be applied to the left of such signs.

#### HUNGARY

The Presidential Council of the Hungarian People's Republic declares that it does not consider itself bound by those provisions of article 14 of the Convention which refer the disputes between Contracting Parties to the International Court of Justice.

#### NETHERLANDS<sup>7</sup>

#### ROMANIA

The Socialist Republic of Romania declares, pursuant to article 15, paragraph 1, that it does not consider itself bound by the provisions of article 14 of the Convention. The position of the Socialist Republic of Romania is that disputes relating to the interpretation or application of the Convention may be referred to the International Court of Justice only with the consent of all the parties to the dispute, in each individual case.

#### RUSSIAN FEDERATION

*Reservation:*

In accordance with article 15, paragraph 1, of the Convention on the Measurement of Inland Navigation Vessels the Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 14 of that Convention, to the effect that any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention which the Parties are unable to settle by negotiation or by other settlement procedures may, at the request of any of the Contracting Parties concerned, be referred for settlement to the International Court of Justice, and declares that for the referral of



such disputes to the International Court, the consent of all the parties to the dispute is necessary in each individual case;

*Declaration:*

In accordance with article 10, paragraph 6, of the 1966 Convention on the Measurement of Inland Navigation Vessels, the Union of Soviet Socialist Republics declares that the provisions

of this Convention shall not apply to inland waterways of the Union of Soviet Socialist Republics that are open to navigation only for vessels flying the flag of the Union of Soviet Socialist Republics.

SLOVAKIA<sup>2</sup>

*Notification of distinctive letters of measurement offices under article 10 (5) of the Convention<sup>2</sup>*

Participant	Distinctive letters
Belgium	BR-B
Bulgaria <sup>8</sup>	LB (Lom)
	RB(Rousse)
France	F
Germany <sup>3</sup>	D
Hungary	HU
Luxembourg	L
Netherlands	[RN (Rotterdam)]
	[AN (Amsterdam)]
	[GN (Groningen)]
	HN(Rijswijk)
Romania	RNR
Russian Federation	RSSU
Switzerland	BS-CH (Basel Stadt)
	BL-CH (Basel-Land)
	AG-CH (Aargau)
Yugoslavia	JR-YU

*Notes:*

<sup>1</sup> The Convention and the Protocol of Signature were signed on behalf of each of the States mentioned on the same date, with the exception of Belgium, on behalf of which the Convention was signed on 2 November 1966 and the Protocol on 4 November 1966.

<sup>2</sup> Czechoslovakia had acceded to the Convention on 2 January 1974, with a declaration, and choosing "CS" as distinctive letters of measurement offices. Subsequently, on 22 January 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the declaration made upon accession. For the text of the declaration, see United Nations, *Treaty Series*, vol 964, p. 224.

See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had acceded to the Convention on 31 August 1976 choosing "DDR" as distinctive letters of measurement offices and with a reservation. For the text of the reservation, see United Nations, *Treaty Series*, vol 1021, p. 474. See also note 14 in chapter I.2.

<sup>4</sup> Upon ratification of the Convention, the Federal Republic of Germany declared that the Convention shall also apply to Berlin (West) as from the day on which it will enter into force for the Federal Republic of Germany.

In this connexion, the Government of the German Democratic Republic, upon accession to the Convention, declared the following:

"As regards the application of the Convention to Berlin (West) the German Democratic Republic, in conformity with the Quadripartite Agreement between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the French Republic of 3 September 1971, states that Berlin (West) continues not to be a constituent part of the Federal Republic of Germany and not to be governed by it.

Accordingly, the German Democratic Republic only takes note of the statement of the Federal Republic of Germany on the extension of the Convention to Berlin (West) on the understanding that such extension is in conformity with the Quadripartite Agreement and that by applying the provisions of the Convention to Berlin (West) matters of status of Berlin (West) are not affected."

See also note 3 above.

<sup>5</sup> For the Kingdom in Europe.

<sup>6</sup> In a notification received on 6 May 1994, the Government of Bulgaria notified the Secretary-General that it had decided to withdraw the reservation made upon signature and confirmed upon ratification with respect to article 14. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1161, p. 480.

<sup>7</sup> In a communication received on 31 May 1996, the Government of the Netherlands notified the Secretary-General that it had decided to withdraw its declaration made upon ratification. For the text of the declaration, see United Nations, *Treaty Series*, vol. 1102, p. 342.

<sup>8</sup> Each of these two groups of distinctive letters to be followed by a figure indicating the serial number of the measurement certificate issued by the office concerned.

<sup>9</sup> In a communication received on 19 May 1989, the Government of the Netherlands notified the Secretary-General of the following changes concerning the declarations made in respect of articles 2 (3) and 10 (5) of the said Convention:

"After an internal reorganisation of the Netherlands Measuring Office for Navigation Vessels on 1 January 1989, the competent office issuing measurement certificates for the application of art. 2 paragraph 3 and art. 10 paragraph 5 of the Convention, is the Measurement Office in Rijswijk, designated by the letters HN."

## 6. CONVENTION ON A CODE OF CONDUCT FOR LINER CONFERENCES

*Geneva, 6 April 1974*

**ENTRY INTO FORCE:** 6 October 1983, in accordance with article 49 (1).  
**REGISTRATION:** 6 October 1983, No. 22380.  
**STATUS:** Signatories: 23. Parties: 78.  
**TEXT:** United Nations, *Treaty Series*, vol. 1334, p. 15 and vol. 1365, p. 360 (procès-verbal of rectification of the English and French authentic texts).

*Note:* Adopted by a Conference of plenipotentiaries which met at Geneva from 12 November to 15 December 1973 and from 11 March to 6 April 1974 under the auspices of the United Nations Conference on Trade and Development, in accordance with resolution 3035 (XXVII)<sup>1</sup> of the General Assembly of the United Nations dated on 19 December 1972. Open for signature from 1 July 1974 to 30 June 1975.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA), Succession (d)</i>
Algeria	27 Jun 1975	12 Dec 1986	Kenya		27 Feb 1978 a
Bangladesh		24 Jul 1975 a	Kuwait		31 Mar 1986 a
Barbados		29 Oct 1980 a	Lebanon		30 Apr 1982 a
Belgium	30 Jun 1975	30 Sep 1987	Madagascar		23 Dec 1977 a
Benin		27 Oct 1975 a	Malaysia		27 Aug 1982 a
Brazil	23 Jun 1975		Mali		15 Mar 1978 a
Bulgaria		12 Jul 1979 a	Malta	15 May 1975	
Burkina Faso		30 Mar 1989 a	Mauritania		21 Mar 1988 a
Cameroon		15 Jun 1976 a	Mauritius		16 Sep 1980 a
Cape Verde		13 Jan 1978 a	Mexico		6 May 1976 a
Central African Republic		13 May 1977 a	Morocco		11 Feb 1980 a
Chile		25 Jun 1975 s	Mozambique		21 Sep 1990 a
China <sup>2</sup>		23 Sep 1980 a	Netherlands <sup>7</sup>		6 Apr 1983 a
Congo		26 Jul 1982 a	Niger	24 Jun 1975	13 Jan 1976
Costa Rica	15 May 1975	27 Oct 1978	Nigeria		10 Sep 1975 a
Côte d'Ivoire	1 May 1975	17 Feb 1977	Norway		28 Jun 1985 a
Cuba		23 Jul 1976 a	Pakistan		27 Jun 1975 s
Czech Republic <sup>3</sup>		2 Jun 1993 d	Peru		21 Nov 1978 a
Democratic Republic of the Congo		25 Jul 1977 a	Philippines	2 Aug 1974	2 Mar 1976
Denmark <sup>4</sup>		28 Jun 1985 a	Portugal		13 Jun 1990 a
Ecuador	22 Oct 1974		Qatar		31 Oct 1994 a
Egypt		25 Jan 1979 a	Republic of Korea		11 May 1979 a
Ethiopia	19 Jun 1975	1 Sep 1978	Romania		7 Jan 1982 a
Finland		31 Dec 1985 a	Russian Federation	27 Jun 1975	28 Jun 1979 A
France	30 Jun 1975	4 Oct 1985 AA	Saudi Arabia		24 May 1985 a
Gabon	10 Oct 1974	5 Jun 1978	Senegal	30 Jun 1975	20 May 1977
Gambia		30 Jun 1975 s	Sierra Leone		9 Jul 1979 a
Germany <sup>5,6</sup>	30 Jun 1975	6 Apr 1983	Slovakia <sup>3</sup>		28 May 1993 d
Ghana	14 May 1975	24 Jun 1975	Somalia		14 Nov 1988 a
Guatemala	15 Nov 1974	3 Mar 1976	Spain		3 Feb 1994 a
Guinea		19 Aug 1980 a	Sri Lanka		30 Jun 1975 s
Guyana		7 Jan 1980 a	Sudan		16 Mar 1978 a
Honduras		12 Jun 1979 a	Sweden		28 Jun 1985 a
India	27 Jun 1975	14 Feb 1978	Togo	25 Jun 1975	12 Jan 1978
Indonesia	5 Feb 1975	11 Jan 1977	Trinidad and Tobago		3 Aug 1983 a
Iran (Islamic Republic of)	7 Aug 1974		Tunisia		15 Mar 1979 a
Iraq		25 Oct 1978 a	Turkey	30 Jun 1975	
Italy		30 May 1989 a	United Kingdom of Great Britain and Northern Ireland <sup>2,8</sup>		28 Jun 1985 a
Jamaica		20 Jul 1982 a	United Republic of Tanzania		3 Nov 1975 a
Jordan		17 Mar 1980 a	Uruguay		9 Jul 1979 a

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA), Succession (d)</i>
Venezuela .....		30 Jun 1975 s
Yugoslavia.....	17 Dec 1974	7 Jul 1980
Zambia.....		8 Apr 1988 a

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon definitive signature, ratification, accession, acceptance, approval or succession.)

**BELGIUM**

*Upon signature:*

Under Belgian law, the Convention must be approved by the legislative chambers before it can be ratified.

In due course, the Belgian Government will submit this Convention to the legislative chambers for ratification, with the express reservation that its implementation should not be contrary to the commitments undertaken by Belgium under the Treaty of Rome establishing the European Economic Community and the OECD Code of Liberalisation of invisible trade, and taking into account any reservations it may deem fit to make to the provisions of this Convention.

*Upon ratification:*

1. *Reservations:*

1. For the purposes of the Code of Conduct, the term "national shipping line" may, in the case of a State member of the European Economic Community, include any vessel-operating shipping line established on the territory of that member State, in accordance with the Treaty establishing the European Economic Community.

2. (a) Without prejudice to paragraph (b) of this reservation, Article 2 of the Code of Conduct shall not be applied in conference trades between States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code:

(b) Point (a) shall not affect the opportunities for participation as third country shipping lines in such trades, in accordance with the principles reflected in Article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(i) Already members of a conference serving these trades, or

(ii) Admitted to such a conference under Article 1 (3) of the Code.

3. Articles 3 and 14 (9) of the Code of Conduct shall not be applied in conference trades between the States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code.

4. In trades to which Article 3 of the Code of Conduct applies, the last sentence of that Article is interpreted as meaning that:

(a) The two groups of national shipping lines will co-ordinate their positions before voting on matters concerning the trade between their two countries;

(b) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

II. *Declarations:*

1. In accordance with the Resolution on non-conference shipping lines adopted by the Conference of Plenipotentiaries, as reproduced in annex II-2 to this convention, the Government of the Kingdom of Belgium shall not prevent non-conference shipping lines from operating, provided that they compete with the conferences on a commercial basis, respecting the principle of fair competition. This government confirms its intention to abide by the said Resolution.

2. The Government of the Kingdom of Belgium declares that it will implement the Convention and its annexes in accordance with the basic concepts and considerations herein stated and, in so doing, is not precluded by the Convention from taking appropriate steps in the event that another contracting party adopts measures or practices that prevent fair competition on a commercial basis in its liner trades.

**BRAZIL**

*Upon signature:*

"In accordance with SUNAMAM's resolutions Nos. 3393, of 12/30/1972, and 4173, of 12/21/1972, which set up and structured the "Bureau de Estudos de Fretes Internacionais da SUNAMAM", and by which the "Superintendência Nacional de Marinha Mercante (SUNAMAM)" has the authority to reject any proposal on freight rates put forward by Liner Conferences, the contents of article 14, paragraph 6, of that Convention do not conform to Brazilian Law."

**BULGARIA**

The Government of the People's Republic of Bulgaria considers that the definition of liner conference does not include joint bilateral lines operating on the basis of inter-governmental agreements.

With regard to the text of point 2 of the annex to resolution I, adopted on 6 April 1974, the Government of the People's Republic of Bulgaria considers that the provisions of the Convention on a Code of Conduct for Liner Conferences do not cover the activities of non-conference shipping lines.

**CHINA**

The joint shipping services established between the People's Republic of China and any other country through consultations and on a basis that the parties concerned may deem appropriate, are totally different from liner conferences in nature, and the provisions of the United Nations Convention on a Code of Conduct for Liner Conferences shall not be applicable thereto.

## CUBA

### *Reservation:*

The Republic of Cuba enters a reservation concerning the provisions of article 2, paragraph 17, of the Convention, to the effect that Cuba will not apply said paragraph to goods carried by joint liner services for the carriage of any cargo, established in accordance with inter-governmental agreements, regardless of their origin, their destination or the use for which they are intended.

### *Declaration:*

With regard to the definitions in the first paragraph of part one, chapter I, the Republic of Cuba does not accept the inclusion in the concept of "Liner conference or conference" of joint liner services for the carriage of any type of cargo, established in accordance with inter-governmental agreements.

## CZECH REPUBLIC<sup>3</sup>

### DENMARK

### *Reservations:*

"1. For the purposes of the Code of Conduct, the term "national shipping line" may, in the case of a State member of the European Economic Community, include any vessel-operating shipping line established on the territory of that member State, in accordance with the Treaty establishing the European Economic Community.

2. (a) Without prejudice to paragraph (b) of this reservation, Article 2 of the Code of Conduct shall not be applied in conference trades between States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code;

(b) Point (a) shall not affect the opportunities for participation as third country shipping lines in such trades, in accordance with the principles reflected in Article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(i) Already members of a conference serving these trades;

or

(ii) Admitted to such a conference under Article 1 (3) of the Code.

3. Article 3 and 14 (9) of the Code of Conduct shall not be applied in conference trades between the States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code.

4. In trades to which Article 3 of the Code of Conduct applies, the last sentence of that Article is interpreted as meaning that:

(a) The two groups of national shipping lines will co-ordinate their positions before voting on matters concerning the trade between their two countries;

(b) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement."

### *Declarations:*

The Government of Denmark considers that the United Nations Convention on a Code of Conduct for Liner Conferences affords the shipping lines of developing countries extended opportunities to participate in the conference system and is drafted so as to regulate conferences and their activities in open trades (i.e., when opportunities to compete exist).

This Government also considers that it is essential for the functioning of the Code and conferences subject thereto that opportunities for fair competition on a commercial basis by non-conference shipping lines continue to exist and that shippers are not denied an option in the choice between conference shipping

lines and non-conference shipping lines, subject to loyalty arrangements where they exist. These basic concepts are reflected in a number of provisions of the Code itself, including its objectives and principles, and they are expressly set out in Resolution No. 2 on non-conference shipping lines adopted by the United Nations Conference of Plenipotentiaries. This Government considers furthermore that any regulations or other measures adopted by a contracting party to the United Nations Convention with the aim or effect of eliminating such opportunities for competition by non-conference shipping lines would be inconsistent with the above-mentioned basic concepts and would bring about a radical change in the circumstances in which conferences subject to the Code are envisaged as operating. Nothing in the Convention obliges other contracting parties to accept either the validity of such regulations or measures, or situations where conferences, by virtue of such regulations or measures, acquire effective monopoly in trades subject to the Code.

The Government of Denmark declares that it will implement the Convention in accordance with the basic concepts and considerations herein stated and, in so doing, is not precluded by the Convention from taking appropriate steps in the event that another contracting party adopts measures or practices that prevent fair competition on a commercial basis in its liner trades.

### FINLAND

### *Reservations:*

"1. Articles 2, 3 and 14 (9) of the Code of Conduct shall, on a reciprocal basis, not be applied in conference trades between Finland and other OECD countries which are parties to the Code.

2. In trades to which Article 3 of the Code of Conduct applies, the last sentence of that Article is interpreted as meaning that:

a) The two groups of national shipping lines will coordinate their positions before voting on matters concerning the trade between their two countries;

b) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

### *Declarations:*

A. The Government of Finland considers that the United Nations Convention on a Code of Conduct for Liner Conferences affords the shipping lines of developing countries extended opportunities to participate in the conference system and is drafted so as to regulate conferences and their activities in open trades (i.e., when opportunities to compete exist). This Government also considers that it is essential for the functioning of the Code and conferences subject thereto that opportunities for fair competition on a commercial basis by non-conference shipping lines continue to exist and that shippers are not denied an option in the choice between conference shipping lines and non-conference shipping lines, subject to loyalty arrangements where they exist. These basic concepts are reflected in a number of provisions of the Code itself, including its objectives and principles, and they are expressly set out in Resolution No. 2 on non-conference shipping lines adopted by the United Nations Conference of Plenipotentiaries.

B. This Government considers furthermore that any regulations or other measures adopted by a contracting party to the UN Convention with the aim or effect of eliminating such opportunities for competition by non-conference shipping lines would be inconsistent with the above-mentioned basic concepts and would bring about a radical change in the circumstances in which conferences subject to the Code are envisaged as operating. Nothing in the Convention obliges other contracting par-

ties to accept either the validity of such regulations or measures or situations where conferences, by virtue of such regulations or measures, acquire effective monopoly in trades subject to the Code.

C. The Government of Finland declares that it will implement the Convention in accordance with the basic concepts and considerations herein stated and, in so doing is not precluded by the Convention from taking appropriate steps in the event that another contracting party adopts measures or practices that prevent fair competition on a commercial basis in its liner trades."

#### FRANCE

##### *Declaration made upon signature:*

Under the French Constitution, approval of the Convention is subject to authorization by Parliament.

It is understood that this approval is conditional upon compliance with the commitments undertaken by France under the Treaty of Rome establishing the European Economic Community and the Code of Liberalisation of invisible trade of the Organisation for Economic Co-operation and Development, taking into account any reservations which the French Government may deem fit to make to the provisions of this Convention.

##### *Reservations made upon approval:*

[Same reservations, identical in essence, as those made by Denmark.]

#### GERMANY<sup>5</sup>

##### *Upon signature:*

"The Convention under the law of the Federal Republic of Germany, requires the approval of the legislative bodies for ratification. At the appropriate time, the Federal Republic of Germany will implement the Convention in conformity with its obligations under the Treaty of Rome establishing the European Economic Community as well as under the OECD Code of Liberalisation of Current Invisible Operations."

##### *Upon ratification:*

##### *Declarations:*

1. For the purposes of the Code of Conduct, the term "national shipping line" may, in the case of a Member State of the European Economic Community, include any vessel operating shipping line established on the territory of such Member State in accordance with the EEC Treaty.

2. (a) Without prejudice to paragraph (b) [hereinafter], article 2 of the Code of Conduct shall not be applied in conference trades between the Member States of the European Economic Community or, on the basis of reciprocity, between such States and other OECD countries which are parties to the Code.

(b) Paragraph (a) [above] shall not affect the opportunities for participation as third-country shipping lines in such trades, in accordance with the principles laid down in such trades, in accordance with the principles laid down in article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are: (i) Already members of a conference serving these trades; or (ii) Admitted to such a conference under article 1 (3) of the Code

3. Articles 3 and 14 (9) of the Code of Conduct shall not be applied in conference trades between the Member States of the Community or, on a reciprocal basis, between such States and the other OECD countries which are parties to the Code.

4. In trades to which article 3 of the Code of Conduct applies, the last sentence of that article is interpreted as meaning that:

(a) The two groups of national shipping lines will coordinate their positions before voting on matters concerning the trade between their two countries;

(b) this sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

5. The Government of the Federal Republic of Germany will not prevent non-conference shipping lines from operating as long as they compete with conferences on a commercial basis while adhering to the principle of fair competition, in accordance with the resolution on non-conference lines adopted by the Conference of Plenipotentiaries. It confirms its intention to act in accordance with the said resolution.

#### INDIA

"In confirmation of paragraph (2) of the statement filed by the Representative of India on behalf of the Group of 77 on 8 April 1974 at the United Nations Conference of Plenipotentiaries on a Code of Conduct for Liner Conferences, it is the understanding of the Government of India that the inter-governmental shipping services established in accordance with inter-governmental agreements fall outside the purview of the Convention on the Code of Conduct for Liner Conferences regardless of the origin of the cargo, their destination or the use for which they are intended."

#### IRAQ

The accession shall in no way signify recognition of Israel or entry into any relation therewith.

#### ITALY

##### *Reservation:*

1. In application of the Code of Conduct, the concept of a "national shipping line" may, in the case of a member State of the European Community, include all shipping companies established on the territory of that member State in accordance with the treaty setting up the European Economic Community.

2. (a) Without prejudice to the text of paragraph (b) of this reservation, article 2 of the Code of Conduct shall not be applied in trade carried by a conference between the member States of the Community and, on a reciprocal basis, between those States and the other OECD countries parties to the Code,

(b) The text of paragraph (a) shall not affect the opportunities for shipping lines of developing countries, as third-country shipping lines, to take part in such trade in accordance with the principles set out in article 2 of the Code, provided they have been recognized as national shipping lines under the terms of the Code and:

(i) Are already members of a conference carrying such trade, or

(ii) Have been accepted for membership of such a conference under the provisions of article 1(3) of the Code.

3. Article 3 and article 14(9) of the Code of Conduct shall not be applied in trade carried out by a conference between the member States of the Community and, on a reciprocal basis, between those countries and the other OECD countries parties to the Code.

4. In any trade to which article 3 of the Code of Conduct applies, the last sentence of the article is taken to mean that:

(a) The two groups of national shipping lines shall coordinate their positions before voting on matters relating to trade between their two countries;

(b) The sentence shall be applied solely to matters defined in a conference agreement as requiring the consent of the two groups of national shipping lines concerned and not to all matters covered by the conference agreement.

##### *Declaration:*

The Government of the Republic of Italy

-Will not prevent non-conference lines from operating as long as they compete with conferences on a commercial basis while adhering to the principle of fair competition, in accordance with the Resolution on non-conference lines adopted by the Conference of Plenipotentiaries;

-Confirms its intention of acting in accordance with the said Resolution."

#### KUWAIT

*Under standing:*

Th . accession to the Convention does not mean in any way a recognition of Israel by the Government of Kuwait.

#### NETHERLANDS

*[Same declarations, identical in essence, as those made by the Federal Republic of Germany upon ratification]*

#### NORWAY

*[Same declarations and reservations, identical in essence, as those made by Denmark.]*

#### PERU

The Government of Peru does not regard itself as being bound by the provisions of chapter II, article 2, paragraph 4, of the Convention.

#### PORTUGAL

##### A. Reservations:

1. In application of the Code of Conduct, the term "national shipping line" may, in the case of a Member State of the European Community, include any vessel-operating shipping line established on the territory of such Member State in accordance with the EEC Treaty.

2 (a) Without prejudice to paragraph (b) of this reservation, article 2 of the Code of Conduct shall not be applied in conference trades between the Member States of the Community and, on a reciprocal basis, between such States and the other OECD countries which are parties to the Code.

(b) The text of paragraph (a) shall not affect the opportunities for participation as third country shipping lines in such trades, in accordance with the principles reflected in article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(i) Already members of a conference serving these trade; or

(ii) Admitted to such a conference under article 1 (3) of the Code.

3. Articles 3 and 14 (9) of the Code of Conduct shall not be applied in conference trades between the Member States of the Community and, on a reciprocal basis, between such States and the other OECD countries which are parties to the Code.

4. In trades to which Article 3 of the Code of Conduct applies, the last sentence of that Article is interpreted as meaning that:

- The two groups of national shipping lines will co-ordinate their positions before voting on matters concerning the trade between their two countries;

- This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

##### B. Declarations:

1. The Government of Portugal considers that the United Nations Convention on a Code of Conduct for Liner Conferences affords the shipping lines of developing countries

extended opportunities to participate in the conference system and is drafted so as to regulate conferences and their activities in open trades. The Government also considers that it is essential for the functioning of the Code and conferences subject thereto that opportunities for fair competition on a commercial basis by non-conference shipping lines continue to exist and that shippers are not denied an option in the choice between conference shipping lines and non-conference shipping lines, subject to loyalty arrangements where they exist. These basic concepts are reflected in a number of provisions of the Code itself, including its objectives and principles, and they are expressly set out in Resolution No. 2 on non-conference shipping lines adopted by the United Nations Conference of Plenipotentiaries.

2. The Government considers furthermore that any regulations or other measures adopted by a Contracting Party to the Convention with the aim or effect of eliminating such opportunities for competition by non-conference shipping lines would be inconsistent with the above-mentioned basic concepts and would bring about a radical change in the circumstances in which conferences subject to the Code are envisaged as operating. Nothing in the Convention obliges other Contracting Parties to accept either the validity of such regulations or measures or situations where conferences, by virtue of such regulations or measures, acquire effective monopoly in trades subject to the Code.

3. The Government of Portugal declares that it will implement the Convention in accordance with the basic concepts and considerations herein stated and, in so doing, is not precluded by the Convention from taking appropriate steps in the event that another Contracting Party adopts measures or practices that prevent fair competition on a commercial basis in its liner trade.

#### RUSSIAN FEDERATION

The Government of the Union of Soviet Socialist Republics considers that the provisions of the Convention on a Code of Conduct for Liner Conferences do not apply to joint shipping lines established on the basis of intergovernmental agreements to serve bilateral trade between the countries concerned.

#### SLOVAKIA<sup>3</sup>

#### SPAIN

##### Reservation 1:

For the purposes of implementing the Code of Conduct, the concept of a "national shipping line" may, in the case of a State member of the European Economic Community, include any vessel-operating shipping line established in the territory of that State, in accordance with the Treaty establishing the European Economic Community.

##### Reservation 2:

(a) Without prejudice to the text of (b) below, article 2 of the Code of Conduct shall not apply in conference trades between States members of the Community and, on the basis of reciprocity, between these States and other Organization for Economic Cooperation and Development (OECD) countries which are parties to the Code.

(b) The text of (a) above shall not affect the opportunities for participation in such trades, as third-country shipping lines, in accordance with the principles set out in article 2 of the Code, by the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(I) Members of a conference which ensures such trades, or

(II) Admitted to membership of that conference under article 1, paragraph 3, of the Code.

**Reservation 3:**

Article 3 and article 14, paragraph 9, of the Code shall not apply in conference trades between States members of the Community and, on the basis of reciprocity, between these States and other OECD countries which are parties to the Code.

**Reservation 4:**

In trades to which article 3 of the Code applies, the final sentence of that article shall be interpreted as follows:

(a) The two groups of national shipping lines shall coordinate their positions prior to voting on issues relating to trade between their two countries.

(b) This sentence shall apply solely to issues which, under the conference agreement, require the consent of the two groups of national shipping lines concerned, and not to all issues dealt with in the conference agreement.

**Declaration:**

A. The Government of Spain considers that the United Nations Convention on a Code of Conduct for Liner Conferences provides the shipping lines of developing countries with ample opportunities to participate in the liner conference system, and that it has been drafted in such a manner as to regulate conferences and their activities within a system of free trade (where there are opportunities for non-conference shipping lines).

This Government also deems it essential to the functioning of the Code and of the conferences whose regulation is referred to that there should continue to be opportunities for fair competition on a commercial basis for non-conference shipping lines, and that shippers should not be denied an option in the choice between conference shipping lines and non-conference shipping lines, subject to any loyalty arrangements where they exist. These basic concepts are reflected in several provisions of the Code itself, including its objectives and principles, and are expressly set out in resolution No. 2, concerning non-conference shipping lines, adopted by the United Nations Conference of Plenipotentiaries.

B. This Government further believes that any regulation or other measures adopted by a Contracting Party to the United Nations Convention and having the purpose or effect of eliminating such opportunities for competition for non-conference shipping lines would be incompatible with the basic concepts mentioned above, and would effect a radical change in the circumstances under which conferences subject to the Code are envisaged as operative. Nothing in the Convention requires other Contracting Parties to accept either the validity of such regulations, or measures or situations whereby conferences, through such regulations or measures, would, in practice, acquire a monopoly on trades subject to the Code.

C. The Government of Spain declares that it will implement the Convention in accordance with the basic concepts and conclusions stipulated herein and that, accordingly, the Convention shall not prevent it from taking appropriate steps in the event that another Contracting Party adopts measures or practices

which impede fair competition on a commercial basis in liner shipping service.

**SWEDEN**

**Reservations and declarations:**

*[Same declarations and reservations, identical in essence, as those made by Denmark.]*

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

**I. In relation to the United Kingdom of Great Britain and Northern Ireland and to Gibraltar:**

*[Same reservations, identical in essence, as those made by Denmark.]*

**II. In relation to Hong Kong:**

1. (a) Without prejudice to paragraph (b) of this reservation, Article 2 of the Code of Conduct shall not be applied in conference trades, on a reciprocal basis, between Hong Kong and any State which has made a reservation disapplying Article 2 in respect of its trades with the United Kingdom

(b) Point (a) above shall not affect the opportunity for participation as a third country shipping lines in such trades in accordance with the principles reflected in Article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(i) Already members of a conference serving these trades; or

(ii) Admitted to such a conference under Article 1 (3) of the Code.

2. In trades where Article 2 of the Code applies, Hong Kong shipping lines will, subject to reciprocity, allow participation in redistribution by lines from any country which has agreed to allow participation by United Kingdom lines in redistribution in respect of any of its trades.

3. Article 3 and Article 14 (9) of the Code shall not be applied in conference trades, on a reciprocal basis, between Hong Kong and any State which has made a reservation disapplying Article 3 and Article 14 (9) in respect of its trades with the United Kingdom.

4. In trades to which Article 3 of the Code applies, the last sentence of that article is interpreted as meaning that:

(i) The two groups of national shipping lines will coordinate their position before voting on matters concerning the trade between their two countries; and

(ii) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement."

*[Same declarations, identical in essence, as those made by Denmark.]*

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 30 (A/8730), p. 51.*

<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 4 in chapter IV.]*

In addition, the notification made by the Government of China contained the following declaration:

1. (A) Without prejudice to paragraph 1 (B) of this reservation, article 2 of the Convention shall not be applied in conference trades, on

a reciprocal basis, between the Hong Kong Special Administrative Region and any State which has made a reservation disapplying article 2 in respect of its trade with the People's Republic of China.

(B) Paragraph 1 (A) above shall not affect the opportunity of shipping lines of a developing country for participation as third country shipping lines in such trades in accordance with the principles reflected in article 2 of the Convention, or the shipping lines of a developing country which are recognised as national shipping lines under the Convention and which are:

(a) Already members of a conference serving these trades; or

(b) Admitted to such a conference under article 1(3) of the Convention.

2. In trades where article 2 of the Convention applies, shipping lines incorporated in the Hong Kong Special Administrative Region will, subject to reciprocity, allow participation in redistribution by lines from any country which has agreed to allow participation by lines of the People's Republic of China in redistribution in respect of its trades.

3. Article 3 and article 14 (9) of the Convention shall not be applied in conference trades, on a reciprocal basis, between the Hong Kong Special Administrative Region and any State which has made a reservation disapplying article 3 and article 14 (9) in respect of its trade with the People's Republic of China.

4. In trade to which article 3 of the Convention applies, the last sentence of that article is interpreted as meaning that:

(A) The two groups of national shipping lines will coordinate their position before voting on matters concerning the trade between their two countries; and

(B) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

<sup>3</sup> Czechoslovakia had signed and approved the Convention on 30 June 1975 and 4 June 1979, respectively, with a declaration made upon signature. For the text of the declaration, see United Nations, *Treaty Series*, vol. 1334, p. 202. See also note 11 in chapter 1.2.

<sup>4</sup> The instrument also specifies that the accession shall not apply to Greenland and the Faroe Islands.

<sup>5</sup> The German Democratic Republic had signed and ratified the Convention on 27 June 1975 and 9 July 1979, respectively, with a reservation. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1334, p. 206. See also note 14 in chapter 1.2.

<sup>6</sup> In connection with the said ratification, the Government of the Federal Republic of Germany also declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 5 above.

<sup>7</sup> For the Kingdom in Europe and, as from 1 January 1986, for Aruba. See also note 8 in chapter 1.1.

<sup>8</sup> On behalf of the United Kingdom, Gibraltar and Hong Kong. See also note 2 in this chapter.



**7. UNITED NATIONS CONVENTION ON CONDITIONS FOR REGISTRATION OF SHIPS**

*Geneva, 7 February 1986*

**NOT YET IN FORCE:** [see article 19(1)].  
**STATUS:** Signatories: 14. Parties: 11.  
**TEXT:** Doc. TD/RS/CONF/19/Add.1; depositary notifications C.N.131.1986.TREATIES-3 of 30 July 1986 (procès-verbal of rectification of original Russian text) and C.N.246.1987.TREATIES-6 of 12 November 1987 (procès-verbal of rectification of original French text).

*Note:* The Convention was adopted by a Conference of plenipotentiaries which met at Geneva from 20 January to 7 February 1986 under the auspices of the United Nations Conference on Trade and Development, in accordance with resolution 37/209<sup>1</sup> of the General Assembly of the United Nations dated 20 December 1982. The Conference on Conditions for Registration of Ships had held its first part from 16 July to 3 August 1984, and had resumed its work, first at its second part from 28 January to 15 February 1985 and then, at its third part from 8 to 19 July 1985, before adopting the Convention at its fourth and last part. Open for signature from 1 May 1986 to 30 April 1987 in New York.

<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a)</i>
Algeria.....	24 Feb 1987		Iraq .....		1 Feb 1989 a
Bolivia.....	18 Aug 1986		Libyan Arab Jamahir- iya .....	21 Apr 1987	28 Feb 1989
Bulgaria.....		27 Dec 1996 a	Mexico.....	7 Aug 1986	21 Jan 1988
Cameroon.....	29 Dec 1986		Morocco.....	31 Jul 1986	
Côte d'Ivoire.....	2 Apr 1987	28 Oct 1987	Oman.....		18 Oct 1990 a
Czech Republic <sup>2</sup> .....	2 Jun 1993 d		Poland.....	1 Apr 1987	
Egypt.....	3 Mar 1987	9 Jan 1992	Russian Federation ..	12 Feb 1987	
Georgia.....		7 Aug 1995 a	Senegal.....	16 Jul 1986	
Ghana.....		29 Aug 1990 a	Slovakia <sup>2</sup> .....	28 May 1993 d	
Haiti.....		17 May 1989 a			
Hungary.....		23 Jan 1989 a			
Indonesia.....	26 Jan 1987				

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)*

**RUSSIAN FEDERATION**

*Upon signature :*

The USSR regards the reference to "Democratic Kampuchea" in the list of countries compiled for the purposes of the

present Convention as unlawful, inasmuch as all matters relating to Kampuchean participation in international treaties and agreements lie exclusively within the competence of the Government of the People's Republic of Kampuchea.

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Thirty-seventh session, Supplement No. 51 (A/37/51), p. 139.*

<sup>2</sup> Czechoslovakia had signed the Convention on 9 April 1987. See also note 11 in chapter I.2.

**8. INTERNATIONAL CONVENTION ON ARREST OF SHIPS, 1999**

*Geneva, 12 March 1999*

**NOT YET IN FORCE:** (see article 14).  
**TEXT:** Doc. A/CONF.188.6.

*Note:* The Convention was adopted on 12 March 1999 at the United Nations/International Maritime Organization Diplomatic Conference on Arrest of Ships held in Geneva from 1 to 12 March 1999. In accordance with its article 12 (1), the Convention will be open for signature by any State at United Nations Headquarters in New York from 1 September 1999 to 31 August 2000.

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**CHAPTER XIII**  
**ECONOMIC STATISTICS**

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**1. PROTOCOL AMENDING THE INTERNATIONAL CONVENTION RELATING TO  
ECONOMIC STATISTICS, SIGNED AT GENEVA ON 14 DECEMBER 1928**

*Paris, 9 December 1948*

**ENTRY INTO FORCE:** 9 December 1948, in accordance with article V<sup>1</sup>.  
**REGISTRATION:** 9 December 1948, No. 318.  
**STATUS:** Signatories: 8. Parties: 19.  
**TEXT:** United Nations, *Treaty Series*, vol. 20, p. 229.

*Note:* The Protocol was approved by the General Assembly of the United Nations in resolution 255 (III)<sup>2</sup> of 18 November 1948.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A)</i>
Australia .....		9 Dec 1948 s	Myanmar .....	9 Dec 1948	
Austria .....		10 Nov 1949 A	Netherlands .....	9 Dec 1948	13 Apr 1950 A
Canada .....		9 Dec 1948 s	Norway .....	9 Dec 1948	22 Mar 1949 A
Denmark .....	9 Dec 1948	27 Sep 1949 A	Pakistan .....		3 Mar 1952 s
Egypt .....		9 Dec 1948 s	South Africa .....		10 Dec 1948 s
Finland .....		17 Aug 1949 A	Sweden .....		9 Dec 1948 s
France .....	9 Dec 1948	11 Jan 1949 A	Switzerland .....	9 Dec 1948	23 Jan 1970 A
Greece .....	9 Dec 1948	9 Oct 1950 A	United Kingdom of		
India .....	9 Dec 1948	14 Mar 1949 A	Great Britain and		
Ireland .....		28 Feb 1952 A	Northern Ireland .		9 Dec 1948 s
Italy .....		20 May 1949 s			
Japan .....		2 Dec 1952 A			

**Notes:**

<sup>1</sup> The amendments set forth in the annex to the Protocol entered into force on 9 October 1950, in accordance with article V of the Protocol.

<sup>2</sup> *Official Records of the General Assembly, Third Session, Part I, A/810, p. 160.*

## 2. INTERNATIONAL CONVENTION RELATING TO ECONOMIC STATISTICS

*Geneva, 14 December 1928 and Paris, 9 December 1948*

**ENTRY INTO FORCE:** 9 October 1950, the date on which the amendments to the Convention, as set forth in the annex to the Protocol of 9 December 1948, entered into force in accordance with article V of the Protocol.

**REGISTRATION:** 9 October 1950, No. 942.

**STATUS:** Parties: 25.

**TEXT:** United Nations, *Treaty Series*, vol. 73, p. 39.

<i>Participant</i>	<i>Definitive signature or acceptance of the Protocol</i>	<i>Ratification of the Convention as amended by the Protocol, Accession of the Convention as amended by the Protocol (a), Succession to the Convention as amended by the Protocol (d)</i>	<i>Participant</i>	<i>Definitive signature or acceptance of the Protocol</i>	<i>Ratification of the Convention as amended by the Protocol, Accession of the Convention as amended by the Protocol (a), Succession to the Convention as amended by the Protocol (d)</i>
Australia .....	9 Dec 1948		Japan .....	2 Dec 1952	
Austria .....	10 Nov 1949		Luxembourg .....		23 Jul 1953
Belgium <sup>1</sup> .....		2 May 1952	Netherlands .....	13 Apr 1950	
Canada .....	9 Dec 1948		Nigeria .....		23 Jul 1965 a
Denmark .....	27 Sep 1949		Norway .....	22 Mar 1949	
Egypt .....	9 Dec 1948		Pakistan .....	3 Mar 1952	
Finland .....	17 Aug 1949		South Africa .....	10 Dec 1948	
France .....	11 Jan 1949		Sweden .....	9 Dec 1948	
Ghana .....		7 Apr 1958 d	Switzerland .....	23 Jan 1970	
Greece .....	9 Oct 1950		United Kingdom of Great Britain and Northern Ireland <sup>2</sup> ..	9 Dec 1948	
India .....	14 Mar 1949		Zimbabwe .....		1 Dec 1998 d
Ireland .....	28 Feb 1952				
Israel .....		28 Dec 1950 a			
Italy .....	20 May 1949				

### Notes:

<sup>1</sup> A declaration accompanying the instrument of ratification by the Government of Belgium stipulates that the ratification applies only to the metropolitan territories, the territories of Belgian Congo and the Trust Territory of Ruanda-Urundi being expressly excluded.

<sup>2</sup> Notice of application of the Convention to Southern Rhodesia was received from the Government of the United Kingdom on 2 December 1949.

### 3. a) International Convention relating to Economic Statistics

Geneva, 14 December 1928

**ENTRY INTO FORCE:** 14 December 1930, in accordance with article 14.  
**REGISTRATION:** 14 December 1930, No. 2560<sup>1</sup>.

#### Ratifications or definitive accessions

- Austria (March 27th, 1931)
- United Kingdom of Great Britain and Northern Ireland (May 9th, 1930)  
*and all parts of the British Empire which are not separate Members of the League of Nations*  
Does not include any of His Britannic Majesty's Colonies, Protectorates or Territories under suzerainty or mandate.  
*Southern Rhodesia* (October 14th, 1931 a)  
Returns provided for in Article 2, III (B), will not contain information with regard to areas under crops on native farms, and in native reserves, locations and mission stations<sup>2</sup>.
- Canada (August 23rd, 1930 a)
- Australia<sup>2</sup> (April 13th, 1932 a)  
Does not apply to the territories of Papua and Norfolk Island, New Guinea and Nauru.  
(1) The provision under Article 3, Annex I, Part I (b), for separate returns for direct transit trade shall not apply to the Commonwealth of Australia.  
(2) The provision under Article 3, Annex I, Part I, Paragraph IV, that when the quantity of goods of any kind is expressed in any unit or units of measure other than weight, an estimate of the average weight of each unit, or multiple of units, shall be shown in the annual returns, shall not apply to the Commonwealth of Australia.
- Union of South Africa (including the mandated territory of *South West Africa*) (May 1st, 1930)
- Ireland (September 15th, 1930)
- India (May 15th, 1931 a)  
A. Under the terms of Article 11, the obligations of the Convention shall not extend to the territories in India of any Prince or Chief under the suzerainty of His Majesty the King Emperor.  
B<sup>2</sup> (1) Article 2. I (a).—The provisions for returns of "transit trade" made in Annex I, Part I, I (b) shall not apply to India nor shall returns of the "land frontier trade" of India be required.  
(2) Article 2. II (a).—The question whether a general census of agriculture can be held in India and, if so, on what lines and at what intervals still remains to be settled. For the present, India can assume no obligations under this article.  
(3) Article 2. III (b). (1).—For farms in the "permanently settled" tracts in India, estimates of the cultivated areas may be used in compiling the returns.  
(4) Article 2. III (b). (2).—The returns of quantities of crops harvested may be based on estimates of yield each year per unit area in each locality.  
(5) Article 2. III (d).—Complete returns cannot be guaranteed from Burma, and in respect of the rest of India the returns shall refer to Government forests only.
- The Government of India further declared that, with regard to the second paragraph of Article 3 of the Convention, they cannot, with the means of investigation at their disposal, usefully undertake to prepare experimentally the specified tables, and that for similar reasons they are not in a position to accept the proposal contained in Recommendation II of the Convention.
- Bulgaria (November 29th, 1929)
- Chile (November 20th, 1934 a)
- Cuba (August 17th, 1932 a)
- Czechoslovakia<sup>3</sup> (February 19th, 1931)
- Denmark (September 9th, 1929)  
In pursuance of Article 11, Greenland is excepted from the provisions of this Convention. Furthermore, the Danish Government, in accepting the Convention, does not assume any obligation in respect of statistics concerning the Faroe Islands.
- Egypt (June 27th, 1930)
- Finland (September 23rd, 1938)
- France (February 1st, 1933)  
By its acceptance, France does not intend to assume any obligation in regard to any of its Colonies, Protectorates and Territories under its suzerainty or mandate.
- Greece (September 18th, 1930)
- Italy (June 11th, 1931)  
In accepting the present Convention, Italy does not assume any obligation in respect of her Colonies, Protectorates and other Territories referred to in the first paragraph of Article 11.
- Latvia (July 5th, 1937)
- Lithuania (April 2nd, 1938 a)
- Netherlands (September 13th, 1932)  
This ratification applies only to the territory of the Netherlands in Europe; the Netherlands do not intend to assume, at present, any obligation as regards the whole of the Netherlands overseas territories.  
*Netherlands Indies* (May 5th, 1933 a)  
1. The following shall not be applicable:  
(a) The provisions of Article 2, III (E) and V;  
(b) The provisions concerning the system of valuations known as "declared values" mentioned in Annex I, Part I, para. II (see Article 3);  
(c) Article 3, paragraph 2.  
2. The returns mentioned in Article 2. IV, shall apply only to coal, petroleum, natural gas, tin, manganese, gold and silver.  
3. The statistics of foreign trade mentioned in Article 3 shall not comprise tables concerning transit.<sup>2</sup>
- Norway (March 20th, 1929)  
In accordance with Article 11, the Bouvet Island is excepted from the provisions of the present Convention. Furthermore, in ratifying the Convention, Norway does not assume any obligation as regards statistics relating to the Svalbard.
- Poland (July 23rd, 1931)
- Portugal (October 23rd, 1931)

In accordance with Article 11, the Portuguese Delegation declares on behalf of its Government that the present Convention does not apply to the Portuguese Colonies.

Romania  
Sweden  
Switzerland

(June 22nd, 1931)  
(February 17th, 1930)  
(July 10th, 1930)

*Signatures not yet perfected by ratification*

Brazil  
Estonia  
Germany

Hungary  
Yugoslavia

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Ratification, Succession (d)</i>
Belgium <sup>4</sup> .....	5 May 1950
Czech Republic <sup>3</sup> .....	30 Dec 1993 d
Japan .....	3 Sep 1952

3. b) Protocol

*Geneva, 14 December 1928*

**ENTRY INTO FORCE:** 14 December 1930.  
**REGISTRATION:** 14 December 1930, No. 2560<sup>1</sup>.

*Ratifications or definitive accessions*

Austria	(March 27th, 1931)	Finland	(September 23rd, 1938)
United Kingdom of Great Britain and Northern Ireland and <i>all parts of the British Empire which are not separate Members of the League of Nations</i>		France	(February 1st, 1933)
		Greece	(September 18th, 1930)
		Italy	(June 11th, 1931)
<i>Southern Rhodesia</i>	(May 9th, 1930)	Latvia	(July 5th, 1937)
Canada	(October 14th, 1931 a)	Lithuania	(April 2nd, 1938 a)
Australia	(August 23rd, 1930)	Netherlands	(September 13th, 1932)
Union of South Africa (including the mandated territory of <i>South West Africa</i> )	(April 13th, 1932 a)	This ratification applies only to the territory of the Netherlands in Europe; the Netherlands do not intend to assume, at present, any obligation as regards the whole of the Netherlands overseas territories.	
		<i>Netherlands Indies</i>	
	(May 1st, 1930)		(May 5th, 1933 a)
Ireland	(September 15th, 1930)	Norway	(March 20th, 1929)
India	(May 15th, 1931 a)	Poland	(July 23rd, 1931)
Bulgaria	(November 29th, 1929)	Portugal	(October 23rd, 1931)
Chile	(November 20th, 1934 a)	Romania	(June 22nd, 1931)
Cuba	(August 17th, 1932 a)	Sweden	(February 17th, 1930)
Czechoslovakia <sup>3</sup>	(February 19th, 1931)	Switzerland	(July 10th, 1930)
Denmark	(September 9th, 1929)		
Egypt	(June 27th, 1930)		

*Signatures not yet perfected by ratification*

Brazil  
Estonia  
Germany

Hungary  
Yugoslavia

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Ratification, Succession (d)</i>
Belgique .....	5 mai 1950
Japon .....	3 sept 1952
République tchèque <sup>3</sup> .....	30 déc 1993 d

*Notes:*

<sup>1</sup> See League of Nations, *Treaty Series*, vol. 110, p.171.

<sup>2</sup> These reservations were accepted by the States parties to the Convention, which were consulted in accordance with article 17.

<sup>3</sup> See note 11 in chapter I.2.

<sup>4</sup> Declaration made on signature: In pursuance of article 11 of the Convention, the Belgian Delegation declares on behalf of its Government that it cannot accept, in regard to the Colony of the Belgian Congo, the obligations arising out of the clauses of the present Convention.





**CHAPTER XIV**  
**EDUCATIONAL AND CULTURAL MATTERS**

**I. AGREEMENT FOR FACILITATING THE INTERNATIONAL CIRCULATION OF VISUAL  
AND AUDITORY MATERIALS OF AN EDUCATIONAL, SCIENTIFIC AND CULTURAL  
CHARACTER**

*Lake Success, New York, 15 July 1949*

**ENTRY INTO FORCE:** 12 August 1954, in accordance with article XII.  
**REGISTRATION:** 12 August 1954, No. 2631.  
**STATUS:** Signatories: 16. Parties: 36.  
**TEXT:** United Nations, *Treaty Series*, vol. 197, p. 3.

*Note:* The Agreement was approved by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its third session, held at Beirut from 17 November to 11 December 1948, in a resolution<sup>1</sup> adopted at the seventeenth plenary meeting on 10 December 1948.

<i>Participant</i>	<i>Signature</i>	<i>Acceptance (A), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Acceptance (A), Accession (a), Succession (d)</i>
Afghanistan . . . . .	29 Dec 1949		Libyan Arab Jamahir- iya . . . . .		22 Jan 1973 a
Bosnia and Herzegovi- na . . . . .		12 Jan 1994 d	Madagascar . . . . .		23 May 1962 a
Brazil . . . . .	15 Sep 1949	15 Aug 1962 A	Malawi . . . . .		5 Jul 1967 a
Cambodia . . . . .		20 Feb 1952 a	Malta . . . . .		29 Jul 1968 a
Canada . . . . .	17 Dec 1949	4 Oct 1950 A	Morocco . . . . .		25 Jul 1968 a
Congo . . . . .		26 Aug 1968 a	Netherlands . . . . .	30 Dec 1949	
Costa Rica . . . . .		9 Jun 1971 a	Niger . . . . .		22 Apr 1968 a
Croatia . . . . .		26 Jul 1993 d	Norway . . . . .	20 Dec 1949	12 Jan 1950 A
Cuba . . . . .		7 Feb 1977 a	Pakistan . . . . .		16 Feb 1950 A
Cyprus . . . . .		10 Aug 1972 a	Philippines . . . . .	31 Dec 1949	13 Nov 1952 A
Czech Republic . . . . .		22 Aug 1997 a	Slovakia . . . . .		9 Jun 1997 a
Denmark . . . . .	29 Dec 1949	10 Aug 1955 A	Slovenia . . . . .		3 Nov 1992 d
Dominican Republic . . . . .	5 Aug 1949		Syrian Arab Republic the former Yugoslav Republic of Mace- donia . . . . .		16 Sep 1951 a
Ecuador . . . . .	29 Dec 1949		Trinidad and Tobago . . . . .		2 Sep 1997 d
El Salvador . . . . .	29 Dec 1949	24 Jun 1953 A	United States of Amer- ica . . . . .	13 Sep 1949	31 Aug 1965 a
Ghana . . . . .		22 Mar 1960 a	Uruguay . . . . .	31 Dec 1949	14 Oct 1966 A
Greece . . . . .	31 Dec 1949	9 Jul 1954 A	Yugoslavia . . . . .		20 Apr 1999 A
Haiti . . . . .	2 Dec 1949	14 May 1954 A			30 Jun 1950 a
Iran (Islamic Republic of) . . . . .	31 Dec 1949	30 Dec 1959 A			
Iraq . . . . .		29 Aug 1952 a			
Jordan . . . . .		7 Jul 1972 a			
Lebanon . . . . .	30 Dec 1949	12 May 1971 A			

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon acceptance, accession or succession.)*

**CUBA**

**Reservation:**

The Government of the Republic of Cuba does not consider itself bound by the provisions of article IX, inasmuch as it believes that any disputes which may arise between States con-

cerning the interpretation or application of the Agreement must be settled by direct negotiation through the diplomatic channel.

**Declaration:**

The Government of the Republic of Cuba hereby declares that the provisions of paragraphs 1 to 4 of article XIV of the

Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character are contrary to the Declaration on the granting of independence to colonial countries and peoples (resolution 1514 (XV)), adopted by the General Assembly of the United Nations on 14 December 1960, which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

#### **LIBYAN ARAB JAMAHIRIYA**

The accession of the Libyan Arab Republic to this Agreement does not imply recognition of Israel or the assumption towards Israel of any commitments arising out of this Agreement.

#### **NETHERLANDS**

*Upon signature:*

"As regards article III, paragraph 1, the words and quantitative restrictions and from the necessity of applying for an import licence' will be deleted, and excluded from the application of the Agreement."

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#### **Notes:**

<sup>1</sup> *Records of the General Conference of UNESCO, Third Session, Beirut 1948, vol. II, Resolutions (3/3C/110, vol. II), p. 113.*

## 2. AGREEMENT ON THE IMPORTATION OF EDUCATIONAL, SCIENTIFIC AND CULTURAL MATERIALS

*Lake Success, New York, 22 November 1950*

**ENTRY INTO FORCE:** 21 May 1952, in accordance with article XI.  
**REGISTRATION:** 21 May 1952, No. 1734.  
**STATUS:** Signatories: 28. Parties: 92.<sup>1</sup>  
**TEXT:** United Nations, *Treaty Series*, vol. 131, p. 25.

*Note:* The Agreement was approved by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fifth session, held at Florence from 22 May to 17 June 1950, in a resolution<sup>2</sup> adopted at the fourteenth plenary meeting on 17 June 1950.

<i>Participant<sup>1,3</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>1,3</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan . . . . .	8 Oct 1951	19 Mar 1958	Kenya . . . . .		15 Mar 1967 a
Australia . . . . .		5 Mar 1992 a	Lao People's Demo- cratic Republic . .		28 Feb 1952 a
Austria . . . . .		12 Jun 1958 a	Libyan Arab Jamahir- iya . . . . .		22 Jan 1973 a
Barbados . . . . .		13 Apr 1973 d	Lithuania . . . . .		21 Aug 1998 a
Belgium . . . . .	22 Nov 1950	31 Oct 1957	Luxembourg . . . . .	22 Nov 1950	31 Oct 1957
Bolivia . . . . .	22 Nov 1950	22 Sep 1970	Madagascar . . . . .		23 May 1962 a
Bosnia and Herzegovi- na . . . . .		1 Sep 1993 d	Malawi . . . . .		17 Aug 1965 a
Bulgaria . . . . .		14 Mar 1997 a	Malaysia . . . . .		29 Jun 1959 d
Burkina Faso . . . . .		14 Sep 1965 a	Malta . . . . .		19 Jan 1968 d
Cambodia . . . . .		5 Nov 1951 a	Mauritius . . . . .		18 Jul 1969 d
Cameroon . . . . .		15 May 1964 a	Monaco . . . . .		18 Mar 1952 a
China <sup>4,5</sup> . . . . .			Morocco . . . . .		25 Jul 1968 a
Colombia . . . . .	22 Nov 1950		Netherlands . . . . .	22 Nov 1950	31 Oct 1957
Congo . . . . .		26 Aug 1968 a	New Zealand . . . . .	16 Mar 1951	29 Jun 1962
Côte d'Ivoire . . . . .		19 Jul 1963 a	Nicaragua . . . . .		17 Dec 1963 a
Croatia . . . . .		26 Jul 1993 d	Niger . . . . .		22 Apr 1968 a
Cuba . . . . .		27 Aug 1952 a	Nigeria . . . . .		26 Jun 1961 d
Cyprus . . . . .		16 May 1963 d	Norway . . . . .		2 Apr 1959 a
Czech Republic . . . . .		22 Aug 1997 a	Oman . . . . .		19 Dec 1977 a
Democratic Republic of the Congo . . . . .		3 May 1962 d	Pakistan . . . . .	9 May 1951	17 Jan 1952
Denmark . . . . .		4 Apr 1960 a	Peru . . . . .	8 Jul 1964	
Dominican Republic . . . . .	22 Nov 1950		Philippines . . . . .	22 Nov 1950	30 Aug 1952
Ecuador . . . . .	22 Nov 1950		Poland . . . . .		24 Sep 1971 a
Egypt . . . . .	22 Nov 1950	8 Feb 1952	Portugal . . . . .		11 Jun 1984 a
El Salvador . . . . .	4 Dec 1950	24 Jun 1953	Republic of Moldova . .		3 Sep 1998 a
Fiji . . . . .		31 Oct 1972 d	Romania . . . . .		24 Nov 1970 a
Finland . . . . .		30 Apr 1956 a	Russian Federation . .		7 Oct 1994 a
France . . . . .	14 May 1951	14 Oct 1957	Rwanda . . . . .		1 Dec 1964 d
Gabon . . . . .		4 Sep 1962 a	San Marino . . . . .		30 Jul 1985 a
Germany <sup>6,7</sup> . . . . .		9 Aug 1957 a	Sierra Leone . . . . .		13 Mar 1962 d
Ghana . . . . .		7 Apr 1958 d	Singapore . . . . .		11 Jul 1969 a
Greece . . . . .	22 Nov 1950	12 Dec 1955	Slovakia . . . . .		9 Jun 1997 a
Guatemala . . . . .	22 Nov 1950	8 Jul 1960	Slovenia . . . . .		6 Jul 1992 d
Haiti . . . . .	22 Nov 1950	14 May 1954	Solomon Islands . . . .		3 Sep 1981 d
Holy See . . . . .		22 Aug 1979 a	Spain . . . . .		7 Jul 1955 a
Honduras . . . . .	13 Apr 1954		Sri Lanka . . . . .		8 Jan 1952 a
Hungary . . . . .		15 Mar 1979 a	Sweden . . . . .	20 Nov 1951	21 May 1952
Iran (Islamic Republic of) . . . . .	9 Feb 1951	7 Jan 1966	Switzerland <sup>1</sup> . . . . .	22 Nov 1950	7 Apr 1953
Iraq . . . . .		11 Aug 1972 a	Syrian Arab Republic . .	7 Aug 1979	16 Sep 1980
Ireland . . . . .		19 Sep 1978 a	Thailand . . . . .	22 Nov 1950	18 Jun 1951
Israel . . . . .	22 Nov 1950	27 Mar 1952	the former Yugoslav Republic of Mace- donia . . . . .		2 Sep 1997 d
Italy . . . . .		26 Nov 1962 a	Tonga . . . . .		11 Nov 1977 d
Japan . . . . .		17 Jun 1970 a	Trinidad and Tobago . .		11 Apr 1966 d
Jordan . . . . .		31 Dec 1958 a	Tunisia . . . . .		14 May 1971 a
Kazakhstan . . . . .		21 Dec 1998 a			

<i>Participant<sup>1,3</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>1,3</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Uganda . . . . .		15 Apr 1965 a	Uruguay . . . . .	27 Apr 1964	20 Apr 1999
United Kingdom of Great Britain and Northern Ireland . .	22 Nov 1950	11 Mar 1954	Venezuela . . . . .		1 May 1992 a
United Republic of Tanzania . . . . .		26 Mar 1963 a	Yugoslavia . . . . .		26 Apr 1951 a
United States of Amer- ica . . . . .	24 Jun 1959	2 Nov 1966	Zambia . . . . .		1 Nov 1974 d
			Zimbabwe . . . . .		1 Dec 1998 d

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

**GERMANY<sup>6</sup>**

(1) "Until the expiration of the interim period as defined in article 3 of the Treaty between France and the Federal Republic of Germany of 27 October 1956 on the Settlement of the Saar Questions, the above-mentioned Agreement does not apply to the Saar Territory;

(2) "In accordance with the aims of the Agreement, as outlined in its preamble, the Federal Republic's interpretation of the provisions contained in article 1 of the Agreement is that the granting of customs exemption is intended to serve the promotion of a free exchange of ideas and knowledge between the States Parties; that, however, this provision does not aim at furthering the shifting of production to a foreign country if such shifts are made chiefly for commercial reasons."

**HUNGARY**

The Hungarian People's Republic calls attention to the fact that articles XIII and XIV of the Agreement are at variance with resolution 1514 on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly of the United Nations at its XVth session on 14 December 1960.

**IRAQ<sup>8</sup>**

Accession by the Republic of Iraq to the Agreement shall [ . . . ] in no way imply recognition of Israel or lead to entry into any relations with it.

**KENYA**

"1. Annex B (vi) of the Agreement requires free admission for 'Antiques, being articles in excess of 100 years of age'. Under the relevant laws in force in Kenya, such items are admitted free of duty only if—

- "(a) They can be classified as 'Works of Art'; and
- "(b) They are not intended for resale and are admitted as such by the Commissioner of Customs and Excise; and
- "(c) They are proved to the satisfaction of the Commissioner of Customs and Excise to be 'over 100 years old'.

"If the above conditions are not fulfilled, such articles attract appropriate duty under the Tariff.

"2. With respect to Annex C (i) of the Agreement, films, filmstrips, microfilms and slides of an *educational or scientific character* are granted duty-free entry into Kenya under conditions which accord with those specified in the Agreement. This is not necessarily so in the case of similar materials of a *cultural nature* which are dutiable under the appropriate items in the

Tariff. This position may be attributed to the impossibility of defining the word 'cultural' with any degree of precision.

"3. With respect to Annex C (iii), sound recordings of an educational or scientific character for use under conditions specified in the Agreement are admitted into Kenya free of duty. However, no special provision exists for the admission of sound recordings of a cultural character and these attract duty under the relevant items of the Tariff."

**LIBYAN ARAB JAMAHIRIYA**

The acceptance of the Libyan Arab Republic of this Agreement does not imply recognition of Israel or the assumption towards Israel of any commitments arising out of this Agreement.

**ROMANIA**

The State Council of the Socialist Republic of Romania considers that the maintenance of the state of dependence of certain territories to which the provisions of articles XIII and XIV of the Agreement refer is inconsistent with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which was adopted by the General Assembly of the United Nations on 14 December 1960, by resolution 1514 (XV), which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

The State Council of the Socialist Republic of Romania considers that the provisions of paragraph 1 of article IX are inconsistent with the principle that all multilateral treaties whose aim and purpose concern the international community as a whole should be open to universal participation.

**SWITZERLAND**

The Government of Switzerland reserves the right to resume its freedom of action with regard to contracting States which unilaterally apply quantitative restrictions and exchange control measures of a nature to render the Agreement inoperative.

Furthermore, [the signature by the Government of Switzerland] is appended without prejudice to the attitudes of the Government of Switzerland in regard to the Havana Charter for an International Trade Organization signed at Havana on 24 March 1948.

**UNITED STATES OF AMERICA**

The ratification is subject to the reservation contained in the Protocol annexed to the Agreement.

## Territorial Application

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Belgium	31 Oct 1957	Belgian Congo and the Trust Territory of Ruanda-Urundi
France	10 Dec 1951	Tunisia
Netherlands <sup>9</sup>	31 Oct 1957	Surinam and Netherlands New Guinea
	1 Jan 1986	Aruba
New Zealand	29 Jun 1962	Tokelau Islands
	28 Feb 1964	Cook Islands (including Niue)
United Kingdom <sup>5, 10</sup>	11 Mar 1954	Aden (Colony and Protectorate), Barbados, British Guiana, British Honduras, Brunei (Protected State), Fiji, Gambia (Colony and Protectorate), Gibraltar, Gold Coast: (a) Colony, (b) Ashanti, (c) Northern Territories (d) Togoland (under United Kingdom Trusteeship), Hong Kong, Jamaica (including Turks and Caicos Islands and the Cayman Islands), Kenya (Colony and Protectorate), Leeward Islands (Antigua, Montserrat, St. Christopher, Nevis and Anguilla), Virgin Islands, Federation of Malaya (The British Settlements of Penang and Malacca and the Protected States of Johore, Kedah, Kelantan, Negri Sembilan, Pahang, Perak, Perlis, Selangor and Trengganu), Malta, Mauritius, Nigeria: (a) Colony, (b) Protectorate, (c) Cameroons (under United Kingdom Trusteeship), St. Helena (including Ascension Island and Tristan da Cunha), Sarawak, Seychelles, Sierra Leone (Colony and Protectorate), Singapore (including Christmas and Cocos (Keeling) Islands), Somaliland Protectorate, Tanganyika (under United Kingdom Trusteeship), Trinidad and Tobago, Uganda (Protectorate), Western Pacific High Commission Territories: British Solomon Islands Protectorate, Gilbert and Ellice Islands Colony, Central and Southern Line Islands, Zanzibar Protectorate
	16 Sep 1954	Cyprus, Falkland Islands (Colony and Dependencies), North Borneo (including Labuan), Tonga (Protected State), Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent)
	18 May 1955	The Channel Islands and the Isle of Man
	22 Mar 1956	The Federation of Rhodesia and Nyasaland
	14 Mar 1960	Bahamas

### Notes:

<sup>1</sup> Including Liechtenstein. On 16 June 1975, the Government of Switzerland declared that the provisions of the Agreement apply to the Principality of Liechtenstein so long as it is linked to Switzerland by a customs union treaty.

<sup>2</sup> Records of the General Conference of UNESCO, Fifth Session, Florence, 1950, *Resolutions (5C/Resolutions)*, p. 64.

<sup>3</sup> The Republic of Viet-Nam had acceded to the Agreement on 1 June 1952. See also note 32 in chapter I.2 and note 1 in chapter III.6.

<sup>4</sup> Signed on behalf of the Republic of China on 22 November 1950. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

On depositing the instrument of acceptance of the Agreement, the Government of Romania stated that it considered the above-mentioned signature as null and void, inasmuch as the only Government competent to assume obligations on behalf of China and to represent China at the international level is the Government of the People's Republic of China.

In a letter addressed to the Secretary-General in regard to the above-mentioned declaration, the Permanent Representative of the Republic of China to the United Nations stated:

"The Republic of China, a sovereign State and member of the United Nations, attended the Fifth Session of the General Conference of the United Nations Educational, Cultural and Scientific Organization, contributed to the formulation of the Agreement on the Importation of Educational, Scientific and Cultural Materials and duly signed the said Agreement on 22 November 1950 at the Interim Headquarters of the United Nations at Lake Success. Any statement relating to the said Agreement that is incompatible with or derogatory to the legitimate position of the Government of the Republic of China

shall in no way affect the rights and obligations of the Republic of China as a signatory of the said Agreement."

<sup>5</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[Same notification as the one made under note 2 in chapter V.3.]

United Kingdom of Great Britain and Northern Ireland:

[Same notification as the one made under note 4 in chapter IV.1.]

In addition, the notification made by the Government of China contained the following declaration:

The signature by the Taiwan authorities on 22 November 1950 by usurping the name of "China" of the said Agreement is illegal and therefore null and void.

<sup>6</sup> See note 14 in chapter 1.2.

<sup>7</sup> A communication was received, on 25 September 1957 from the Government of the Federal Republic of Germany, stating that "the Agreement on the Importation of Educational, Scientific and Cultural Materials also applies to *Land Berlin*".

With reference to the above-mentioned statement, communications have been addressed to the Secretary-General by the Government of Poland and the Government of the Union of Soviet Socialist Republics. The said communications are identical in essence, *mutatis mutandis*, to those referred to in note 4 in chapter III.3. See also note 6 above.

<sup>8</sup> In a communication received by the Secretary-General on 20 October 1972, the Government of Israel made the following declaration:

"The Government of Israel has noted the political character of a reservation made by the Government of Iraq on that occasion. In the view of the Government of Israel, this Agreement is not the proper place for making such political pronouncements. Moreover, that declaration cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular treaties.

The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

<sup>9</sup> See note 8 in chapter I.1.

<sup>10</sup> See note 26 in chapter V.2.

**3. INTERNATIONAL CONVENTION FOR THE PROTECTION OF PERFORMERS,  
PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANISATIONS**

*Rome, 26 October 1961*

**ENTRY INTO FORCE:** 18 May 1964 by exchange of letters, in accordance with article 25.  
**REGISTRATION:** 18 May 1964, No. 7247.  
**STATUS:** Signatories: 26. Parties: 63.  
**TEXT:** United Nations, *Treaty Series*, vol. 496, p. 43.

*Note:* The Convention was drawn up by the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations convened jointly by the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the International Union for the Protection of Literary and Artistic Works. The Conference was held at Rome at the invitation of the Government of Italy from 10 to 26 October 1961.

<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Succession (d)</i>
Argentina.....	26 Oct 1961	2 Dec 1991	Jamaica.....		27 Oct 1993 a
Australia.....		30 Jun 1992 a	Japan.....		26 Jul 1989 a
Austria.....	26 Oct 1961	9 Mar 1973	Latvia.....		20 May 1999 a
Barbados.....		18 Jun 1983 a	Lebanon.....	26 Jun 1962	12 May 1997
Belgium.....	26 Oct 1961	2 Jul 1999	Lesotho.....		26 Oct 1989 a
Bolivia.....		24 Aug 1993 a	Liechtenstein.....		12 Jul 1999 a
Bosnia and Herzegovina.....	12 Jan 1994 d		Lithuania.....		22 Apr 1999 a
Brazil.....	26 Oct 1961	29 Jun 1965	Luxembourg.....		25 Nov 1975 a
Bulgaria.....		31 May 1995 a	Mexico.....	26 Oct 1961	17 Feb 1964
Burkina Faso.....		14 Oct 1987 a	Monaco.....	22 Jun 1962	6 Sep 1985
Cambodia.....	26 Oct 1961		Netherlands <sup>4</sup> .....		7 Jul 1993 a
Canada.....		4 Mar 1998 a	Niger.....		5 Apr 1963 a
Cape Verde.....		3 Apr 1997 a	Nigeria.....		29 Jul 1993 a
Chile.....	26 Oct 1961	5 Jun 1974	Norway.....		10 Apr 1978 a
Colombia.....		17 Jun 1976 a	Panama.....		2 Jun 1983 a
Congo.....		29 Jun 1962 a	Paraguay.....	30 Jun 1962	26 Nov 1969
Costa Rica.....		9 Jun 1971 a	Peru.....		7 May 1985 a
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Philippines.....		25 Jun 1984 a
Denmark.....	26 Oct 1961	23 Jun 1965	Poland.....		13 Mar 1997 a
Dominica.....		9 Aug 1999 a	Republic of Moldova.....		5 Sep 1995 a
Dominican Republic.....		27 Oct 1986 a	Romania.....		22 Jul 1998 a
Ecuador.....	26 Jun 1962	19 Dec 1963	Saint Lucia.....		17 May 1996 a
El Salvador.....		29 Mar 1979 a	Slovakia <sup>1</sup> .....		28 May 1993 d
Fiji.....		11 Jan 1972 a	Slovenia.....		9 Jul 1996 a
Finland.....	21 Jun 1962	21 Jul 1983	Spain.....	26 Oct 1961	14 Aug 1991
France.....	26 Oct 1961	3 Apr 1987	Sweden.....	26 Oct 1961	13 Jul 1962
Germany <sup>2,3</sup> .....	26 Oct 1961	21 Jul 1966	Switzerland.....		24 Jun 1993 a
Greece.....		6 Oct 1992 a	the former Yugoslav Republic of Mace- donia.....		2 Dec 1997 a
Guatemala.....		14 Oct 1976 a	United Kingdom of Great Britain and Northern Ireland.....	26 Oct 1961	30 Oct 1963
Holy See.....	26 Oct 1961		Uruguay.....		4 Apr 1977 a
Honduras.....		16 Nov 1989 a	Venezuela.....		30 Oct 1995 a
Hungary.....		10 Nov 1994 a	Yugoslavia.....	26 Oct 1961	
Iceland.....	26 Oct 1961	15 Mar 1994 a			
India.....	26 Oct 1961				
Ireland.....	30 Jun 1962	19 Jun 1979			
Israel.....	7 Feb 1962				
Italy.....	26 Oct 1961	8 Jan 1975			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**AUSTRALIA**

*Declarations:*

"Australia, pursuant to article 5 (3), will not apply the criterion of publication;

Australia, pursuant to article 6 (2), will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

Australia, pursuant to article 16 (1) (a), will not, as regards article 12, apply the provision of that article; and

Australia, pursuant to article 16 (1) (b), will not, as regards article 13, apply item (d) of that article."

**AUSTRIA**

1. In accordance with article 16, paragraph 1 (a) (iii), of the Convention, Austria will not apply the provisions of article 12 in respect of phonograms the producer of which is not a national of a Contracting State;

2. In accordance with article 16, paragraph 1 (a) (iv), of the Convention, [ . . . ], as regards phonograms the producer of which is a national of another Contracting State, Austria will limit the protection provided for by article 12 to the extent to which, and to the term for which the latter State grants protection to phonograms first fixed by an Austrian national;

3. In accordance with article 16, paragraph 1 (b), of the Convention, Austria will not apply article 13 (d).

**BELGIUM**

*Declarations:*

1. Pursuant to article 5, paragraph 3, of the Rome Convention, Belgium will not apply the criterion of publication;

2. Pursuant to article 6, paragraph 2, of the Rome Convention, Belgium will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

3. Pursuant to article 16, paragraph 1 (a) (iii), of the Rome Convention, Belgium will not apply the provisions of article 12 in respect of phonograms the producer of which is not a national of a Contracting State;

4. Pursuant to article 16, paragraph 1 (a) (iv), of the Rome Convention, as regards phonograms the producer of which is a national of another Contracting State, Belgium will limit the protection provided for by that article to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of the State making the declaration; however, the fact that the Contracting State of which the producer is a national does not grant the protection to the same beneficiary or beneficiaries as the State making the declaration shall not be considered as a difference in the extent of the protection.

**BULGARIA**

*Declarations:*

1. The Republic of Bulgaria declares in accordance with article 16, paragraph 1 (a)(iii), that it will not apply the provisions of article 12 in respect of phonograms the producer of which is not a national of another Contracting State.

2. The Republic of Bulgaria declares in accordance with article 16, paragraph 1 (a)(iv), that as regards phonograms the producer of which is a national of another Contracting State, it will

limit the protection provided for by article 12 to the extent to which, and to the term for which the latter State grants protection to phonograms first fixed by a national of the Republic of Bulgaria.

**CANADA**

*Declarations:*

"1. In respect of article 5 (1) (b) and pursuant to article 5 (3) of the Convention, as regards the Right of Reproduction for Phonogram Producers (art. 10), Canada will not apply *criterion of fixation*.

2. In respect of article 5 (1) (c) and pursuant to article 5 (3) of the Convention, as regards the Secondary Users of Phonograms (art. 12), Canada will not apply *criterion of publication*.

3. In respect of article 6 (1) and pursuant to article 6 (2) of the Convention, Canada will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

4. In respect of article 12 and pursuant to article 16 (1) (a) (iv) of the Convention, as regards phonograms the producer of which is a national of another Contracting State, Canada will limit the protection provided for by article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of Canada."

**CONGO**

In a communication received on 16 May 1964, the Government of the Congo has notified the Secretary-General that it has decided to make its accession subject to the following declarations:

(1) Article 5, paragraph 3: the "criterion of publication" is excluded;

(2) Article 16: the application of article 12 is completely excluded.

**CZECH REPUBLIC<sup>1</sup>**

**DENMARK**

"1) With regard to article 6, paragraph 2: Protection will be granted to broadcasting organisations only if their headquarters is situated in another Contracting State and if their broadcasts are transmitted from a transmitter situated in the same Contracting State.

"2) With regard to article 16, paragraph 1 (a) (ii): The provisions of article 12 will be applied solely with respect to broadcasting as well as any other communication to the public which is carried out for profit-making purposes.

"3) With regard to article 16, paragraph 1 (a) (iv): As regards phonograms the producer of which is a national of another Contracting State, the protection provided for in article 12 will be limited to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a Danish national.

"4) With regard to article 17: Denmark will grant the protection provided for in article 5 only if the first fixation of the sound was made in another Contracting State (the criterion of fixation) and will apply for the purposes of paragraph 1 (a) (iii) and (iv) of article 16 the said criterion instead of the criterion of nationality."



## FIJI

"(1) In respect of Article 5 (1) (b) and in accordance with Article 5 (3) of the Convention, Fiji will not apply, in respect of phonograms, the criterion of fixation;

"(2) In respect of Article 6 (1) and in accordance with Article 6 (2) of the Convention, Fiji will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

"(3) In respect of article 12 and in accordance with article 16 (1) of the Convention,

"(a) Fiji will not apply the provisions of Article 12 in respect of the following uses:

"(i) The causing of a phonogram to be heard in public at premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard;

"(ii) The causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purpose of the organisation;

"(b) As regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16 (1) (a) (i) stating that it will not apply the provisions of Article 12, Fiji will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration."

*Communication received on 12 June 1972:*

"The Government of Fiji, having reconsidered the said Convention hereby withdraws its declaration in respect of certain provisions of article 12 and in substitution thereof declares in accordance with article 16 (1) of the said Convention that Fiji will not apply the provisions of article 12".

## FINLAND<sup>5</sup>

*Reservations:*

"1....

2. Article 16, paragraph 1 (a) (i)

The provisions of article 12 will not be applied with respect to phonograms acquired by a broadcasting organisation before 1 September 1961.

3. Article 16, paragraph 1 (a) (ii)

The provisions of article 12 will be applied solely with respect to broadcasting as well as to any other communication to the public which is carried out for profit-making purposes.

4. Article 16, paragraph 1 (a) (iv)

As regards phonograms first fixed in another Contracting State, the protection provided for in article 12 will be limited to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed in Finland.

5...

6. Article 17

Finland will apply, for the purposes of article 5, the criterion of fixation alone and, for the purposes of article 16, paragraph 1 (a) (iv), the criterion of fixation instead of the criterion of nationality."

## FRANCE

*Article 5*

The Government of the French Republic declares, in conformity with article 5, paragraph 3 of the Convention, concerning the protection of phonograms, that it rejects the criterion of first publication in favour of the criterion of first fixation.

*Article 12*

The Government of the French Republic declares, first, that it will not apply the provisions of this article to all phonograms the producer of which is not a national of a Contracting State, in conformity with the provisions of article 16, paragraph 1 (a) (iii) of this Convention.

Secondly, the Government of the French Republic declares that, with regard to phonograms the producer of which is a national of another Contracting State, it will limit the extent and duration of the protection provided in this article (article 12), to those which the latter Contracting State grants to phonograms first fixed by French nationals.

29 June 1987

The Government of France specifies that it understands the expression "International Court of Justice", in article 30 of the Convention, as covering not only the Court itself but also a chamber of the Court.

## GERMANY<sup>2</sup>

"1. The Federal Republic of Germany makes use of the following reservations provided for in article 5, paragraph 3, and article 16, paragraph 1 (a) (iv) of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations:

"1) As regards the protection of producers of phonograms it will not apply the criterion of fixation referred to in article 5, paragraph 1 (b) of the Convention;

"2) As regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by article 12 of the Convention to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a German national."

## ICELAND

*Declarations:*

Iceland, pursuant to article 5, paragraph 3, will not apply the criterion of fixation.

Iceland, pursuant to article 6, paragraph 2, will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and if the broadcast was transmitted from a transmitter situated in the same Contracting State.

Iceland, pursuant to article 16, paragraph 1 (a) (i), will not apply article 12 with respect to the use of phonograms published before 1 September 1961.

Iceland, pursuant to article 16, paragraph 1 (a) (ii), will apply article 12 solely with respect to use for broadcasting or for any other communication to the public for commercial purposes.

Iceland, pursuant to article 16, paragraph 1 (a) (iii), will not apply article 12 as regards phonograms the producer of which is not a national of another Contracting State.

Iceland, pursuant to article 16, paragraph 1 (a) (iv), will, as regards phonograms the producer of which is a national of another Contracting State, limit the protection provided for in article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed in Iceland.

## IRELAND

"(1) With regard to article 5, paragraph 1, and in accordance with article 5, paragraph 3, of the Convention: Ireland will not apply the criterion of fixation;

"(2) With regard to article 6, paragraph 1, and in accordance with article 6, paragraph 2, of the Convention: Ireland will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

"(3) With regard to article 12, and in accordance with article 16, paragraph 1 (a) (iii): Ireland will not protect broadcasts heard in public (a) at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein unless a special charge is made for admission to the part of the premises where the recording is to be heard or (b) as part of the activities of, or for the benefit of a club, society or other organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, unless a charge is made for admission to the part of the premises where the recording is to be heard and any of the proceeds of the charge are applied otherwise than for the purposes of the organisation."

## ITALY

(1) With regard to article 6, paragraph 1, and in accordance with article 6, paragraph 2, of the Convention: Italy will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

(2) With regard to article 12 and in accordance with article 16, paragraph 1 (a), of the Convention:

(a) Italy will apply the provisions of article 12 to use for broadcasting or for any other communication to the public for commercial purposes, with the exception of cinematography;

(b) It will apply the provisions of article 12 only to phonograms fixed in another Contracting State;

(c) With regard to phonograms fixed in another Contracting State, it will limit the protection provided for by article 12 to the extent to which, and to the term for which, that Contracting State grants protection to phonograms first fixed in Italy; however, if that State does not grant the protection to the same beneficiary or beneficiaries as Italy, that fact will not be considered as a difference in the extent of the protection.

(3) With regard to article 13 and in accordance with article 16, paragraph 1 (b), of the Convention: Italy will not apply the provisions of article 13 (d);

(4) With regard to article 5 and in accordance with article 17 of the Convention, Italy will apply only the criterion of fixation for the purposes of article 5; the same criterion, instead of the criterion of nationality, will be applied for the purposes of the declarations provided for in article 16, paragraph 1 (a) (iii) and (iv), of the Convention.

## JAPAN

### *Declaration:*

"(1) Pursuant to article 5, paragraph 3 of the Convention, the Government of Japan will not apply the criterion of publication concerning the protection of producers of phonograms,

"(2) Pursuant to article 16, paragraph 1 (a) (ii) of the Convention, the Government of Japan will apply the provisions of article 12 of the Convention in respect of uses for broadcasting or for wire diffusion,

"(3) Pursuant to article 16, paragraph 1 (a) (iv) of the Convention,

(i) As regards phonograms the producer of which is a national of a Contracting State which has made a declaration under article 16, paragraph 1 (a) (i) of the Convention stating that it will not apply the provisions of article 12 of the Convention, the Government of Japan will not grant the protection provided for by the provisions of article 12 of the Convention.

(ii) As regards phonograms the producer of which is a national of another Contracting State which applies the provisions of article 12 of the Convention, the Government of Japan will limit the term of the protection provided for by the provisions of article 12 of the Convention to the term for which that State grants protection to phonograms first fixed by a Japanese national."

## LESOTHO

### *Reservations:*

"Pursuant to article 12 of the said Convention, the Government of the Kingdom of Lesotho declares that the provisions of this article will not apply in respect of broadcasts made for non-profit making purposes or where communication to the public in public places is not the result of a purely commercial activity;

### *With regard to article 13:*

". . . [The Kingdom of Lesotho] does not consider itself bound by the provisions of item (d)."

## LATVIA

### *Declaration:*

"In accordance with paragraph 1 of article 16 of the [Convention], the Republic of Latvia declares that it will not apply article 12 of the Convention on phonograms the producer of which is not a national of another Contracting State."

## LIECHTENSTEIN

### *Reservation to Article 5:*

"The Principality of Liechtenstein declares, in accordance with article 5, paragraph 3 of the Convention, that it rejects the criterion of first fixation. It will therefore apply the criterion of first publication.

### *Reservations to Article 12:*

In accordance with the provisions of article 16, paragraph 1 of the Convention, the Principality of Liechtenstein declares that it will not apply the provisions of article 12 as regards phonograms the producer of which is not a national of another Contracting State.

The Principality of Liechtenstein also declares, as regards phonograms the producer of which is a national of another Contracting State, that it will limit the protection provided for by article 12 to the extent to which, and to the term for which, the latter State grants protection of phonograms first fixed by a Liechtenstein national, in accordance with the provisions of article 16, paragraph 1 (a) (iv) of the Convention."

## LITHUANIA

### *Reservation:*

"In accordance with sub-paragraph (a)(iii) of paragraph 1 of article 16 of the [...] Convention, the Republic of Lithuania declares that as regards phonograms the producer of which is not a national or a legal person of another Contracting State, it will not apply the provisions of article 12 of the above-mentioned Convention."

## LUXEMBOURG

1. With regard to the protection of producers of phonograms, Luxembourg will not apply the criterion of publication but only the criteria of nationality and fixation, in accordance with article 5, paragraph 3, of the Convention.

2. With regard to the protection of phonograms, in accordance with article 16, paragraph 1 (a) (i), of the Convention, Luxembourg will not apply any of the provisions of article 12.

3. With regard to broadcasting organizations, in accordance with article 16, paragraph 1 (b), of the Convention, Luxembourg will not apply the protection envisaged in article 13 (d) against communication to the public of their television broadcasts.

## MONACO

### *Reservations:*

1. With regard to the protection of producers of phonograms, Monaco will not apply the criterion of publication but only the criteria of nationality and fixation, in accordance with article 5, paragraph 3.

2. With regard to broadcasting organizations, in accordance with article 16, paragraph 1 (a) (i), Monaco will not apply any of the provisions of article 12.

3. With regard to broadcasting organizations, in accordance with article 16, paragraph 1 (b), Monaco will not apply the provisions of article 13 (d) concerning protection against communication to the public of television broadcasts.

## NETHERLANDS

### *Reservation:*

"The said Convention shall be observed subject to the following reservations, provided for in article 16, paragraph 1, (a) (iii) and (iv), of the Convention:

- The Kingdom of the Netherlands will not apply article 12 to phonograms the producer of which is not a national of another Contracting State;

- As regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of the Kingdom of the Netherlands."

## NIGER

### *Declarations:*

(1) Article 5, paragraph 3: the "criterion of publication" is excluded;

(2) Article 16: the application of article 12 is completely excluded.

## NIGERIA

### *Declarations:*

1. With regard to article 5, paragraph 3, the Federal Republic of Nigeria will not apply the criteria of publication under article 5, paragraph 1 (c).

2. With regard to article 6, paragraph 2, the Federal Republic of Nigeria will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and if the broadcast is transmitted from a transmitter situated in the same Contracting State.

3. With regard to article 16, paragraph 1 (a):

i) The provisions of article 12 will not be applied in case of communication to the public of phonograms (a) at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein unless a special charge is made for admission to the part of the premises

where the phonogram is to be heard or (b) as part of the activities of, or for the benefit of a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, unless a charge is made for admission to the part of the premises where the phonogram is to be heard and any of the proceeds of the charge are applied otherwise than for the purpose of the organization;

ii) The provisions of article 12 will not apply as regards phonograms the producer of which is not a national of another Contracting State; and

iii) As regards phonograms the producer of which is a national of another Contracting State, the Federal Republic of Nigeria will limit the protection provided for in article 12 to the extent to which, and to the term for which, that Contracting State grants protection to phonograms first fixed by nationals of the Federal Republic of Nigeria.

## NORWAY<sup>6</sup>

### *Reservations:*

"Pursuant to article 16, section 1, item a (ii), reservation is made to the effect that article 12 shall not apply in respect of use other than use of phonograms in broadcast transmissions."

"b) Pursuant to article 16, paragraph 1, item a (iii), reservation is made to the effect that article 12 shall not be applicable if the producer is not a national of another Contracting State.

"c) Pursuant to article 16, paragraph 1, item a (iv), reservation is made to the effect that the extent and duration of the protection provided for under article 12 for phonograms which are produced by a national in another Contracting State shall not be more comprehensive than protection granted by that State to phonograms first produced by a Norwegian national.

"d) Pursuant to article 6, paragraph 2, reservation is made to the effect that broadcasts are only protected if the headquarters of the broadcasting organisation is situated in another Contracting State, and the broadcast is transmitted from a transmitter in the same Contracting State."

### *Declaration:*

"The Norwegian Act of 14 December 1956 concerning a Levy on the Public Presentation of Recordings of Artists' Performances, etc., establishes rules for the disbursement of that levy to producers and performers of phonograms.

"A portion of the annual revenue from the levy devolves, as of rights, to producers of phonograms as a group, without distinction as to nationality, in remuneration for the public use of phonograms.

"Under the terms of the Act, contributions from the levy may be made to Norwegian performing artists and their survivors on the basis of individual needs. This benevolent arrangement falls entirely outside the scope of the Convention.

"The régime established by the said Act, being fully consistent with the requirements of the Convention, will be maintained."

## POLAND

### *Declarations:*

1. As regards article 5, paragraph 3:

The Republic of Poland will not apply the criterion of publication.

2. As regards article 6, paragraph 2:

The Republic of Poland will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. As regards article 16, paragraph 1 item (a)(i), (iii) and (iv); the Republic of Poland:

(i) With regard to broadcasters - will not apply the provisions of article 12 of the Convention in respect of the uses of a published phonogram referred to therein,

(iii) With regard to schools - will not apply the provisions of article 12 of the Convention as regards phonograms the producer of which is not a national of another Contracting State,

(iv) With regard to schools - will not apply the provisions of article 12 of the Convention as regards phonograms the producer of which is a national of another Contracting State; the extent and term of protection provided for by this article shall be limited to the extent and period of protection granted by this Contracting State to phonograms first fixed by a national of the Republic of Poland.

4. As regards article 16 paragraph 1 item (b), the Republic of Poland will not apply the provisions of item (d) of article 13 of the Convention so as to exclude the rights of broadcasting organisations in respect of the communication of their broadcasts made in places accessible to the public against payment of an entrance fee.

#### REPUBLIC OF MOLDOVA

##### *Reservations:*

1. In accordance with article 5, paragraph 3, the Republic of Moldova declares that it will not apply the criteria of fixation under article 5, paragraph 1 (b).

2. In accordance with article 6, paragraph 2, the Republic of Moldova declares that it will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. With reference to article 16, paragraph 1 (a), the Republic of Moldova declares that:

a) It will not apply the provisions of article 12 in the case of communications to the public of phonograms as part of the activities or for the benefit of a club, society or other organization which has been established or is being administered on a non-commercial basis, the purpose of which, generally speaking, is charitable or concerned with the advancement of education, the promotion of the public good and the dissemination of religion, unless a charge is made for admission to the part of the premises where the phonogram is to be heard and any of profit thus obtained is used for purposes which differ from those of the organization;

b) It will not apply the provisions of article 12 as regards phonograms the producer of which is not a national of another Contracting State;

c) It will limit the protection stipulated in article 12 for phonograms the producer of which is a national of another Contracting State to the extent to which and as long as that Contracting State grants protection to phonograms which were originally fixed by a national of the Republic of Moldova.

#### ROMANIA

##### *Reservation:*

1. With regard to article 5, paragraph 3, Romania declares that it will not apply the criterion of fixation.

2. With regard to article 6, paragraph 2, Romania declares that it will protect radio and television broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in that same Contracting State.

3. With reference to article 16, paragraph 1 (a) (iii) and (iv):  
(iii) Romania will not apply any of the provisions of article 12, as regards phonograms the producer of which is not a national of another Contracting State.

(iv) For the producers of phonograms who are nationals of another Contracting State, the scope and length of the protection provided for in article 12 shall be limited to the extent to which and as long as that Contracting State grants protection to phonograms which were originally fixed by a national of Romania.

#### SAINT LUCIA

##### *Declarations:*

"The Government of Saint Lucia declares that as regards article 5 it will not apply the criterion of publication contained in article 5 (1) (c).

The Government of Saint Lucia declares that as regards article 12 it will not apply that article in relation to phonograms the producer of which is not a national of another Contracting State."

#### SLOVAKIA<sup>1</sup>

#### SLOVENIA

##### *Reservations:*

1."In respect of article 5, paragraph 1 (c) and in accordance with article 5, paragraph 3 of the Convention, the Republic of Slovenia will not apply the criterion of publication;

2.In accordance with article 16, paragraph 1 (a) (I) of the Convention, the Republic of Slovenia will not apply the provisions of article 12 until 1 January 1998."

#### SPAIN

##### *Declarations:*

##### *Article 5*

[The Government of Spain] will not apply the criterion of first publication and will apply instead the criterion of first fixation.

##### *Article 6*

[The Government of Spain] will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

##### *Article 16*

Firstly [the Government of Spain] will not apply the provisions of article 12 as regards phonograms the producer of which is not a national of a Contracting State.

Secondly, the Spanish Government, as regards phonograms the producer of which is a national of another Contracting State, will limit the scope and duration of the protection provided in article 12 to the extent to which that latter Contracting State grants protection to phonograms first fixed by nationals of Spain, in conformity with the provisions of article 16, paragraph 1 (a) (iv) of the Convention.

#### SWITZERLAND

##### *Reservations:*

##### *Ad article 5*

The Swiss Government declares, in accordance with article 5, paragraph 3 of the Convention, that it rejects the criterion of first fixation. It will therefore apply the criterion of first publication.

##### *Ad article 12*

In accordance with the provisions of article 16, paragraph 1 of the Convention, the Swiss Government declares that it will not apply the provisions of article 12 as regards phonograms the producer of which is not a national of another Contracting State.

The Swiss Government also declares, as regards phonograms the producer of which is a national of another Contracting State, that it will limit the protection provided for by article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a Swiss national, in accordance with the provisions of article 16, paragraph 1 (a) (iv) of the Convention.

#### SWEDEN<sup>7</sup>

- (a) ...
- (b) ...
- (c) With regard to article 16, paragraph 1, sub-paragraph (a) (iv);
- (d) ...
- (e) ...

#### THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

##### Reservations:

"1. According to the article 5, paragraph 3 of this Convention, the Republic of Macedonia shall not apply the criterion of publication provided under article 5, paragraph 1 (c).

2. According to the article 16, paragraph 1 (a)(1) of this Convention, the Republic of Macedonia shall not apply the provisions of the article 12."

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"(1) In respect of article 5 (1) (b) and in accordance with article 5 (3) of the Convention, the United Kingdom will not apply, in respect of phonograms, the criterion of fixation;

"(2) In respect of article 6 (1) and in accordance with article 6 (2) of the Convention, the United Kingdom will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

"(3) In respect of article 12 and in accordance with article 16 (1) of the Convention,

"(a) The United Kingdom will not apply the provisions of article 12 in respect of the following uses:

"(i) The causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard.

"(ii) The causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purposes of the organisation.

"(b) As regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under article 16 (1) (a) (i) stating that it will not apply the provisions of article 12, the United Kingdom will not grant the protection provided for by article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration."

#### Territorial Application

Participant	Date of receipt of the notification	Territories
United Kingdom <sup>8</sup>	20 Dec 1966	Gibraltar
	10 Mar 1970	Bermuda
	28 Apr 1999	Ile of Man

#### Notes:

<sup>1</sup> Czechoslovakia had acceded to the Convention on 13 May 1964, with reservations. For the text of the reservations, see United Nations, *Treaty Series*, vol. 496, p. 96. See also note 11 in chapter I.2.

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> With a declaration to the effect that the Convention shall also apply to *Land Berlin* as from the day on which it will enter into force for the Federal Republic of Germany.

With reference to the above-mentioned declaration, communications have been addressed to the Secretary-General by the Governments of the Byelorussian SSR, Czechoslovakia, France, the United Kingdom and the United States of America, Germany (Federal Republic) and the Union of Soviet Socialist Republics. The said communications are identical in essence, *mutatis mutandis*, to those referred to in the second paragraph of note 4 in chapter III.3. See also note 2 above.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> On 10 February 1994, the Government of Finland notified the Secretary-General of its decision to withdraw the reservations to article 6 (2) and 16 (1)(b), and to amend, reducing in scope, the reservation with regard to article 16 (1)(a)(ii) made upon ratification. For the text of the reservations made upon ratification, see United Nations, *Treaty Series*, vol. 1324, p. 380.

<sup>6</sup> In a communication received on 30 June 1989, the Government of Norway notified the Secretary-General of its decision to substitute a new reservation for the one made to the said Convention upon accession. The text of the reservation so withdrawn reads as follows:

"(a) Pursuant to article 16, paragraph 1, item a (ii), reservation is made to the effect that article 12 shall not apply in respect of use other than for the purpose of economic gain."

<sup>7</sup> With regard to the said declarations, the Secretary-General received from the Government of Sweden on 27 June 1986, the following notification:

"With application of article 18 of the Convention, a notification notifying its withdrawal or amendment of the notifications deposited with the instrument of ratification on July 13, 1962, as follows:

1. The notification relating to article 6, paragraph 2, is withdrawn.

2. The notification under article 16, paragraph 1 (a) (ii) according to which Sweden will apply article 12 only in relation to broadcasting is reduced in scope to the effect that Sweden will apply article 12 to broadcasting and to such communication to the public which is carried out for commercial purposes.

3. The notification relating to article 17 is withdrawn in so far as reproduction of phonograms is concerned. Sweden will from July 1,

1986, grant protection according to article 10 of the Convention to all phonograms.

The withdrawals and amendments take effect on July 1, 1986."

Subsequently, on 1 December 1995, the Secretary-General received from the Government of Sweden, the following notification:

"With application of article 18 of the Convention Sweden withdraws or amends the notifications deposited with the instrument of ratification on 13 July 1962, as follows:

1. The notification under article 16 (1) (a) (ii), amended by the notification of 26 June 1986, to the effect that Sweden will apply article 12 only to broadcasting and such communication to the public which

is carried out for commercial purposes is withdrawn with immediate effect.

2. The notification under article 16(1)(b) to the effect that Sweden will apply article 13 (d) only to communication to the public of television broadcasts in a cinema or similar place is withdrawn with immediate effect."

For the text of the declarations so withdrawn and the unamended declarations, see United Nations, *Treaty Series*, vol. 496, p. 94.

<sup>8</sup> The territorial applications were effected subject to the same declarations as those made on behalf of the United Kingdom upon ratification of the Convention.

**4. CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS AGAINST  
UNAUTHORIZED DUPLICATION OF THEIR PHONOGRAMS**

*Geneva, 29 October 1971*

**ENTRY INTO FORCE:** 18 April 1973, in accordance with article 11.  
**REGISTRATION:** 18 April 1973, No. 12430.  
**STATUS:** Signatories: 31. Parties: 61.  
**TEXT:** United Nations, *Treaty Series*, vol. 866, p. 67.

*Note:* The Convention was adopted by the International Conference of States on the Protection of Phonograms convened jointly by the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization. The Conference was held at the Palais des Nations, in Geneva, from 18 to 29 October 1971.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Succession (d)</i>
Argentina.....		19 Mar 1973 a	Kenya.....	4 Apr 1972	6 Jan 1976
Australia.....		12 Mar 1974 a	Latvia.....		29 Apr 1997 a
Austria.....	28 Apr 1972	6 May 1982	Liechtenstein.....	28 Apr 1972	12 Jul 1999
Barbados.....		23 Mar 1983 a	Lithuania.....		27 Oct 1999 a
Bosnia and Herzegovi- na.....		12 Jan 1994 d	Luxembourg.....	29 Oct 1971	25 Nov 1975
Brazil.....	29 Oct 1971	6 Aug 1975	Mexico.....	29 Oct 1971	11 Sep 1973
Bulgaria.....		31 May 1995 a	Monaco.....	29 Oct 1971	21 Aug 1974
Burkina Faso.....		14 Oct 1987 a	Netherlands <sup>3</sup> .....		7 Jul 1993 a
Canada.....	29 Oct 1971		New Zealand.....		3 May 1976 a
Chile.....		15 Dec 1976 a	Nicaragua.....	29 Oct 1971	
China.....		5 Jan 1993 a	Norway.....	28 Apr 1972	10 Apr 1978
Colombia.....	29 Oct 1971	14 Feb 1994	Panama.....	28 Apr 1972	20 Mar 1974
Costa Rica.....		1 Mar 1982 a	Paraguay.....		30 Oct 1978 a
Cyprus.....		25 Jun 1993 a	Peru.....		7 May 1985 a
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Philippines.....	29 Apr 1972	
Democratic Republic of the Congo.....		25 Jul 1977 a	Republic of Korea... Romania.....		1 Jul 1987 a
Denmark.....	29 Oct 1971	7 Dec 1976	Russian Federation .. Slovakia <sup>1</sup> .....		1 Jul 1998 a
Ecuador.....	29 Oct 1971	4 Jun 1974	Slovenia.....		9 Dec 1994 a
Egypt.....		15 Dec 1977 a	Spain.....	29 Oct 1971	28 May 1993 d
El Salvador.....		25 Oct 1978 a	Sweden.....	29 Oct 1971	9 Jul 1996 a
Fiji.....		15 Jun 1972 a	Switzerland.....	29 Oct 1971	16 May 1974
Finland.....	21 Apr 1971	18 Dec 1972	the former Yugoslav Republic of Mace- donia.....		18 Jan 1973
France.....	29 Oct 1971	12 Sep 1972	Trinidad and Tobago. Ukraine.....		24 Jun 1993
Germany <sup>2</sup> .....	29 Oct 1971	7 Feb 1974	United Kingdom of Great Britain and Northern Ireland .	29 Oct 1971	2 Dec 1997 a
Greece.....		2 Nov 1993 a	United States of Amer- ica.....	29 Oct 1971	27 Jun 1988 a
Guatemala.....		14 Oct 1976 a	Uruguay.....	29 Oct 1971	18 Nov 1999 a
Holy See.....	29 Oct 1971	4 Apr 1977	Venezuela.....		
Honduras.....		16 Nov 1989 a	Yugoslavia.....	29 Oct 1971	5 Dec 1972
Hungary.....		24 Feb 1975 a			26 Nov 1973
India.....	29 Oct 1971	1 Nov 1974			6 Oct 1982
Iran (Islamic Republic of).....	29 Oct 1971				30 Jul 1982 a
Israel.....	29 Oct 1971	10 Jan 1978			
Italy.....	29 Oct 1971	20 Dec 1976			
Jamaica.....		7 Oct 1993 a			
Japan.....	21 Apr 1972	19 Jun 1978 A			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or succession.)

**CZECH REPUBLIC<sup>1</sup>**

**EGYPT<sup>4</sup>**

**HUNGARY**

"A. *Ad* article 9, paragraphs 1 and 2:

In the opinion of the Hungarian People's Republic, article 9, paragraphs 1 and 2 of the Convention have a discriminatory character. The Convention is a general, multilateral one and

therefore every State has the right to be a party to it, in accordance with the basic principles of international law.

"B. *Ad* article 11, paragraph 3:

The Hungarian People's Republic declares that the provisions of article 11, paragraph 3 of the Convention are inconsistent with the principles of the independence of colonial countries and peoples, formulated, *inter alia*, also in resolution No. 1514 (XV) of the United Nations General Assembly."

**SLOVAKIA<sup>1</sup>**

***Territorial Application***

<b><i>Participant</i></b>	<b><i>Date of receipt of the notification</i></b>	<b><i>Territories</i></b>
United Kingdom	4 Dec 1974	Bermuda, Cayman Islands, Gibraltar, Hong Kong, Isle of Man, Montserrat, St. Lucia, Seychelles, British Virgin Islands

***Notes:***

<sup>1</sup> Czechoslovakia had acceded to the Convention on 5 October 1984. Subsequently, on 1 February 1985, the Secretary-General received from the Government of Czechoslovakia, the following reservation:

"The provision of article 11, paragraph 3 of the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms is in contradiction to the Declaration on the Granting of Independence to Colonial Countries and Peoples which was adopted at the XVth session of the United Nations General Assembly (resolution C 1514/XV of 14 December 1960)."

See also note 11 in chapter I.2.

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> For the Kingdom in Europe.

<sup>4</sup> In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw the declaration relating to Israel. The notification indicates 25 January 1980 as the effective date of the withdrawal. For the text of said declaration, see United Nations, *Treaty Series*, vol. 1067, p. 327.



**5. PROTOCOL TO THE AGREEMENT ON THE IMPORTATION OF EDUCATIONAL,  
SCIENTIFIC AND CULTURAL MATERIALS**

*Nairobi, 26 November 1976*

**ENTRY INTO FORCE:** 2 January 1982, in accordance with article VIII (17a).  
**REGISTRATION:** 2 January 1982, No. 20669.  
**STATUS:** Signatories: 13. Parties: 37.  
**TEXT:** United Nations, *Treaty Series*, vol. 1259, p. 3.

*Note:* The Protocol, approved on 30 March 1976 by a Special Committee of Governmental Experts convened in pursuance of resolution 4.112 of the eighteenth session of the General Conference of UNESCO, was adopted on the Report of Programme Commission II at the thirty-fourth plenary meeting of the nineteenth session of the General Conference of UNESCO at Nairobi, Kenya, on 26 November 1976, and opened for signature on 1 March 1977.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Succession (d)</i>
Australia .....		5 Mar 1992 a	Netherlands <sup>3</sup> .....	18 Jun 1980	15 Jul 1981 A
Austria .....	4 Feb 1993	28 Jun 1994	New Zealand <sup>4</sup> .....	9 Nov 1981	
Barbados .....		10 Apr 1979 a	Oman .....	19 Dec 1977	
Belgium .....	18 Jun 1980	25 Sep 1986	Portugal .....		11 Jun 1984 a
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Republic of Moldova.		3 Sep 1998 a
Bulgaria .....		14 Mar 1997 a	Russian Federation ..		7 Oct 1994 a
Croatia .....		26 Jul 1993 d	San Marino .....		30 Jul 1985 a
Cuba .....		15 May 1992 a	Slovakia .....		9 Jun 1997 a
Czech Republic .....		22 Aug 1997 a	Slovenia .....		6 Jul 1992 d
Denmark .....	18 Jun 1980	17 Feb 1983	Spain .....		2 Oct 1992 a
Egypt .....		18 Sep 1981 a	Sweden .....		30 Jul 1997 a
Finland .....		17 Feb 1987 a	the former Yugoslav Republic of Mace- donia .....		2 Sep 1997 d
France .....	18 Jun 1980	3 Jan 1986	United Kingdom of Great Britain and Northern Ireland <sup>5</sup> ..	18 Jun 1980	9 Jun 1982
Germany <sup>1,2</sup> .....	18 Jun 1980	17 Aug 1989	United States of Amer- ica .....	1 Sep 1981	15 May 1989
Greece .....		4 Mar 1983 a	Uruguay .....		20 Apr 1999 a
Holy See .....		22 Feb 1980 a	Venezuela .....		1 May 1992 a
Iraq .....		13 Apr 1978 a	Yugoslavia .....		13 Nov 1981 a
Ireland .....	18 Jun 1980	18 Jun 1980			
Italy .....	18 Jun 1980	2 Jul 1981 A			
Kazakhstan .....		21 Dec 1998 a			
Lithuania .....		21 Aug 1998 a			
Luxembourg .....	18 Jun 1980	22 Jun 1982			

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made  
upon ratification, accession, acceptance or succession.)*

**AUSTRALIA**

"Pursuant to paragraph 16 (a), Australia declares that it will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the Protocol."

**AUSTRIA**

*Declaration:*

"Austria shall not be bound by Part II, Annex C.1, Annex F, Annex G and Annex H."

**BARBADOS**

"The Government of Barbados hereby declares that it will not be bound by annex H."

**BELGIUM**

**DENMARK**

**FRANCE<sup>6</sup>**

**GERMANY<sup>1,2</sup>**

**IRELAND**

**ITALY**

**NETHERLANDS**

*Upon signature:*

Each of the Governments of Belgium, Denmark, the Federal Republic of Germany, France, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, in accordance with the provisions of paragraph 16 (a) of the said Protocol, made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

**DENMARK**

*Reservation:*

Pursuant to paragraph 16 (a) of the said Protocol, the Government of Denmark declares that it will not be bound by part II, part IV, annex C.1, annex F, annex G and annex H.

**FINLAND**

[Finland] shall not be bound by parts II and IV and annexes C.1, F and G of the Protocol.

**GREECE**

*Reservation:*

The Government of Greece will not be bound by part II, part IV, and annexes C.1, F, G and H.

**IRAQ<sup>7</sup>**

Entry into the above Protocol by the Republic of Iraq shall, however, in no way signify recognition of Israel or be conducive to entry into any relations with it.

**IRELAND**

"Ireland will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H, or by any of those Parts or Annexes."

**ITALY**

*Declaration made upon signature and confirmed upon acceptance:*

"(a) Italy shall not be bound by part II, part IV, annex C.1, annex F, annex G and annex H;

"(b) Italy, within the framework of the European Economic Community, will examine the possibility of accepting annex C.1 in the light of the position adopted by other Contracting Parties with regard to that annex."

**LITHUANIA**

*Declaration:*

"As provided in paragraph 16 (a) of part VIII of the Protocol the Republic of Lithuania declares that it will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H."

**LUXEMBOURG**

*Declaration made upon signature and confirmed upon ratification:*

The Government of Luxembourg will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the Protocol and will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

**NETHERLANDS**

*Declaration made upon signature and confirmed upon acceptance:*

"In conformity with paragraph 16 (a) of the said Protocol, the Kingdom shall not be bound by part II, part IV, annex C.1, annex F, annex G and annex H thereof."

**NEW ZEALAND**

*Upon signature:*

"The Government of New Zealand shall not be bound by annex C.1, annex F and annex H of the Protocol."

**PORTUGAL**

*Declaration:*

Pursuant to article 16 (a) of the Protocol, [Portugal] shall not be bound by parts II and IV (a) and annexes C.1, F, G and H of the Protocol.

**SPAIN**

*Declaration:*

Pursuant to article 16 of the Protocol, Spain shall not be bound by parts II and IV and annexes C.1, F, G and H of the Protocol.

**SWEDEN**

"Sweden shall not be bound by Parts II, IV, and Annexes C.1, F, G and H of the Protocol."

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

*Declaration made upon signature and confirmed upon ratification:*

"The United Kingdom shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H;

"The United Kingdom, within the framework of the European Economic Community, will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

*Upon ratification:*

"The Government of the United Kingdom of Great Britain and Northern Ireland reserves the right to extend the Protocol at a later date, to any territory for whose international relations the Government of the United Kingdom is responsible and to which the Agreement on the Importation of Educational, Scientific and Cultural Materials has been extended in accordance with the provisions of article XIII thereof."

## UNITED STATES OF AMERICA

### Declaration:

"Pursuant to article VII, Section 16 (a), of the Protocol, the United States hereby declares that it will not be bound by Annexes C.1, F, G, and H. The United States will examine the pos-

sibility of withdrawing this declaration with regard to annex C.1, and of accepting that annex, in the light of the position adopted by other Contracting Parties with regard to that annex."

### Notes:

<sup>1</sup> See note 14 in chapter I.2.

<sup>2</sup> Upon ratification, the Government of the Federal Republic of Germany confirmed this declaration made upon signature. In addition, in a letter accompanying its instrument of ratification, the Government of the Federal Republic of Germany declared that the Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 1 above.

<sup>3</sup> For the Kingdom in Europe and as from 1 January 1986 for Aruba. See also note 8 in chapter I.1.

<sup>4</sup> The signature of the Protocol extends to Tokelau Islands.

<sup>5</sup> In a communication received on 20 April 1989, the Government of the United Kingdom of Great Britain and Northern Ireland declared that subject to the same declarations made by the United Kingdom, the Protocol shall extend, with effect from the date of receipt of the said communication, to the following territories for whose international relations the Government of the United Kingdom is responsible:

Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Anguilla, Cayman Islands, Falkland Islands, South Georgia and the South Sandwich Islands, Gibraltar, Montserrat, St. Helena, St. Helena Dependencies, Turks and Caicos Islands, the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus.

In this connection, on 7 August 1989, the Secretary-General received from the Government of Argentina an objection, identical in essence, *mutatis mutandis*, to the one made in this regard in note 12 of chapter IV.3, however also referring to General Assembly resolutions 41/40/, 42/19 and 43/25.

<sup>6</sup> Upon ratification of the Convention, the Government of France confirmed the declaration made upon signature.

<sup>7</sup> With reference to the declaration made by the Government of Iraq, the Secretary-General received from the Government of Israel on 1 May 1979, the following communication:

"The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

**6. INTERNATIONAL AGREEMENT FOR THE ESTABLISHMENT OF THE UNIVERSITY FOR  
PEACE**

*New York, 5 December 1980*

**ENTRY INTO FORCE:** 7 April 1981, in accordance with article 7.  
**REGISTRATION:** 7 April 1981, No. 19735.  
**STATUS:** Parties: 35.  
**TEXT:** United Nations, *Treaty Series*, vol. 1223, p. 87.

*Note:* The Agreement was adopted by resolution 35/55<sup>1</sup> of the General Assembly of the United Nations dated 5 December 1980. It was open for definitive signature by all States at the United Nations Headquarters in New York from 5 December 1980 to 31 December 1981.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Accession (a), Succession (d)</i>
Argentina .....		29 Dec 1997 a	Nicaragua .....		3 Apr 1981 s
Bangladesh .....		8 Apr 1981 s	Pakistan .....		30 Mar 1981 s
Bosnia and Herzegovina .....		1 Sep 1993 d	Panama .....		20 Mar 1981 s
Cambodia .....		10 Apr 1981 s	Peru .....		9 Apr 1981 s
Cameroon .....		16 Aug 1982 a	Philippines .....		20 Mar 1984 a
Chile .....		2 Mar 1981 s	Russian Federation ...		23 Dec 1987 a
Colombia .....		18 Mar 1981 s	Saint Lucia .....		2 Sep 1986 a
Costa Rica .....		5 Dec 1980 s	Senegal .....		1 Apr 1981 s
Cuba .....		9 Aug 1985 a	Slovenia .....		6 Jul 1992 d
Cyprus .....		15 Mar 1983 a	Spain .....		21 Apr 1981 s
Dominican Republic ..		21 Nov 1983 a	Sri Lanka .....		10 Aug 1981 s
Ecuador .....		18 Mar 1981 s	Suriname .....		3 Jun 1981 s
El Salvador .....		7 Apr 1981 s	Togo .....		3 Jun 1981 s
Guatemala .....		14 Sep 1981 s	Turkey .....		27 Nov 1995 a
Honduras .....		10 Apr 1981 s	Uruguay .....		19 Nov 1985 a
India .....		3 Dec 1981 s	Venezuela .....		5 Dec 1980 s
Italy .....		27 Nov 1981 s	Yugoslavia .....		19 Jan 1983 a
Mexico .....		15 May 1981 s			

***Declarations and Reservations***

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**ARGENTINA**

***Declaration:***

The Argentine Republic does not consider itself bound to make any financial contribution towards such expenses as may derive from the application of this Agreement.

***Notes:***

<sup>1</sup> *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 31 (A/35/49) p. 103.*

**7. STATUTES OF THE INTERNATIONAL CENTRE FOR GENETIC ENGINEERING AND BIOTECHNOLOGY**

*Madrid, 13 September 1983*

**ENTRY INTO FORCE:** 3 February 1994, in accordance with article 21 (1).  
**REGISTRATION:** 3 February 1994, No. 30673.  
**STATUS:** Signatories: 46. Parties: 43.  
**TEXT:** Doc. ID/WG.397/8; see also hereinafter the Protocol of the reconvened plenipotentiary meeting (XIV.7a).

*Note:* The Statutes were adopted at the Ministerial Level Plenipotentiary Meeting on the Establishment of the International Centre for Genetic Engineering and Biotechnology held at Madrid, Spain, from 7 to 13 September 1983 under the auspices of the United Nations Industrial Development Organization. They were open for signature at Madrid on 12 and 13 September 1983 and remain open for signature at the United Nations Headquarters, New York, until their entry into force.

Pursuant to article 21 (1), the Statutes are to enter into force when at least twenty-four States, including the Host State<sup>1</sup> of the Centre, have deposited instruments of ratification or acceptance and having further ascertained among themselves that sufficient financial resources are ensured, have then deposited with the Secretary-General notifications indicating their agreement to the entry into force of the Statutes.

<i>Participant</i>	<i>Signature, Signature ad referendum (s)</i>	<i>Confirmation of signature ad referendum (C)</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Notification under article 21 (1)</i>
Afghanistan .....	13 Sep 1983 s	28 Mar 1984 C	6 Jul 1988	
Algeria .....	13 Sep 1983		11 Sep 1987	22 Dec 1992
Argentina .....	13 Sep 1983		8 May 1990	22 Dec 1992
Bangladesh .....			18 Jul 1996 a	
Bhutan .....	31 May 1984		7 May 1985	22 Dec 1992
Bolivia .....	13 Sep 1983			
Brazil .....	5 May 1986 s		9 Mar 1990	4 Feb 1993
Bulgaria .....	13 Sep 1983 s		23 Jun 1986 A	
Chile .....	13 Sep 1983		27 Apr 1994	
China .....	13 Sep 1983		13 Apr 1992 A	22 Dec 1992
Colombia .....	21 Nov 1986		3 Mar 1997	
Congo .....	13 Sep 1983			
Costa Rica .....	14 Aug 1990 s		11 Oct 1996	
Côte d'Ivoire .....			22 Jan 1999 a	
Croatia .....	20 Oct 1992		26 Aug 1993 A	20 Sep 1993
Cuba .....	13 Sep 1983		30 Jun 1986	22 Dec 1992
Democratic Republic of the Congo	13 Sep 1983			
Ecuador .....	13 Sep 1983		26 Oct 1994	
Egypt .....	13 Sep 1983		13 Jan 1987	22 Dec 1992
Greece .....	13 Sep 1983			
Hungary .....	13 Jan 1987		13 Jan 1987 A	31 Aug 1993
India .....	13 Sep 1983		9 Jul 1985	22 Dec 1992
Indonesia .....	13 Sep 1983			
Iran (Islamic Republic of)	29 Apr 1988 s			
Iraq .....	28 Feb 1984		19 Feb 1985	22 Dec 1992
Italy .....	13 Sep 1983		20 Sep 1990	22 Dec 1992
Kuwait .....	13 Sep 1983		21 Oct 1986	
Mauritania .....	13 Sep 1983			
Mauritius .....	19 Sep 1984		5 Jan 1989	11 May 1993
Mexico .....	13 Sep 1983 s	21 May 1984 C	21 Jan 1988	
Morocco .....	19 Oct 1984		28 Jun 1990	22 Dec 1992
Nigeria .....	13 Sep 1983		13 Mar 1991	27 Apr 1994
Pakistan .....	4 Nov 1983		5 Apr 1994	
Panama .....	11 Dec 1984		12 Aug 1986	22 Dec 1992
Peru .....	22 Mar 1984		6 Jan 1995	
Poland .....	1 Aug 1990		9 Sep 1996	
Romania .....			5 Dec 1995 a	
Russian Federation ..			30 Nov 1992 A	22 Dec 1992
Senegal .....	29 Jun 1984		4 May 1985	23 Dec 1993
Slovakia .....			13 Jan 1998 a	
Slovenia .....			28 Dec 1994 a	

<i>Participant</i>	<i>Signature, Signature ad referendum (s)</i>	<i>Confirmation of signature ad referendum (C)</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Notification under article 21 (1)</i>
Spain.....	13 Sep 1983			
Sri Lanka .....	12 Nov 1991		1 Oct 1993	3 Feb 1994
Sudan .....	13 Sep 1983		21 Oct 1991	22 Dec 1992
Syrian Arab Republic .	17 Oct 1991			
Thailand .....	13 Sep 1983			
the former Yugoslav Republic of Macedonia.....			27 Apr 1994 a	
Trinidad and Tobago .	13 Sep 1983			
Tunisia .....	27 Oct 1983		20 Sep 1990	22 Dec 1992
Turkey.....	22 Sep 1987		10 Jan 1989	22 Dec 1992
Uruguay .....			5 Dec 1995 a	
Venezuela .....	13 Sep 1983		15 Oct 1985	22 Dec 1992
Viet Nam .....	17 Sep 1984		15 Apr 1993 A	15 Apr 1993
Yugoslavia <sup>3</sup> .....	13 Sep 1983		18 Mar 1987	22 Dec 1992

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or acceptance.)

**CHILE<sup>4</sup>**

*Reservations:*

(a) The Government of Chile hereby enters a reservation to article 13, paragraph 3, of the Statutes inasmuch as, under the provisions of its Constitution and internal law, the property and assets of the Centre may be expropriated by virtue of a general or special law authorizing such expropriation on the ground of public benefit or national interest as may be determined by legislation.

(b) The Government of Chile hereby enters a reservation to article 13, paragraphs 5, 6 and 7, of the Statutes inasmuch as the privileges and immunities of representatives of the Members and of officials and experts of the Centre shall be granted in accordance with the terms of the said paragraphs save where any such person holds Chilean nationality.

**CUBA**

*Reservation:*

The Government of the Republic of Cuba formulates an express reservation to paragraphs 2, 3 and 4 of article 14 of the Statutes of the International Centre for Genetic Engineering and Biotechnology, because it considers that the provisions thereof contravene the regulations of article 4 of the Paris Convention for the Protection of Industrial Property of 20 March 1883, to which Cuba is a party, and the Cuban legislation guaranteeing the implementation of that Convention.

**COLOMBIA**

*Declarations:*

*1. Pilot plant activities in Colombian territory*

With respect to the scope of article 3 (a) of the Statutes, which refers to pilot plant activities in the field of genetic engineering and biotechnology, when pilot plants are established in Colombian territory they may not contravene the regulations in force in Colombia regarding management of genetic resources, biosafety, protection of life, health, food production and the cultural integrity of indigenous, black and peasant communities.

*2. Functions of the Board of Governors*

With regard to the scope of article 6, paragraph 2 (a), which specifies that the Board of Governors shall determine the gen-

eral policies and principles governing the activities of the Centre, it is to be understood that when this provision is applied in Colombia it shall not contravene the domestic, supranational or international legal provisions regarding biosafety, management of genetic resources, and protection of biological, ethnic and cultural diversity and of life, health and food production.

*3. Attributions of the Council of Scientific Advisers*

Likewise, the Government of the Republic of Colombia makes the following statement with regard to the function of the Council of Scientific Advisers provided for in article 7, paragraph 4 (e), of the Statutes, giving it the power to approve safety regulations for the Centre, in other words the safety regulations governing the research work approved by the Council of Scientific Advisers. These provisions, when applied in Colombia, may not contravene the regulations in force in Colombia regarding management of genetic resources, biosafety, and protection of biological, ethnic and cultural diversity and of life, health and food production.

*4. Intellectual property rights and patents*

With respect to article 6, paragraph 2 (e), which specifies that one of the functions of the Board of Governors is to "Establish ... rules which regulate patents, licensing, copyrights and other rights to intellectual property, including the transfer of results emanating from the research work of the Centre", the Government of the Republic of Colombia considers that these powers of the Board of Governors must be exercised in conformity with and subject to the national, supranational and international provisions in force in relation to industrial and intellectual property, especially with regard to the rights of ethnic and cultural minorities in respect of products derived from their knowledge.

The foregoing declaration also extends to article 14, paragraph 2, of the Statutes, which establishes the Centre's ownership of copyright and patent rights relating to any work produced or developed by the Centre; in other words, these rights must be exercised in conformity with and subject to the national, supranational and international provisions in force in relation to industrial and intellectual property, especially with regard to the rights of ethnic and cultural minorities in respect of products derived from their knowledge.

As a consequence of the foregoing declarations, the Government of the Republic of Colombia states that article 14, para-

graph 3, referring to the policy pursued by the Centre to obtain patents or interests in patents on results of genetic engineering and biotechnology developed through projects of the Centre, shall apply in Colombia on the understanding that the rules in force under domestic, supranational and international regulations with regard to industrial and intellectual property will be complied with; specifically, the Government of the Republic of Colombia states that the scope of the paragraphs cited in article 14 of the present instrument is to be understood as being subject to the following conditions:

"The Centre may not acquire any right to any work developed or produced on the basis of Colombian biological or genetic material if the development or product is among those provided for in articles 6 and 7 of Decision 344 of 1993 of the Commission of the Cartagena Agreement or, in general, contravenes the regimes provided for in Decisions 344 and 345 of 1993 of the Cartagena Agreement" and

"The Centre shall not be able to patent or exercise any right over inventions deriving from traditional knowledge, utilization or exploitation of biological or genetic resources developed by Colombian black, indigenous and peasant communities, except in cases where the national communities, by common agreement and subject to payment of such fees as may be payable under the legislation in force, cede the rights in question."

Likewise, the Government of the Republic of Colombia wishes to indicate with respect to article 14, paragraph 4, dealing with access to intellectual property rights concerning the results emanating from the research work of the Centre by Members and by developing countries that are not Members of the Centre, that this provision must be interpreted in conformity with the principles of equity and reciprocity governing Colombia's international relations. In particular, the Republic of Colombia considers that where such rights are the outcome of research conducted on the basis of Colombian biological or genetic material, Colombia should enjoy particularly favourable access to them.

#### *5. Legal status, privileges and immunities*

With respect to article 13, paragraph 2, of the Statutes, which provides that the property of the Centre "shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity", the Government of the Republic of Colombia accepts that provision on condition that, in the event of a legal dispute arising between an inhabitant of the national territory and the Centre in which the latter is acting as a private individual or subject to the rules of domestic or supranational law, recourse may be had to the judicial mechanisms prescribed by the national and international legal order in order that the conflict may be resolved in accordance with the legislation in force in Colombian territory.

With regard to the provisions of paragraph 3 of the same article, which refers to the inviolability of the premises of the

Centre and states that wherever located, they shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative actions, the Republic of Colombia wishes to point out that this provision does not prevent the Colombian authorities from establishing effective control and inspection mechanisms that will enable the State to discharge its inescapable duty of monitoring compliance with the national, supranational and international legislation on biosecurity and protection of natural resources, cultural diversity, life, health and the production of food in Colombian territory.

#### ITALY

##### *Declaration:*

Pending adoption of the Headquarters Agreement, article 13, paragraphs 2 and 9, of the Statutes, will be implemented within the limits established by applicable norms of the Italian legal system.

#### MEXICO

In accordance with article 19 of the 1967 Paris Convention for the Protection of Industrial Property, the United Mexican States declares that it will apply the general policy regarding copyright established by the governing body of the International Centre for Genetic Engineering and Biotechnology, insofar as it reflects the principles relating to that subject embodied in the above-mentioned Paris Convention.

#### SPAIN

##### *Upon signature:*

##### *Reservation:*

In respect of article 13 (4).

#### TRINIDAD AND TOBAGO

##### *Upon signature:*

##### *Reservation:*

"The reservation of the Government of Trinidad and Tobago to articles 10 and 11 of these statutes relates specifically to the non-acceptance by the Government of Trinidad and Tobago of any obligation with respect to the financing of the International Centre by assessed contributions or by voluntary contributions on the part of the Government of Trinidad and Tobago, in the absence of any decision on the selection of a host country for the International Centre, and consequently in the absence of any reliable indication of the cost of the International Centre, and the proportion of that cost to be borne by the host country, on the one hand, or by other member States, on the other hand."

#### *Notes:*

<sup>1</sup> In accordance with the Protocol of the Reconvened Plenipotentiary Meeting on the Establishment of the International Centre for Genetic Engineering and Biotechnology of 4 April 1984 [see chapter XIV.7 (a)], the Governments of Italy and India are to host the Centre. For the date of deposit of their instruments of ratification and notifications under article 21 (1), see the table in this chapter.

<sup>2</sup> The instrument was accompanied by an understanding to the effect that the ratification by Kuwait of the said Convention does not mean a recognition of Israel nor that treaty relations will arise with Israel.

<sup>3</sup> Some States have indicated that, without prejudice to further decisions, they did not consider valid the notification by Yugoslavia. The Federal Republic of Yugoslavia in turn indicated that in its opinion there were no legal grounds whatsoever to question the legality of its notification.

<sup>4</sup> The International Centre for Genetic Engineering and Biotechnology informed the Secretary-General on 12 May 1994, that these reservations had been accepted by the Board of Governors on 27 April 1994.

**7. a) Protocol of the Reconvened Plenipotentiary Meeting on the Establishment of  
the International Centre for Genetic Engineering and Biotechnology**

*Vienna, 4 April 1984*

**ENTRY INTO FORCE:** 3 February 1994, in accordance with article 21 of the Statutes<sup>1</sup>.  
**REGISTRATION:** 3 February 1994, No. 30673.  
**STATUS:** Signatories: 7. Parties: 33.  
**TEXT:** Depositary notification C.N.96.1984.TREATIES-3 of 12 June 1984.

*Note:* The Reconvened Plenipotentiary Meeting on the Establishment of the International Centre for Genetic Engineering and Biotechnology held at Vienna, Austria, from 3 to 4 April 1984, adopted the said Protocol, in the English language only, in order to complete article 1(2) of the Statutes of the International Centre for Genetic Engineering and Biotechnology, concluded at Madrid on 13 September 1983. The Protocol was opened for signature to all Contracting Parties to the Statutes at Vienna, from 4 to 12 April 1984, and shall remain open for signature at the Headquarters of the United Nations, New York, until the entry into force of the Statutes.

The Protocol, for all legal and practical purposes, completes the Statutes and is therefore considered as an integral part thereto and shall become effective upon the entry into force of the Statutes in accordance with article 21 thereof.

<i>Participant</i>	<i>Signature ad referendum</i>	<i>Definitive signature (s), Confirmation of signature</i>	<i>Participant</i>	<i>Signature ad referendum</i>	<i>Definitive signature (s), Confirmation of signature</i>
Afghanistan.....		15 Aug 1984 s	Mauritius.....		19 Sep 1984 s
Algeria.....		4 Nov 1985 s	Mexico.....	25 Oct 1984	21 Jan 1988
Argentina.....		4 Apr 1984 s	Morocco.....		19 Oct 1984 s
Bhutan.....		31 May 1984 s	Nigeria.....		2 May 1985 s
Brazil.....	5 May 1986	9 Mar 1990	Panama.....		11 Dec 1984 s
Bulgaria.....		4 Apr 1984 s	Peru.....		4 Apr 1984 s
Chile.....		4 Apr 1984 s	Poland.....	1 Aug 1990	
Colombia.....		14 Sep 1987 s	Russian Federation...		18 Sep 1992 s
Costa Rica.....	14 Aug 1990	11 Oct 1996	Senegal.....		29 Jun 1984 s
Croatia.....		26 Aug 1993 s	Sri Lanka.....		1 Oct 1993 s
Cuba.....		4 Apr 1984 s	Sudan.....		29 Jan 1993 s
Ecuador.....	17 Jul 1990		Trinidad and Tobago .		8 Feb 1985 s
Egypt.....	2 Jan 1986	13 Jan 1987	Tunisia.....		5 Aug 1992 s
Greece.....		4 Apr 1984 s	Turkey.....		22 Sep 1987 s
Hungary.....		14 Sep 1987 s	Venezuela.....		4 Apr 1984 s
India.....		4 Apr 1984 s	Viet Nam.....		17 Sep 1984 s
Iran (Islamic Republic of).....	29 Apr 1988		Yugoslavia.....		4 Apr 1984 s
Iraq.....		23 Oct 1984 s			
Italy.....		4 Apr 1984 s			

**Notes:**

<sup>1</sup> The Protocol shall become effective upon the entry into force of the Statutes in accordance with article 21 thereof.



**7. b) Amendments to Articles 6 (6) and 7 (1) of the Statutes of the International Centre for Genetic Engineering and Biotechnology**

*Trieste, Italy, 3 December 1996*

**NOT YET IN FORCE:** [see article 16 (2)].  
**STATUS:** Parties: 2.  
**TEXT:** Doc. (ICGEB/BG.3/21); (and depositary notifications C.N.155.1997.TREATIES-1 of 5 May 1997 and C.N.233.1997.TREATIES-2 of 12 September 1997 (authentic Spanish text).

*Note:* At its third Session, held in Trieste (Italy) from 2 to 3 December 1996, the Board of Governors of the International Centre for Genetic Engineering and Biotechnology, having ascertained that the two-thirds of Members were present, adopted amendments to articles 6 (6) and 7 (1) of the above Statutes.

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<i>Participant</i>	<i>Ratification</i>
Croatia . . . . .	28 Oct 1998
Venezuela . . . . .	4 Dec 1998



**CHAPTER XV**  
**DECLARATION OF DEATH OF MISSING PERSONS**

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**1. CONVENTION ON THE DECLARATION OF DEATH OF MISSING PERSONS**

*Lake Success, 6 April 1950*

**ENTRY INTO FORCE:** 24 January 1952 by exchange of letters, in accordance with article 14.  
**REGISTRATION:** 24 January 1952, No. 1610.  
**STATUS:** Parties: 6.  
**TEXT:** United Nations, *Treaty Series*, vol. 119, p. 99.  
**TERMINATION :** 24 January 1972, in accordance with article 1 of the Protocol of 15 January 1967 (United Nations, *Treaty Series*, vol. 808, p. 296.)

*Note:* The Conference was convened pursuant to General Assembly resolution 369 (IV)<sup>1</sup> of 3 December 1949 and met at Lake Success, New York, from 15 March to 6 April 1950. For the text of the Final Act of the Conference, see United Nations, *Treaty Series*, vol. 119, p. 99.

In accordance with article 17 (1), the Convention was to cease to have effect on 23 January 1957. However, the Convention remained in force until 24 January 1972 as a result of the adoption of the protocols of 16 January 1957 and 15 January 1967 extending it (see chapters XV.2 and XV.3).

<i>Participant</i>	<i>Accession (a)</i>	<i>Participant</i>	<i>Accession (a)</i>
Belgium <sup>2</sup> .....	22 Jul 1953 a	Israel .....	7 May 1952 a
China <sup>3</sup> .....		Italy .....	25 Mar 1958 a
Germany <sup>4</sup> .....	30 Jan 1956 a	Pakistan .....	6 Dec 1955 a
Guatemala .....	25 Dec 1951 a		

***Declarations and Reservations***  
***(Unless otherwise indicated, the declarations and reservations were made upon accession.)***

**GERMANY<sup>4</sup>**

"The Convention on the Declaration of Death of Missing Persons also applies to *Land Berlin*.

"Moreover, the Permanent Observer on instructions from his government has the honour to communicate to the Secretary-General that in accordance with article 2, sub-paragraph 3, of the Convention the Amtsgericht Schöneberg in Berlin-Schöneberg has been designated as the tribunal which shall be exclusively competent to receive applications and to issue declarations of death which otherwise would have come within the competence of the tribunals specified in article 2, sub-paragraph 2. This transfer of competence to the Amtsgericht Schöneberg also applies to *Land Berlin*.

"Furthermore, the Permanent Observer on instructions from his government has the honour to notify the Secretary-General that in accordance with article 1, sub-paragraph 2, the Federal Government has extended the application of the Convention to persons who subsequent to 1945 disappeared under circumstances similar to those specified in its article 1, sub-

paragraph 1. This extension of the application of the Convention likewise applies to *Land Berlin*."

**ISRAEL**

"Having regard to the provisions of the domestic law of Israel according to which matters of marriage are within the exclusive jurisdiction of the established Religious Courts, the effect to be given to declarations of death, whether issued pursuant to the Convention on the Declaration of Death of Missing Persons or satisfying the conditions and requirements contained in articles 1, 2 and 3 of the said Convention, and valid by virtue of article 6 thereof, as regards the dissolution of marriages, will depend upon the extent to which the appropriate Religious Court exercising jurisdiction in a given case will be able to recognize the same in accordance with its own religious law."

**PAKISTAN**

11 April 1956

The Government of Pakistan extends the application of the Convention to persons having disappeared subsequent to 1945.

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Fourth Session (A/1251 & Corr. 1 and 2)*, p. 65.

<sup>2</sup> With a declaration to the effect that the Government of Belgium does not assume any obligations as regards the Belgian Congo and the Trust Territories of Ruanda-Urundi.

<sup>3</sup> Accession on behalf of the Republic of China on 20 December 1950. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>4</sup> See note 14 in chapter I.2.

**2. PROTOCOL FOR EXTENDING THE PERIOD OF VALIDITY OF THE CONVENTION ON  
THE DECLARATION OF DEATH OF MISSING PERSONS**

*New York, 16 January 1957*

**ENTRY INTO FORCE:** 22 January 1957, in accordance with article III (a).  
**STATUS:** Parties: 6.  
**TEXT:** United Nations, Treaty Series, vol. 258, p. 392.  
**TERMINATION:** of the Convention of 6 April 1950 (see chapter XV.1).

<i>Participant</i>	<i>Accession (a)</i>	<i>Participant</i>	<i>Accession (a)</i>
Cambodia .....	30 Jul 1957 a	Israel .....	22 Jan 1957 a
China <sup>1</sup> .....		Italy .....	25 Mar 1958 a
Germany <sup>2,3</sup> .....	23 Oct 1958 a	Pakistan .....	21 Jan 1957 a
Guatemala .....	8 Aug 1961 a		

**Notes:**

<sup>1</sup> Accession on behalf of the Republic of China on 9 September 1957. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned accession, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Hungary, India, Poland and Yugoslavia, on the one hand, and of China on the other hand. For the nature of these communications, see note 3 in chapter VI.14.

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> A note accompanying the instrument of accession contains the following statement:

"The Protocol for extending the period of validity of the Convention on the Declaration of Death of Missing Persons also applies to *Land Berlin*.

"Moreover, the Permanent Observer, on instructions from his Government, has the honour to communicate to the Secretary-General that, in accordance with article 2, sub-paragraph 3 of the Convention, the Amtsgericht Schöneberg in Berlin-Schöneberg has been designated as the tribunal which shall be exclusively competent to receive applications and to issue declarations of death which otherwise would have come within the competence of the tribunals specified in article 2, sub-paragraph 2. This transfer of competence of the Amtsgericht Schöneberg also applies to *Land Berlin*.

"Furthermore, the Permanent Observer, on instructions from his Government, has the honour to notify the Secretary-General that, in accordance with article 1, sub-paragraph 2 the Federal Government has extended the application of the Convention to persons who subsequent to 1945 disappeared under circumstances similar to those specified in its article 1, sub-paragraph 1. This extension of the application of the Protocol likewise applies to *Land Berlin*."

See also note 2 above.

**3. PROTOCOL FOR THE FURTHER EXTENSION OF THE PERIOD OF VALIDITY OF THE  
CONVENTION ON THE DECLARATION OF DEATH OF MISSING PERSONS**

*New York, 15 January 1967*

**ENTRY INTO FORCE:** 24 January 1967 by exchange of letters, in accordance with article 3.  
**REGISTRATION:** 24 January 1967, No. 1610.  
**STATUS:** Parties: 5.  
**TEXT:** United Nations, Treaty Series, vol. 588, p. 290.  
**TERMINATION:** of the Convention of 6 April 1950 (see chapter XV.1).

*Note:* The draft protocol was drawn up by the Secretary-General in accordance with a desire expressed by several States Parties to the Convention of 6 April 1950.

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<i>Participant</i>	<i>Accession (a)</i>	<i>Participant</i>	<i>Accession (a)</i>
Cambodia .....	11 Aug 1967 a	Italy.....	24 Jan 1967 a
China <sup>1</sup> .....		Pakistan .....	24 Jan 1967 a
Guatemala.....	24 Jan 1967 a		
Israel.....	15 Sep 1967 a		

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**Notes:**

<sup>1</sup> Accession on behalf of the Republic of China on 23 January 1967.  
See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

**CHAPTER XVI**  
**STATUS OF WOMEN**

**1. CONVENTION ON THE POLITICAL RIGHTS OF WOMEN**

*New York, 31 March 1953*

**ENTRY INTO FORCE:** 7 July 1954, in accordance with article VI.  
**REGISTRATION:** 7 July 1954, No. 2613.  
**STATUS:** Signatories: 47. Parties: 114.  
**TEXT:** United Nations, Treaty Series, vol. 193, p. 135.

*Note:* The Convention was opened for signature pursuant to resolution 640 (VII),<sup>1</sup> adopted by the General Assembly of the United Nations on 20 December 1952.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan .....		16 Nov 1966 a	France .....	31 Mar 1953	22 Apr 1957
Albania .....		12 May 1955 a	Gabon .....	19 Apr 1967	19 Apr 1967
Angola .....		17 Sep 1986 a	Germany <sup>5,6</sup> .....		4 Nov 1970 a
Antigua and Barbuda .....		25 Oct 1988 d	Ghana .....		28 Dec 1965 a
Argentina .....	31 Mar 1953	27 Feb 1961	Greece .....	1 Apr 1953	29 Dec 1953
Australia .....		10 Dec 1974 a	Guatemala .....	31 Mar 1953	7 Oct 1959
Austria .....	19 Oct 1959	18 Apr 1969	Guinea .....	19 Mar 1975	24 Jan 1978
Bahamas .....		16 Aug 1977 d	Haiti .....	23 Jul 1957	12 Feb 1958
Bangladesh .....		5 Oct 1998 a	Hungary .....	2 Sep 1954	20 Jan 1955
Barbados .....		12 Jan 1973 a	Iceland .....	25 Nov 1953	30 Jun 1954
Belarus .....	31 Mar 1953	11 Aug 1954	India .....	29 Apr 1953	1 Nov 1961
Belgium .....		20 May 1964 a	Indonesia .....	31 Mar 1953	16 Dec 1958
Bolivia .....	9 Apr 1953	22 Sep 1970	Ireland .....		14 Nov 1968 a
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Israel .....	14 Apr 1953	6 Jul 1954
Brazil .....	20 May 1953	13 Aug 1963	Italy .....		6 Mar 1968 a
Bulgaria .....		17 Mar 1954 a	Jamaica .....		14 Aug 1966 a
Burundi .....		18 Feb 1993 a	Japan .....	1 Apr 1955	13 Jul 1955
Canada .....		30 Jan 1957 a	Jordan .....		1 Jul 1992 a
Central African Repub- lic .....		4 Sep 1962 d	Kyrgyzstan .....		10 Feb 1997 a
Chile .....	31 Mar 1953	18 Oct 1967	Lao People's Demo- cratic Republic .....		28 Jan 1969 a
China <sup>2,3</sup> .....		5 Aug 1986 a	Latvia .....		14 Apr 1992 a
Colombia .....		15 Oct 1962 d	Lebanon .....	24 Feb 1954	5 Jun 1956
Congo .....		25 Jul 1967	Lesotho .....		4 Nov 1974 a
Costa Rica .....	31 Mar 1953	18 Dec 1995 a	Liberia .....	9 Dec 1953	
Côte d'Ivoire .....		12 Oct 1992 d	Libyan Arab Jamahir- iya .....		16 May 1989 a
Croatia .....		8 Apr 1954	Luxembourg .....	4 Jun 1969	1 Nov 1976
Cuba .....	31 Mar 1953	12 Nov 1968	Madagascar .....		12 Feb 1964 a
Cyprus .....	10 Sep 1968	22 Feb 1993 d	Malawi .....		29 Jun 1966 a
Czech Republic <sup>4</sup> .....		12 Oct 1977 a	Mali .....		16 Jul 1974 a
Democratic Republic of the Congo .....		7 Jul 1954	Malta .....		9 Jul 1968 a
Denmark .....	29 Oct 1953	11 Dec 1953	Mauritania .....		4 May 1976 a
Dominican Republic .....	31 Mar 1953	23 Apr 1954	Mauritius .....		18 Jul 1969 d
Ecuador .....	31 Mar 1953	8 Sep 1981 a	Mexico .....	31 Mar 1953	23 Mar 1981
Egypt .....		21 Jan 1969	Mongolia .....		18 Aug 1965 a
El Salvador .....	24 Jun 1953	12 Jun 1972 d	Morocco .....		22 Nov 1976 a
Ethiopia .....	31 Mar 1953	6 Oct 1958 a	Myanmar .....	14 Sep 1954	
Fiji .....			Nepal .....		26 Apr 1966 a
Finland .....			Netherlands .....	8 Aug 1968	30 Jul 1971
			New Zealand .....		22 May 1968 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Nicaragua .....		17 Jan 1957 a	Thailand .....	5 Mar 1954	30 Nov 1954
Niger .....		7 Dec 1964 d	the former Yugoslav Republic of Mace- donia .....		18 Jan 1994 d
Nigeria .....	11 Jul 1980	17 Nov 1980	Trinidad and Tobago .		24 Jun 1966 a
Norway .....	18 Sep 1953	24 Aug 1956	Tunisia .....		24 Jan 1968 a
Pakistan .....	18 May 1954	7 Dec 1954	Turkey .....	12 Jan 1954	26 Jan 1960
Papua New Guinea...		27 Jan 1982 a	Turkmenistan .....		11 Oct 1999 a
Paraguay .....	16 Nov 1953	22 Feb 1990	Uganda .....		21 Jun 1995 a
Peru .....		1 Jul 1975 a	Ukraine .....	31 Mar 1953	15 Nov 1954
Philippines .....	23 Sep 1953	12 Sep 1957	United Kingdom of Great Britain and Northern Ireland ..		24 Feb 1967 a
Poland .....	31 Mar 1953	11 Aug 1954	United Republic of Tanzania .....		19 Jun 1975 a
Republic of Korea...		23 Jun 1959 a	United States of Amer- ica .....		8 Apr 1976 a
Republic of Moldova .		26 Jan 1993 a	Uruguay .....	26 May 1953	
Romania .....	27 Apr 1954	6 Aug 1954	Uzbekistan .....		29 Sep 1997 a
Russian Federation...	31 Mar 1953	3 May 1954	Venezuela .....		31 May 1983 a
Saint Vincent and the Grenadines .....		27 Apr 1999 d	Yemen .....		9 Feb 1987 a
Senegal .....		2 May 1963 d	Yugoslavia .....	31 Mar 1953	23 Jun 1954
Sierra Leone .....		25 Jul 1962 a	Zambia .....		4 Feb 1972 a
Slovakia <sup>4</sup> .....		28 May 1993 d	Zimbabwe .....		5 Jun 1995 a
Slovenia .....		6 Jul 1992 d			
Solomon Islands <sup>7</sup> .....		3 Sep 1981 a			
South Africa .....	29 Jan 1993				
Spain .....		14 Jan 1974 a			
Swaziland .....		20 Jul 1970 a			
Sweden .....	6 Oct 1953	31 Mar 1954			
Tajikistan .....		7 Jun 1999 a			

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto and territorial applications, see hereinafter.)*

#### ALBANIA

1. *As regards Article VII:* The People's Republic of Albania declares its disagreement with the last sentence of article VII and considers that the juridical effect of a reservation is to make the Convention operative as between the State making the reservation and all other States parties to the Convention, with the exception only of that part thereof to which the reservation relates.

2. *As regards Article IX:* The People's Republic of Albania does not consider itself bound by the provisions of article IX which provides that disputes between Contracting Parties concerning the interpretation or application of this Convention shall at the request of any one of the parties to the dispute be referred to the International Court of Justice for decision, and declares that for any dispute to be referred to the International Court of Justice for decision the agreement of all the parties to the dispute shall be necessary in each individual case.

#### ANTIGUA AND BARBUDA

"The Government of Antigua and Barbuda reserves from the application of this Convention all matters relating to the recruitment to, and conditions of service in, the armed forces of Antigua and Barbuda."

#### ARGENTINA

The Argentine Government reserves the right not to submit to the procedure set out in this article [article IX] any dispute which is directly connected with territories which fall within Argentine sovereignty.

#### AUSTRALIA

"The Government of Australia hereby declares that the accession by Australia shall be subject to the reservation that article III of the Convention shall have no application as regards recruitment to and conditions of service in the Defence Forces.

"The Government of Australia furthermore declares that the Convention shall not extend to Papua New Guinea."

#### AUSTRIA

"In ratifying the Convention on the Political Rights of Women the Federal President of the Republic of Austria declares, that Austria reserves its right to apply the provision of article III to this Convention, as far as service in the armed forces is concerned, within the limits established by national legislation."

#### BANGLADESH<sup>22</sup>

*Declarations:*

*Article III:*

"The Government of the People's Republic of Bangladesh will apply article III of the Convention in consonance with the relevant provisions of the Constitution of Bangladesh and in particular, article 28 (4) allowing special provision in favour of women; article 29.3 (c) allowing reservation of any class of employment or office for one sex on the ground that it is considered by its nature to be unsuited to members of the opposite sex; and article 65 (3) providing for reservation of 30 seats in the National Assembly for women in addition to the provision allowing women to be elected to any and all of the 300 seats.



*Article IX:*

For the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the consent of all the parties to the dispute will be required in each case."

**BELARUS<sup>9</sup>**

*As regards article VII:  
[Same declaration as the one reproduced  
under "Albania".]*

**BELGIUM<sup>10</sup>**

**BULGARIA<sup>11</sup>**

*As regards article VII:  
[Same declaration and reservation as the ones  
reproduced under "Albania".]*

**CANADA**

"Inasmuch as under the Canadian constitutional system legislative jurisdiction in respect of political rights is divided between the provinces and the Federal Government, the Government of Canada is obliged, in acceding to this Convention, to make a reservation in respect of rights within the legislative jurisdiction of the provinces."

**CZECH REPUBLIC<sup>4</sup>**

**DENMARK**

Subject to a reservation with respect to article III of the Convention, in so far as it relates to the right of women to hold military appointments or to act as heads of recruitment services or to serve on recruitment boards.

**ECUADOR**

"The Government of Ecuador signs this Convention subject to a reservation with respect to the last phrase in article I, 'without any discrimination', since article 22 of the Political Constitution of the Republic specifies that "a vote in popular elections is obligatory for a man and optional for a woman".

**FIJI**

"The reservations of the United Kingdom 1 (a), (b), (d) and (f) are affirmed and are redrafted as more suitable to the situation of Fiji in the following terms:

"Article III is accepted subject to reservations, pending notification of withdrawal of any case, insofar as it relates to:

"(a) succession to the Crown;

"(b) certain offices primarily of a ceremonial nature;

"(d) recruitment to and conditions of service in the armed forces;

"(f) the employment of married women in the civil service

"All other reservations made by the United Kingdom are withdrawn."

**FINLAND**

*As regards Article III:* "A decree may be issued to the effect that only men or women can be appointed to certain functions, which because of their nature, can be properly discharged either only by men or by women."

**FRANCE<sup>12</sup>**

**GERMANY<sup>5</sup>**

"The Federal Republic of Germany accedes to the Convention with the reservation that article III of the Convention does not apply to service in the armed forces."

**GUATEMALA**

1. Articles I, II and III shall apply only to female citizens of Guatemala in accordance with the provisions of article 16, paragraph 2 of the Constitution of the Republic.

2. In order to satisfy constitutional requirements, article IX shall be interpreted subject to the provisions of article 149, paragraph 3 (b) of the Constitution of the Republic.

**HUNGARY<sup>13</sup>**

*As regards article VII:  
[Same declaration as the one reproduced  
under "Albania".]*

**INDIA**

"Article III of the Convention shall have no application as regards recruitment to, and conditions of service in any of the Armed Forces of India or the Forces charged with the maintenance of public order in India."

**INDONESIA**

"The last sentence of article VII and the whole article IX do not apply to Indonesia."

**IRELAND**

"Article III is accepted subject to reservation in so far as it relates to

"(a) the employment of married women in the public service;

"(b) the unequal remuneration of women in certain positions in the public service,

"and subject to the following declarations:

"(1) that the exclusion of women from positions of employment for which by objective standards or for physical reasons they are not suitable is not regarded as discriminatory;

"(2) that the fact that jury service is not at present obligatory for women is not regarded as discriminatory."

**ITALY**

"In acceding to the Convention on the Political Rights of Women, done at New York on 31 March 1953, the Italian Government declares that it reserves its rights to apply the provisions of Art. III as far as service in the armed forces and in special armed corps is concerned within the limits established by national legislation."

**LESOTHO**

"Article III is accepted subject to reservation, pending notification of withdrawal in any case, so far as it relates to: Matters regulated by Basotho Law and Custom."

**MALTA**

"In acceding to this Convention, the Government of Malta hereby declares that it does not consider itself bound by article III in so far as that article applies to conditions of service in the Public Service and to Jury Service."

## MAURITIUS

"The Government of Mauritius hereby declares that it does not consider itself bound by article III of the Convention in so far as that Article applies to recruitment to and conditions of service in the armed forces or to jury service."

## MEXICO

### *Declaration:*

"It is expressly understood that the Government of Mexico will not deposit its instrument of ratification pending the entry into force of the amendment to the Political Constitution of the United Mexican States which is now under consideration, providing that citizenship rights shall be granted to Mexican women."

## MONGOLIA<sup>14</sup>

### *"To articles IV and V:*

"The Government of the Mongolian People's Republic declares its disagreement with paragraph 1 of article IV and paragraph 1 of article V and considers that the present Convention should be open to all States for signature or accession."

## MOROCCO

The consent of all the parties concerned is required for the referral of any dispute to the International Court of Justice.

## NEPAL

*As regards article IX of the Convention:* "A dispute shall be referred for decision to the International Court of Justice only at the request of all the parties to the dispute."

## NETHERLANDS<sup>15</sup>

## NEW ZEALAND

"Subject to a reservation with respect to Article III of the Convention, in so far as it relates to recruitment and conditions of service in the armed forces of New Zealand."

## PAKISTAN

"Article III of the Convention shall have no application as regards recruitment to and conditions of services charged with the maintenance of public order or unsuited to women because of the hazards involved."

## POLAND<sup>16</sup>

### *As regards article VII:*

[Same declaration and reservation as the ones reproduced under "Albania".]

## ROMANIA<sup>17</sup>

### *As regards article VII:*

[Same declaration and reservation as the ones reproduced under "Albania".]

## RUSSIAN FEDERATION<sup>9</sup>

### *As regards article VII:*

[Same declaration as the one reproduced under "Albania".]

## SAINT VINCENT AND THE GRENADINES

### *Reservation:*

"The Government of St. Vincent and the Grenadines reserves from the application of article III of this Convention all matters relating to the recruitment to, and conditions of service in, the armed forces of St. Vincent and the Grenadines."

## SIERRA LEONE

"In acceding to this Convention, the Government of Sierra Leone hereby declares that it does not consider itself bound by article III in so far as that article applies to recruitment to and conditions of service in the Armed Forces or to jury service."

## SLOVAKIA<sup>4</sup>

## SOLOMON ISLANDS

10 May 1982

### *In relation to the succession:*

The Government of Solomon Islands declared that Solomon Islands maintains the reservations entered by the United Kingdom save in so far as the same cannot apply to Solomon Islands.

## SPAIN

Articles I and III of the Convention shall be interpreted with out prejudice to the provisions which in current Spanish legislation define the status of head of family.

Articles II and III shall be interpreted without prejudice to the norms relating to the office of Head of State contained in the Spanish Fundamental Laws.

Article III shall be interpreted without prejudice to the fact that certain functions, which by their nature can be exercised satisfactorily only by men or only by women, shall be exercised exclusively by men or by women, as appropriate, in accordance with Spanish legislation.

## SWAZILAND

"(a) Article III of the Convention shall have no application as regards remuneration for women in certain posts in the Civil Service of the Kingdom of Swaziland;

"(b) The Convention shall have no application to matters which are regulated by Swaziland Law and Custom in accordance with Section 62 (2) of the Constitution of the Kingdom of Swaziland. [(a) The office of Nggwenyama; (b) the office of Ndlovukazi (the Queen Mother); (c) the authorization of a person to perform the functions of Regent for the purposes of section 30 of this Constitution; (d) the appointment, revocation of appointment and suspension of Chiefs; (e) the composition of the Swazi National Council, the appointment and revocation of appointment of members of the Council, and the procedure of the Council; (f) the Ncwala Ceremony; (g) the Libutfo (regimental) system.]

## TUNISIA

[Article IX] For any dispute to be referred to the International Court of Justice, the agreement of all the parties to the dispute shall be necessary in every case.

## UKRAINE<sup>9</sup>

### *As regards article VII:*

[Same declaration as the one reproduced under "Albania".]

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN

## IRELAND<sup>18</sup>

The United Kingdom of Great Britain and Northern Ireland accedes to the Convention with the following reservations submitted in accordance with article VII:

"(1) Article III is accepted subject to reservations, pending notification of withdrawal in any case, in so far as it relates to:

"(a) succession to the Crown;

"(b) certain offices primarily of a ceremonial nature;

"(c) the function of sitting and voting in the House of Lords pertaining to holders of hereditary peerages and holders of certain offices in the Church of England;

"(d) recruitment to and conditions of service in the armed forces;

"(e) jury service in Grenada, [...] as well as in the Kingdom of Tonga;

"(f) . . .

"(g) remuneration for women in the Civil Service of [...] Hong Kong, as well as of the Protectorate of Swaziland;

"(h) . . .

"(i) in the State of Brunei, the exercise of the royal powers, jury service or its equivalent and the holding of certain offices governed by Islamic Law.

"(2) The United Kingdom reserves the right to postpone the application of this Convention in respect of women living in the Colony of Aden, having regard to the local customs and traditions. Further, the United Kingdom reserves the right not to apply this Convention to Rhodesia unless and until the United Kingdom informs the Secretary-General of the United Nations

that it is in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented."

## VENEZUELA

*Reservation with regard to article IX:*

[Venezuela] does not accept the jurisdiction of the International Court of Justice for the settlement of disputes concerning the interpretation or application of this Convention.

## YEMEN<sup>8</sup>

(a) The People's Democratic Republic of Yemen declares that it does not accept the last sentence of article VII and considers that the juridical effect of a reservation is to make the Convention operative as between the State making the reservation and all other States parties to the Convention with the exception only of that part thereof to which the reservation relates.

(b) The People's Democratic Republic of Yemen does not consider itself bound by the text of article IX, which provides that disputes between Contracting Parties concerning the interpretation or application of this Convention may, at the request of any one of the parties to the dispute, be referred to the International Court of Justice. It declares that the competence of the International Court of Justice with respect to disputes concerning the interpretation or application of the Convention shall in each case be subject to the express consent of all parties to the dispute.

## Objections

*(Unless otherwise indicated, the objections were received upon ratification, accession or succession.)*

## CANADA

Objection to the reservations made in respect of articles VII and IX by the Governments of Albania, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic and Union of Soviet Socialist Republics.

## CHINA<sup>19</sup>

## CZECH REPUBLIC<sup>4</sup>

## DENMARK

Objection to the reservations in respect of articles VII and IX:

*[Same States as the ones listed under "Canada".]*

## DOMINICAN REPUBLIC

Objection to the reservations made by the Government of the Union of Soviet Socialist Republics in respect of articles VII and IX.

## ETHIOPIA

Objection to the reservations in respect of articles VII and IX:

*[Same States as the ones listed under "Canada".]*

## ISRAEL

Objection to the reservations in respect of articles VII and IX:

*[Same States as the ones listed under "Canada".]*

## NORWAY

Objection to the reservations made by the Government of Argentina in respect of article VII.

Objection to the reservations made by the Government of Guatemala in respect of articles I, II and III.

Objection to the reservations in respect of articles VII and IX:

*[Same States as the ones listed under "Canada".]*

15 March 1999

*With regard to the reservation with regard to article III made by the Government of Bangladesh upon accession:*

"A reservation by which a State Party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover contribute to undermining the basis of international treaty law. Under well-established international treaty law, a state is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For this reason, the Government of Norway objects to the said reservation made by the Government of Bangladesh.

The Government of Norway does not consider this objection to preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the People's Republic of Bangladesh, the Convention thus becomes operative between the Kingdom of Norway and the People's Republic of Bangladesh without the Republic of Bangladesh benefiting from these reservations."

## PAKISTAN

Objection to the reservations made by the Government of Argentina in respect of article VII.

Objection to the reservation made by France and recorded in the procès-verbal of signature of the Convention.

Objection to the reservations made by the Government of Guatemala in respect of articles I, II and III.

Objection to the reservations in respect of articles VII and IX:

[*Same States as the ones listed under "Canada".*]

#### PHILIPPINES

Objection to the reservations made by the Government of Albania in respect of articles VII and IX.

Objection to the reservations made by the Government of Romania in respect of articles VII and IX.

#### REPUBLIC OF KOREA

Objection to the reservations made by the Government of Mongolia in respect of articles IV, paragraph 1, and V, paragraph 1.

#### SLOVAKIA<sup>4</sup>

#### SWEDEN

Objection to reservations:

[*Same objections as the ones listed under "Norway".*]

14 December 1999

*With regard to the declarations made by Bangladesh upon accession:*

"In this context the Government of Sweden would like to recall, that under well-established international treaty law, the name assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified, does not determine its status as a reservation to the treaty. Thus, the Govern-

ment of Sweden considers that the declarations made by the Government of Bangladesh, in the absence of further clarification, in substance constitute reservations to the Convention.

The Government of Sweden notes that the declaration relating to article III is of a general kind, stating that Bangladesh will apply the said article in consonance with the relevant provisions of its Constitution. The Government of Sweden is of the view that this declaration raises doubts as to the commitment of Bangladesh to the object and purpose of the Convention and would recall that, according to well-established international law, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under those treaties.

For the reasons set out above the Government of Sweden objects to the aforesaid declaration made by the Government of Bangladesh to the Convention on the Political Rights of Women.

This objection does not preclude the entry into force of the Convention between Bangladesh and Sweden. The Convention will thus become operative between the two States without Bangladesh benefitting from the declaration".

#### YUGOSLAVIA

Objection to the reservations made by the Government of Guatemala, in respect of articles I, II and III, as these reservations "are not in accordance with the principles contained in Article I of the Charter of the United Nations and with the aims of the Convention".

### *Territorial Application*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Netherlands <sup>20</sup>	30 Jul 1971	Suriname
United Kingdom <sup>3, 21</sup>	24 Feb 1967	Territories under the territorial sovereignty of the United Kingdom, British Solomon Islands Protectorate, State of Brunei, Protectorate of Swaziland, Kingdom of Tonga

#### *Notes:*

<sup>1</sup> *Official Records of the General Assembly, Seventh Session, Supplement No. 20 (A/2361)*, p. 27.

<sup>2</sup> Signed and ratified on behalf of the Republic of China on 9 June 1953 and 21 December 1953, respectively. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned ratification, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Denmark, Hungary, India, Norway, Poland, Romania and the Union of Soviet Socialist Republics, on the one hand, and of China on the other hand. For the nature of these communications, see note 3 in chapter VI.14.

<sup>3</sup> On 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[*Same notification as the one made under note 2 in chapter V.3.*]

United Kingdom of Great Britain and Northern Ireland:

[*Same notification as the one made under note 4 in chapter IV.1.*]

In addition, the notification made by the Government of China contained the following declaration:

The signature and ratification by the Taiwan authorities in the name of China respectively on 9 June 1953 and 21 December 1953 of the [said Convention] are all illegal and therefore null and void.

<sup>4</sup> Czechoslovakia had signed and ratified the Convention on 31 March 1953 and 6 April 1995, respectively, with reservations, one of which regarding article IX of the Convention, had been withdrawn on 25 April 1991. For the text of the said reservations, see United Nations, *Treaty Series*, vol. 193, p. 157. Subsequently, on 10 June 1974, the Government of Czechoslovakia formulated an objection to the reservation made by Spain. For the text of the objection, see United Nations, *Treaty Series*, vol. 940, p. 340. See also note 11 in chapter I.2.

<sup>5</sup> The German Democratic Republic had acceded to the Convention with reservations and a declaration on 27 March 1973. For the text of the reservations and declaration, see United Nations, *Treaty Series*, vol. 861, p. 203. See also note 14 in chapter I.2.

<sup>6</sup> In a letter accompanying the instrument of accession, the Government of the Federal Republic of Germany declared that "the said Convention shall also apply to *Land Berlin* with effect from the date on which it enters into force for the Federal Republic of Germany".

With reference to the above-mentioned declaration, communications were addressed to the Secretary-General by the Governments of Bulgaria, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. Those communications are identical in essence, *mutatis mutandis*, to those referred to in the second paragraph of note 4 in chapter III.3.

Subsequently, on 27 December 1973, the Secretary-General received from the Government of the German Democratic Republic a communication identical in essence, *mutatis mutandis*, to the one reproduced in the fourth paragraph of note 4 in chapter III.3.

Finally, communications were received on the same subject from the Governments of France, the United Kingdom and the United States of America (on 17 June 1974) and the Federal Republic of Germany (on 15 July 1974): those communications are identical in essence, *mutatis mutandis*, to the corresponding ones reproduced in the fifth and sixth paragraphs of footnote 4 in chapter III.3.

See also note 6 above.

<sup>7</sup> In a communication received on 10 May 1982, the Government of Solomon Islands declared that Solomon Islands maintains the reservations entered by the United Kingdom save in so far as the same cannot apply to Solomon Islands.

<sup>8</sup> The formality was effected by Democratic Yemen. See also note 33 in chapter I.2.

<sup>9</sup> In communications received on 8 March 1989, 19 and 20 April 1989, respectively, the Governments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic notified the Secretary-General that they had decided to withdraw the reservation relating to article IX. For the text of the reservations, see United Nations, *Treaty Series*, vol. 193, pp. 170, 154 and 169, respectively.

<sup>10</sup> By notifications received by the Secretary-General on 19 June 1978 and on 14 September 1978, respectively, the Government of Belgium withdrew reservations No. 2 and No. 1 relating to article III of the Convention. For the text of the reservations, see United Nations, *Treaty Series*, vol. 496, p. 353.

<sup>11</sup> On 24 June 1992, the Government of Bulgaria notified the Secretary-General its decision to withdraw the reservation to article IX made upon accession. For the text of the reservation, see United Nations, *Treaty Series*, vol. 193, p. 136.

<sup>12</sup> In a communication received on 26 November 1960, the Government of France gave notice of the withdrawal of the reservation made in the procès-verbal of signature of the Convention. For the text of the reservation, see United Nations, *Treaty Series*, vol. 193, p. 159.

<sup>13</sup> In a communication received on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw its reservation with respect to article IX made upon ratification. For the text of the reservation see United Nations, *Treaty Series*, vol. 202, p. 382.

<sup>14</sup> In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservations to articles VI and IX made upon accession. For the text of the reservations, see United Nations, *Treaty Series*, vol. 543, p. 362.

<sup>15</sup> On 17 December 1985, the Secretary-General received from the Government of the Kingdom of the Netherlands a notification of withdrawal of its reservation (the reservation concerned the succession to the Crown) relating to article III of the Convention made upon ratification. For the text of the said reservation, see United Nations, *Treaty Series*, vol. 790, p. 130.

<sup>16</sup> On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 9 of the Convention made upon ratification. For the text of the reservation see United Nations, *Treaty Series*, vol. 196, p. 365.

<sup>17</sup> On 2 April 1997, the Government of Romania informed the Secretary-General that it had decided to withdraw its reservation with

regard to article IX. For the text of the reservation, see United Nations, *Treaty Series*, vol. 196, p. 363.

<sup>18</sup> The Secretary-General received the following communications from the Government of the United Kingdom of Great Britain and Northern Ireland on the dates indicated hereinafter:

(12 February 1968):

Withdrawal of the reservation contained in sub-paragraph (e), in respect of the Bahamas, as formulated upon accession.

(15 October 1974):

Withdrawal of the reservation contained in sub-paragraph (f) (employment of married women in Her Majesty's Diplomatic Service and in the Civil Service) in respect of the territories where the reservation was still applicable, that is to say: Northern Ireland, Antigua, Hong Kong and St. Lucia. The same reservation had been withdrawn in respect of St. Vincent by a notification received on 24 November 1967.

On that same date, withdrawal of the reservation contained in sub-paragraph (e) in respect of the Seychelles, to which the said reservation applied originally.

(4 January 1995):

Withdrawal of the reservations contained in sub-paragraph (e) in respect of the Isle of Man and Montserrat; in sub-paragraph (g) in respect of Gibraltar; and sub-paragraph (h) in respect of Bailiff in Guernsey.

<sup>19</sup> Various communications were received by the Secretary-General on behalf of the Republic of China, objecting to the reservations made by the Governments of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR and the Union of Soviet Socialist Republics. In this connection, see note concerning signatures, ratifications, accessions, etc. (note 4 in chapter I.1).

<sup>20</sup> See note 8 in chapter I.1.

<sup>21</sup> For the reservations to article III of the Convention in its application to certain territories, and for the reservations regarding the application of the Convention to the Colony of Aden and to Rhodesia, see "United Kingdom" under "Declarations and Reservations" in this chapter.

<sup>22</sup> In this regard, the Secretary-General received the following communications on the dates indicated hereinafter:

*Germany (17 December 1999):*

"The Government of the Federal Republic of Germany notes that the declaration with regard to article III of the Convention, application of that article "in consonance with the relevant provisions of the Constitution of Bangladesh", constitutes a reservation of a general nature in respect of a provision of the Convention which may be contrary to the Constitution of Bangladesh.

The Government of the Federal Republic of Germany is of the view that this general reservation raises doubts as to the full commitment of Bangladesh to the object and purpose of the Convention. It is in the common interest of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under these treaties.

The Government of the Federal Republic of Germany therefore objects to the reservation made by the Government of the People's Republic of Bangladesh to the Convention on the Political Rights of Women. This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the People's Republic of Bangladesh".

*Netherlands (20 December 1999):*

"The Government of the Kingdom of the Netherlands has examined the declarations made by the Government of Bangladesh at the time of its accession to the Convention on the political rights of women and considers the declaration concerning Article III as a reservation.

The Government of the Kingdom of the Netherlands considers that such a reservation, which seeks to limit the responsibilities of the

reserving State under the Convention by invoking national law, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties.

The Government of the Kingdom of the Netherlands therefore objects to the aforementioned reservation made by the Government of Bangladesh.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Bangladesh".

## 2. CONVENTION ON THE NATIONALITY OF MARRIED WOMEN

*New York, 20 February 1957*

**ENTRY INTO FORCE:** 11 August 1958 by exchange of letters, in accordance with article 6.  
**REGISTRATION:** 11 August 1958, No. 4468.  
**STATUS:** Signatories: 28. Parties: 69.  
**TEXT:** United Nations, Treaty Series, vol. 309, p. 65.

*Note:* The Convention was opened for signature pursuant to resolution 1040 (XI)<sup>1</sup> adopted by the General Assembly of the United Nations on 29 January 1957.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Albania .....		27 Jul 1960 a	Luxembourg .....	11 Sep 1975	22 Jul 1977
Antigua and Barbuda.		25 Oct 1988 d	Malawi .....		8 Sep 1966 a
Argentina .....		10 Oct 1963 a	Malaysia .....		24 Feb 1959 a
Armenia .....		18 May 1994 a	Mali .....		2 Feb 1973 a
Australia .....		14 Mar 1961 a	Malta .....		7 Jun 1967 d
Austria .....		19 Jan 1968 a	Mauritius .....		18 Jul 1969 d
Azerbaijan .....		16 Aug 1996 a	Mexico .....		4 Apr 1979 a
Bahamas .....		10 Jun 1976 d	Netherlands .....		[ 8 Aug 1966 a]
Barbados .....		26 Oct 1979 a	New Zealand .....	7 Jul 1958	17 Dec 1958
Belarus .....	7 Oct 1957	23 Dec 1958	Nicaragua .....		9 Jan 1986 a
Belgium .....	15 May 1972		Norway .....	9 Sep 1957	20 May 1958
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Pakistan .....	10 Apr 1958	
Brazil .....	26 Jul 1966	4 Dec 1968	Poland .....		3 Jul 1959 a
Bulgaria .....		22 Jun 1960 a	Portugal .....	21 Feb 1957	
Canada .....	20 Feb 1957	21 Oct 1959	Romania .....		2 Dec 1960 a
Chile .....	18 Mar 1957		Russian Federation ..	6 Sep 1957	17 Sep 1958
China <sup>2</sup> .....			Saint Lucia .....		14 Oct 1991 d
Colombia .....	20 Feb 1957		Saint Vincent and the Grenadines .....		27 Apr 1999 d
Côte d'Ivoire .....		2 Nov 1999 a	Sierra Leone .....		13 Mar 1962 d
Croatia .....		12 Oct 1992 d	Singapore .....		18 Mar 1966 d
Cuba .....	20 Feb 1957	5 Dec 1957	Slovakia <sup>3</sup> .....		28 May 1993 d
Cyprus .....		26 Apr 1971 d	Slovenia .....		6 Jul 1992 d
Czech Republic <sup>3</sup> .....		22 Feb 1993 d	South Africa .....	29 Jan 1993	
Denmark .....	20 Feb 1957	22 Jun 1959	Sri Lanka .....		30 May 1958 a
Dominican Republic ..	20 Feb 1957	10 Oct 1957	Swaziland .....		18 Sep 1970 a
Ecuador .....	16 Jan 1958	29 Mar 1960	Sweden .....	6 May 1957	13 May 1958
Fiji .....		12 Jun 1972 d	the former Yugoslav Republic of Mace- donia .....		20 Apr 1994 d
Finland .....		15 May 1968 a	Trinidad and Tobago .		11 Apr 1966 d
Germany <sup>4,5</sup> .....		7 Feb 1974 a	Tunisia .....		24 Jan 1968 a
Ghana .....		15 Aug 1966 a	Uganda .....		15 Apr 1965 a
Guatemala .....	20 Feb 1957	13 Jul 1960	Ukraine .....	15 Oct 1957	3 Dec 1958
Guinea .....	19 Mar 1975		United Kingdom of Great Britain and Northern Ireland .	[20Feb 1957	28 Aug 1957]
Hungary .....	5 Dec 1957	3 Dec 1959	United Republic of Tanzania .....		28 Nov 1962 a
Iceland .....		18 Oct. 1977 a	Uruguay .....	20 Feb 1957	
India .....	15 May 1957	25 Nov 1957	Venezuela .....		31 May 1983 a
Ireland .....	24 Sep 1957	7 Jun 1957	Yugoslavia .....	27 Mar 1957	13 Mar 1959
Israel .....	12 Mar 1957	30 Jul 1964 d	Zambia .....		22 Jan 1975 d
Jamaica .....	12 Mar 1957	1 Jul 1992 a	Zimbabwe .....		1 Dec 1998 d
Jordan .....		10 Feb 1997 a			
Kyrgyzstan .....		14 Apr 1992 a			
Latvia .....		4 Nov 1974 d			
Lesotho .....					
Libyan Arab Jamahir- iya .....		16 May 1989 a			

**Declaration and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

**ARGENTINA**

*Article 7:*

The Argentine Government expressly reserves the rights of the Republic with respect to the Islas Malvinas (Falkland Islands), the South Sandwich Islands and the lands included within the Argentine Antarctic Sector, declaring that they do not constitute a colony or possession of any nation but are part of Argentine territory and lie within its dominion and sovereignty.

*Article 10:*

The Argentine Government reserves the right not to submit disputes directly or indirectly linked with the territories under Argentine sovereignty to the procedure indicated in this article.

**BRAZIL**

"Reservation is made concerning application of article 10."

**CHILE**

The Government of Chile makes a reservation with regard to article 10, in the sense that it does not accept the compulsory jurisdiction of the International Court of Justice for the purpose of the settlement of disputes which may arise between Contracting States concerning the interpretation or application of the present Convention.

**GUATEMALA**

Article 10 of the said Convention shall, by reason of constitutional requirements, be applied without prejudice to article 149, paragraph 3 (b) of the Constitution of the Republic.

**INDIA**

*Reservation as to Article 10:*

"Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall with the consent of the parties to the dispute be referred to the International Court of Justice for decision unless the parties agree to another mode of settlement."

**TUNISIA**

*[Article 10]*

For any dispute to be referred to the International Court of Justice, the agreement of all the parties to the dispute shall be necessary in every case.

**URUGUAY**

On behalf of Uruguay we hereby make a reservation to the provisions of article 3 which has a bearing on the application of the Convention. The Constitution of Uruguay does not authorize the granting of nationality to an alien unless he is the child of a Uruguayan father or mother, in which case he may become a natural citizen. This case apart, an alien who fulfils the constitutionality and legal conditions may be granted only legal citizenship, and not nationality.

**VENEZUELA**

*[See chapter XVI.1.]*

**Territorial application**  
*Declarations made under paragraph 1 of article 7 of the Convention.*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	14 Mar 1961	All the non-metropolitan territories for the international relations of which Australia is responsible
Netherlands <sup>6</sup>	8 Aug 1966	Netherlands Antilles, Surinam
New Zealand	17 Dec 1958	The Cook Islands (including Niue), the Tokelau Islands, and the Trust Territory of Western Samoa
United Kingdom <sup>7</sup>	28 Aug 1957	The Channel Islands and the Isle of Man

*Notifications under paragraph 2 of article 7 of the Convention*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
United Kingdom <sup>7</sup>	18 Mar 1958	Aden, the Bahamas, Barbados, Basutoland, Bechuanaland, Bermuda, British Guiana, British Honduras, British Solomon Islands, British Somaliland, Cyprus, Falkland Islands, Fiji, Gambia, Gibraltar, Gilbert and Ellice Islands, Hong Kong, Jamaica, Kenya, the Leeward Islands (Antigua, Montserrat, St. Christopher-Nevis), the British Virgin Islands, Malta, Mauritius, North Borneo, St. Helena, Sarawak, the Seychelles, Sierra Leone, Singapore, Swaziland, Tanganyika, Trinidad and Tobago, Uganda, the Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent), Zanzibar
	19 May 1958	The Federation of Rhodesia and Nyasaland
	3 Nov 1960	Tonga
	1 Oct 1962	Brunei



## Notes:

<sup>1</sup> *Official Records of the General Assembly, Eleventh Session, Supplement No. 17 (A/3572)*, p. 18.

<sup>2</sup> Signed and ratified on behalf of the Republic of China on 20 February 1957 and 22 September 1958, respectively. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned ratification, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of India, Poland, and the Union of Soviet Socialist Republics, on the one hand, and of China, on the other hand. For the nature of these communications, see note 3 in chapter VI.14.

<sup>3</sup> Czechoslovakia had signed and ratified the Convention on 3 September 1957 and 5 April 1962, respectively. See also note 5 below and note 11 in chapter I.2.

<sup>4</sup> The German Democratic Republic had acceded to the Convention with a reservation and a declaration on 27 December 1973. For the text of the reservation and the declaration, see United Nations, *Treaty Series*, vol. 905, p. 76. See also note 14 in chapter I.2.

<sup>5</sup> With the following declaration:

"The said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany."

In this respect, the Secretary-General received the following communications:

*Union of Soviet Socialist Republics (24 May 1974):*

The Soviet Government does not object to the extension to the Western Sectors of Berlin of the Convention on the Nationality of Married Women provided that this is done in accordance with the Quadripartite Agreement of 3 September 1971 and that matters of security and status shall not thereby be affected. In this connexion, the Soviet Government would like to draw attention to the fact that the Western Sectors of Berlin are not a constituent part of the Federal Republic of Germany, that the permanent residents of the Western Sectors of Berlin are not nationals of the Federal Republic of Germany and that representation abroad of the interests of the Western Sectors of Berlin by the Federal Republic of Germany is permissible only to the extent specified in the Quadripartite Agreement of 3 September 1971 (annex IV).

*Czechoslovakia (30 May 1974):*

"The Government of the Czechoslovak Socialist Republic declares, in accordance with the Four-Power Agreement of September 3, 1971, that West Berlin is not a part of the Federal Republic of Germany and neither can be administered by it.

"The declaration of the Government of the Federal Republic of Germany contained in its instrument of accession to the above-mentioned Convention, that the validity of the Convention shall also apply to West Berlin is contradictory to the Four-Power Agreement stipulating that the agreements concerning the security and the statute of West Berlin cannot be expanded by the Federal Republic of Germany to West Berlin.

"Therefore the declaration of the Government of the Federal Republic of Germany cannot have any legal effect."

*German Democratic Republic (16 July 1974):*

With regard to the application of the Convention to Berlin (West) and in accordance with the Quadripartite Agreement of 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic, the German Democratic Republic declares that Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it. The declaration by the Federal Republic of Germany to the effect that this Convention will also apply to Berlin (West) is at variance with the Quadripartite Agreement, which states that treaties affecting matters of

security and of the status of Berlin (West) may not be applied to Berlin (West) by the Federal Republic of Germany.

*Ukrainian SSR (6 August 1974):*

The Ukrainian Soviet Socialist Republic refrains from raising an objection to the extension to Berlin (West) of the Convention on the Nationality of Married Women only on the understanding that this action is being taken in conformity with the Quadripartite Agreement of 3 September 1971 and will not affect matters of security and status. In this connexion, the Ukrainian Soviet Socialist Republic wishes to direct attention to the fact that the Western Sectors of Berlin are not a constituent part of the Federal Republic of Germany, permanent residents of Berlin (West) are not nationals of the Federal Republic of Germany and representation abroad of the interests of Berlin (West) by the Federal Republic of Germany is permitted only to the extent defined by the Quadripartite Agreement of 3 September 1971 (annex IV).

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (8 July 1975—in relation to the communications by Czechoslovakia and by the German Democratic Republic):*

"The communications mentioned in the Notes listed above refer to the Quadripartite Agreement of 3 September 1971. This Agreement was concluded in Berlin between the Governments of the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Governments sending these communications are not parties to the Quadripartite Agreement and are therefore not competent to make authoritative comments on its provisions.

"The Governments of France, the United Kingdom and the United States wish to bring the following to the attention of the States Parties to the instruments referred to in the above-mentioned communications. When authorising the extension of these instruments to the Western Sectors of Berlin, the authorities of the Three Powers, acting in the exercise of their supreme authority, ensured in accordance with established procedures that those instruments are applied in the Western Sectors of Berlin in such a way as not to affect matters of security and status.

"Accordingly, the application of these instruments to the Western Sectors of Berlin continues in full force and effect.

"The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications of a similar nature by States which are not signatories to the Quadripartite Agreement. This should not be taken to imply any change in the position of those Governments in this matter."

*Federal Republic of Germany (19 September 1975—in relation to the communication by Czechoslovakia and by the German Democratic Republic):*

[*Declaration identical in essence, mutatis mutandis, to the one of the same date, reproduced in note 4 in chapter III.3.*]

See also note 4 above.

<sup>6</sup> See note 8 in chapter I.1. On 16 January 1992, the Secretary-General received from the Government of the Netherlands a notification of denunciation (for the Kingdom in Europe, the Netherlands Antilles and Aruba). In accordance with article 9 (1), the denunciation will take effect one year after the date of receipt of the said notification, i.e., on 16 January 1993.

<sup>7</sup> On 24 December 1981, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland a notification of denunciation of the said Convention:

The notification specifies that the denunciation is effected on behalf of the United Kingdom of Great Britain and of the following territories for the international relations of which the United Kingdom is responsible and to which the Convention was extended in accordance with the provisions of article 7: Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Saint Christopher-Nevis, Anguilla, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands,

**Falkland Islands, Gibraltar, Hong Kong, Montserrat, Pitcairn, Saint Helena and Dependencies, Turks and Caicos Islands, State of Brunei, United Kingdom Sovereign Bases Areas of Akrotiri and Dhekelia in the Island of Cyprus.**

**In accordance with the provisions of article 9 (2) of the Convention, the denunciation will take effect one year after the date of receipt of the said notification, that is to say, on 24 December 1982.**

### 3. CONVENTION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES

*New York, 10 December 1962*

**ENTRY INTO FORCE:** 9 December 1964 by exchange of letters, in accordance with article 6.  
**REGISTRATION:** 23 December 1964, No. 7525.  
**STATUS:** Signatories: 17. Parties: 49.  
**TEXT:** United Nations, Treaty Series, vol. 521, p. 231.

*Note:* The Convention was opened for signature pursuant to resolution 1763 (XVII),<sup>1</sup> adopted by the General Assembly of the United Nations on 7 November 1962.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Antigua and Barbuda.		25 Oct 1988 d	Mexico . . . . .		22 Feb 1983 a
Argentina . . . . .		26 Feb 1970 a	Mongolia . . . . .		6 Jun 1991 a
Austria . . . . .		1 Oct 1969 a	Netherlands . . . . .	10 Dec 1962	2 Jul 1965
Azerbaijan . . . . .		16 Aug 1996 a	New Zealand . . . . .	23 Dec 1963	12 Jun 1964
Bangladesh . . . . .		5 Oct 1998 a	Niger . . . . .		1 Dec 1964 a
Barbados . . . . .		1 Oct 1979 a	Norway . . . . .		10 Sep 1964 a
Benin . . . . .		19 Oct 1965 a	Philippines . . . . .	5 Feb 1963	21 Jan 1965
Bosnia and Herzegovi- na . . . . .		1 Sep 1993 d	Poland . . . . .	17 Dec 1962	8 Jan. 1965
Brazil . . . . .		11 Feb 1970 a	Romania . . . . .	27 Dec 1963	21 Jan 1993
Burkina Faso . . . . .		8 Dec 1964 a	Saint Vincent and the Grenadines . . . . .		27 Apr 1999 d
Chile . . . . .	10 Dec 1962		Samoa . . . . .		24 Aug 1964 a
China <sup>2,3</sup> . . . . .			Slovakia <sup>4</sup> . . . . .		28 May 1993 d
Côte d'Ivoire . . . . .		18 Dec 1995 a	South Africa . . . . .		29 Jan 1993 a
Croatia . . . . .		12 Oct 1992 d	Spain . . . . .		15 Apr 1969 a
Cuba . . . . .	17 Oct 1963	20 Aug 1965	Sri Lanka . . . . .	12 Dec 1962	
Czech Republic <sup>4</sup> . . . . .		22 Feb 1993 d	Sweden . . . . .	10 Dec 1962	16 Jun 1964
Denmark . . . . .	31 Oct 1963	8 Sep 1964	the former Yugoslav Republic of Mace- donia . . . . .		18 Jan 1994 d
Dominican Republic . . . . .		8 Oct 1964 a	Trinidad and Tobago . . . . .		2 Oct 1969 a
Fiji . . . . .		19 Jul 1971 d	Tunisia . . . . .		24 Jan 1968 a
Finland . . . . .		18 Aug 1964 a	United Kingdom of Great Britain and Northern Ireland . . . . .		9 Jul 1970 a
France . . . . .	10 Dec 1962		United States of Amer- ica . . . . .	10 Dec 1962	
Germany <sup>5,6</sup> . . . . .		9 Jul 1969 a	Venezuela . . . . .		31 May 1983 a
Greece . . . . .	3 Jan 1963		Yemen <sup>7</sup> . . . . .		9 Feb 1987 a
Guatemala . . . . .		18 Jan 1983 a	Yugoslavia . . . . .	10 Dec 1962	19 Jun 1964
Guinea . . . . .	10 Dec 1962	24 Jan 1978	Zimbabwe . . . . .		23 Nov 1994 a
Hungary . . . . .		5 Nov 1975 a			
Iceland . . . . .		18 Oct 1977 a			
Israel . . . . .	10 Dec 1962				
Italy . . . . .	20 Dec 1963				
Jordan . . . . .		1 Jul 1992 a			
Kyrgyzstan . . . . .		10 Feb 1997 a			
Mali . . . . .		19 Aug 1964 a			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**BANGLADESH<sup>10</sup>**

*Reservations:*

*Articles 1 and 2:*

"The Government of the People's Republic of Bangladesh reserves the right to apply the provisions of articles 1 and 2 in so far as they relate to the question of legal validity of child mar-

riage, in accordance with the Personal Laws of different religious communities of the country.

*Article 2:*

The Government of the People's Republic of Bangladesh, in acceding to the Convention will not be bound by the exception clause of article 2 *viz.* except where a competent authority has

granted a dispensation as to age, for serious reasons, 'in the interest of the intending spouses'".

#### DENMARK

"With the reservation that article 1, paragraph 2, shall not apply to the Kingdom of Denmark."

#### DOMINICAN REPUBLIC

The Dominican Republic wishes the laws of the Dominican Republic to continue to have precedence in respect of the possibility, provided for in article 1, paragraph 2, of entering into a civil marriage by means of a proxy or procuracy. Consequently, it can accept the said provisions only with reservations.

#### FIJI

"The Government of Fiji withdraws the reservation, and declarations in respect of the law of Scotland and in respect of Southern Rhodesia, made on 9th July, 1970 by Her Majesty's Government in the United Kingdom, and affirms that the Government of Fiji declares it to be their understanding that:

"(a) paragraph 1 of Article 1, and the second sentence of Article 2, of the Convention are concerned with the entry into marriage under the laws of a State Party and not with the recognition under the laws of one State or territory of the validity of marriages contracted under the laws of another State or territory; and

"(b) paragraph 2 of Article 1 does not require legislative provision to be made where no such legislation already exists, for marriages to be contracted in the absence of one of the parties."

#### FINLAND

"With the reservation that article 1, paragraph 2, shall not apply to the Republic of Finland."

#### GREECE

With reservation to article 1, paragraph 2, of the Convention.

#### GUATEMALA

##### *Reservation:*

With regard to article 1, paragraph 1, of the Convention, Guatemala declares that since its legislation, in respect of its nationals, does not call for the requirements relating to publicity of the marriage and the presence of witnesses for it to be solemnized, it does not consider itself obliged to comply with those requirements where the parties are Guatemalans.

#### HUNGARY

In acceding to the Convention, the Presidential Council of the Hungarian People's Republic declares that it does not consider paragraph 2 of article 1 of the Convention as binding the Hungarian People's Republic to grant, under the terms thereof, permit of marriage when one of the intending spouses is not present.

#### ICELAND

"Article 1, paragraph 2, shall not apply to the Republic of Iceland."

#### NETHERLANDS

In signing the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, [the

Government of the Netherlands] hereby declare that, in view of the equality which exists, from the standpoint of public law, between the Netherlands, Surinam and the Netherlands Antilles, the Government of the Kingdom reserves the right to ratify the Convention in respect of only one or two parts of the Kingdom and to declare at a later date, by written notification to the Secretary-General, that the Convention is to apply also to the other part or parts of the Kingdom.

#### NORWAY

"With the reservation that article 1, paragraph 2, shall not apply to the Kingdom of Norway."

#### PHILIPPINES

"The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages was adopted for the purpose, among other things, of insuring to all persons complete freedom in the choice of a spouse. The first paragraph of Article 1 of the Convention requires that the full and free consent of both parties shall be expressed in the presence of the competent authority and of witnesses.

"Considering the provisions of its Civil Code, the Philippines, in ratifying this Convention interprets the second paragraph of Article 1 (which authorizes, in exceptional cases, the solemnization of marriage by proxy) as not imposing upon the Philippines the obligation to allow within its territory the celebration of proxy marriages or marriages of the kind contemplated in that paragraph, where such manner of marriage is not authorized by the laws of the Philippines. Rather, the solemnization within Philippine territory of a marriage in the absence of one of the parties under the conditions stated in said paragraph will be permitted only if so allowed by Philippine law."

#### ROMANIA

##### *Reservation:*

Romania will not apply the provisions of article 1, paragraph 2, of the Convention, regarding the celebration of marriage in the absence of one of the future spouses.

#### SWEDEN

With reservation to article 1, paragraph 2, of the Convention.

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND<sup>9</sup>

"(a) . . .

"(b) It is the understanding of the Government of the United Kingdom that paragraph (1) of article 1 and the second sentence of article 2, of the Convention are concerned with entry into marriage under the laws of a State Party and not with the recognition under the laws of one State or territory of the validity of marriages contracted under the laws of another State or territory; nor is paragraph (1) of article 1 applicable to marriages by cohabitation with habit and repute under the law of Scotland;

"(c) Paragraph (2) of article 1 does not require legislative provision to be made, where no such legislation already exists, for marriages to be contracted in the absence of one of the parties;

"(d) The provisions of the Convention shall not apply to Southern Rhodesia unless and until the Government of the United Kingdom inform the Secretary-General that they are in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented."

## UNITED STATES OF AMERICA

"With the understanding that legislation in force in the various States of the United States of America is in conformity with this Convention and that action by the United States of America with respect to this Convention does not constitute acceptance

of the provisions of article 8 as a precedent for any subsequent instruments."

VENEZUELA  
[See chapter XVI.1.]

### Objections

(Unless otherwise indicated, the reservations were made upon ratification, accession or succession.)

#### FINLAND

13 December 1999

With regard to the reservations made by Bangladesh upon accession:

"The Government of Finland notes that the reservation of Bangladesh, being of such a general nature, raises doubts as to the full commitment of Bangladesh to the object and purpose of the Convention and would like to recall that, according to the Vienna Convention on the Law of the Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

Furthermore, reservations are subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

Therefore the Government of Finland objects to the aforesaid reservations made by the Government of Bangladesh. This objection does not preclude the entry into force of the Convention between Bangladesh and Finland. The Convention will thus become operative between the two States without Bangladesh benefitting from this reservation".

#### SWEDEN

14 December 1999

With regard to the reservations made by Bangladesh upon

accession:

"The Government of Sweden notes that the reservations include a reservation of a general kind, in respect of articles 1 and 2, which reads as follows:

[See reservation to Articles 1 and 2 made by Bangladesh under "Reservations and Declarations".]

The Government of Sweden is of the view that this general reservation, referring to the Personal Laws of different religious communities of the country, raises doubts as to the commitment of Bangladesh to the object and purpose of the Convention and would recall that, according to well-established international law, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under these treaties.

The Government of Sweden therefore objects to the aforesaid general reservation made by the Government of Bangladesh to the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

This objection does not preclude the entry into force of the Convention between Bangladesh and Sweden. The Convention will thus become operative between the two States without Bangladesh benefitting from the reservation".

### Territorial Application

Participant	Date of receipt of the notification	Territories
Netherlands <sup>8</sup>	2 Jul 1965	Netherlands Antilles, Surinam
United Kingdom <sup>3, 9</sup>	9 Jul 1970	Associated States (Antigua, Dominica, Grenada, Saint Kitts-Nevis-Anguilla, Saint Lucia and Saint Vincent), State of Brunei, Territories under the territorial sovereignty of the United Kingdom
	15 Oct 1974	Montserrat

#### Notes:

<sup>1</sup> Official Records of the General Assembly, Seventeenth Session, Supplement No. 17 (A/5217), p. 28.

<sup>2</sup> Signed on behalf of the Republic of China on 4 April 1963. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>3</sup> On 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[Same notification as the one made under note 2 in chapter V.3.]

United Kingdom of Great Britain and Northern Ireland:

[Same notification as the one made under note 4 in chapter IV.1.]

In addition, the notification made by the Government of China contained the following declaration:

1. It is the understanding of the Government of the People's Republic of China that article 1 (2) of the [said Convention] does not require legislative provision to be made, where no such legislation already exists in the Hong Kong Special Administrative Region, for marriage to be contracted in the absence of one of the parties.

2. The signature by the Taiwan authorities of China on 4 April 1963 of the [said Convention] is illegal and null and void.

<sup>4</sup> Czechoslovakia had signed and ratified the Convention on 8 October 1963 and 5 March 1965, respectively. See also note 11 in chapter I.2.

<sup>5</sup> The German Democratic Republic had acceded to the Convention on 16 July 1974. See also note 14 in chapter I.2.

<sup>6</sup> In a note accompanying the instrument of accession, the Government of the Federal Republic of Germany declared that the Convention "shall also apply to *Land Berlin* with effect from the date on which it enters into force for the Federal Republic of Germany".

With reference to the above-mentioned declaration, communications have been addressed to the Secretary-General by the Governments of Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the Union of Soviet Socialist Republics. Those communications are identical in essence, *mutatis mutandis*, to those referred to in the second paragraph of note 4 in chapter III.3.

In this respect, the Government of the German Democratic Republic, upon accession to the Convention on 16 July 1974, made a declaration which is identical in essence, *mutatis mutandis*, to the one reproduced in the fourth paragraph of note 3 in chapter III.3.

In reference to that declaration, communications were received by the Secretary-General from the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (8 July 1975) and from the Government of the Federal Republic of Germany (19 September 1975), which are identical in essence, *mutatis mutandis*, to the corresponding communications reproduced in note 4 in chapter III.3.

Subsequently, in a communication received by the Secretary-General on 3 October 1990, the Government of Hungary indicated that, the German State having achieved its unity on this day (3 October 1990), it had decided to withdraw, as from that date, the declaration it had made with respect to the notification of extension by the Federal Republic of Germany to *Land Berlin*.

See also note 5 above.

<sup>7</sup> The formality was effected by Democratic Yemen. See also note 33 in chapter I.2.

<sup>8</sup> See note 8 in chapter I.1.

<sup>9</sup> In a notification received on 15 October 1974, the Government of the United Kingdom informed the Secretary-General of the withdrawal of the reservation corresponding to sub-paragraph a, according to which it reserved the right to postpone the application of article 2 of the Convention to Montserrat pending notification to the Secretary-General that the said article would be applied there.

<sup>10</sup> In this regard, the Secretary-General received the following communications on the dates indicated hereinafter:

*Germany (17 December 1999):*

"The Government of the Federal Republic of Germany notes that this constitutes a reservation of a general nature in respect of provisions of the Convention which may be contrary to the domestic law of Bangladesh. The Government of the Federal Republic of Germany is of the view that this general reservation raises doubts as to the full commitment of Bangladesh to the object and purpose of the Convention. In view of the fact that the Convention contains only ten short articles the reservation to one of its core principles seems particularly problematic. It is in the common interest of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under these treaties.

The Government of the Federal Republic of Germany therefore objects to this reservation made by the Government of the People's Republic of Bangladesh. This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the People's Republic of Bangladesh".

*Netherlands (20 December 1999):*

"The Government of the Kingdom of the Netherlands considers that such a reservation, which seeks to limit the responsibilities of the reserving State under the Convention by invoking national law, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservation made by the Government of Bangladesh.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Bangladesh."

**CHAPTER XVII**  
**FREEDOM OF INFORMATION**

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**I. CONVENTION ON THE INTERNATIONAL RIGHT OF CORRECTION**

*New York, 31 March 1953*

**ENTRY INTO FORCE:** 24 August 1962, in accordance with article VIII.  
**REGISTRATION:** 24 August 1962, No. 6280.  
**STATUS:** Signatories: 12. Parties: 15.  
**TEXT:** United Nations, Treaty Series, vol. 435, p. 191.

*Note:* The Convention was adopted by the General Assembly of the United Nations in resolution 630 (VII)<sup>1</sup> of 16 December 1952, and it was opened for signature at the closing of the seventh session of the General Assembly.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Argentina . . . . .	11 Jun 1953		Guatemala <sup>2</sup> . . . . .	1 Apr 1953	9 May 1957
Bosnia and Herzegovi- na . . . . .		12 Jan 1994 d	Guinea . . . . .	19 Mar 1975	
Burkina Faso . . . . .		23 Mar 1987 a	Jamaica . . . . .		15 Jun 1967 a
Chile . . . . .	22 Apr 1953		Latvia . . . . .		14 Apr 1992 a
Cuba . . . . .		17 Nov 1954 a	Paraguay . . . . .	16 Nov 1953	
Cyprus . . . . .	20 Jun 1972	13 Nov 1972	Peru . . . . .	12 Nov 1959	
Ecuador . . . . .	31 Mar 1953		Sierra Leone . . . . .		25 Jul 1962 a
Egypt . . . . .	27 Jan 1955	4 Aug 1955	Syrian Arab Republic		4 Aug 1955
El Salvador . . . . .	11 Mar 1958	28 Oct 1958	Uruguay . . . . .		21 Nov 1980 a
Ethiopia . . . . .	31 Mar 1953	21 Jan 1969	Yugoslavia . . . . .		31 Jan 1956 a
France . . . . .	2 Apr 1954	16 Nov 1962			

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Seventh Session, Supplement No. 20 (A/2361), p. 22.*

<sup>2</sup> The Convention was signed on behalf of Guatemala with reservation to article V of the Convention. Upon ratification, the Government of Guatemala did not maintain the said reservation.





**CHAPTER XVIII**  
**MISCELLANEOUS PENAL MATTERS**

**1. PROTOCOL AMENDING THE SLAVERY CONVENTION SIGNED AT GENEVA ON 25  
SEPTEMBER 1926**

*New York, 7 December 1953*

**ENTRY INTO FORCE:** 7 December 1953, in accordance with article III<sup>1</sup>.  
**REGISTRATION:** 7 December 1953, No. 2422.  
**STATUS:** Signatories: 12. Parties: 59.  
**TEXT:** United Nations, Treaty Series, vol. 182, p. 51.

*Note:* The Protocol was approved by the General Assembly of the United Nations in resolution 794 (VIII)<sup>2</sup> of 23 October 1953.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A), Succession (d), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Acceptance (A), Succession (d), Accession (a)</i>
Afghanistan . . . . .		16 Aug 1954 s	Israel . . . . .		12 Sep 1955 A
Antigua and Barbuda . . . . .		25 Oct 1988 d	Italy . . . . .		4 Feb 1954 s
Australia . . . . .		9 Dec 1953 s	Liberia . . . . .		7 Dec 1953 s
Austria . . . . .	7 Dec 1953	16 Jul 1954 A	Mali . . . . .		2 Feb 1973 A
Azerbaijan . . . . .		16 Aug 1996 a	Mauritania . . . . .		6 Jun 1986 A
Bahamas . . . . .		10 Jun 1976 d	Mexico . . . . .		3 Feb 1954 s
Bangladesh . . . . .		7 Jan 1985 A	Monaco . . . . .	28 Jan 1954	12 Nov 1954 A
Barbados . . . . .		22 Jul 1976 d	Morocco . . . . .		11 May 1959 A
Belgium . . . . .	24 Feb 1954	13 Dec 1962 A	Myanmar . . . . .	14 Mar 1956	29 Apr 1957 A
Bolivia . . . . .		6 Oct 1983 a	Netherlands . . . . .	15 Dec 1953	7 Jul 1955 A
Bosnia and Herzegovi- na . . . . .		1 Sep 1993 d	New Zealand . . . . .		16 Dec 1953 s
Cameroon . . . . .		27 Jun 1984 A	Nicaragua . . . . .		14 Jan 1986 A
Canada . . . . .		17 Dec 1953 s	Niger . . . . .		7 Dec 1964 A
Chile . . . . .		20 Jun 1995 a	Norway . . . . .	24 Feb 1954	11 Apr 1957 A
China <sup>3,4</sup> . . . . .			Romania . . . . .		13 Nov 1957 s
Croatia . . . . .		12 Oct 1992 d	Saint Lucia . . . . .		14 Feb 1990 d
Cuba . . . . .		28 Jun 1954 s	Saint Vincent and the Grenadines . . . . .		9 Nov 1981 A
Denmark . . . . .		3 Mar 1954 s	Solomon Islands . . . . .		3 Sep 1981 d
Dominica . . . . .		17 Aug 1994 d	South Africa . . . . .		29 Dec 1953 s
Ecuador . . . . .	7 Sep 1954	17 Aug 1955 A	Spain . . . . .		10 Nov 1976 s
Egypt . . . . .	15 Jun 1954	29 Sep 1954 A	Sweden . . . . .		17 Aug 1954 s
Fiji . . . . .		12 Jun 1972 d	Switzerland . . . . .		7 Dec 1953 s
Finland . . . . .		19 Mar 1954 A	Syrian Arab Republic		4 Aug 1954 A
France . . . . .	14 Jan 1954	14 Feb 1963 A	Turkey . . . . .		14 Jan 1955 s
Germany <sup>5,6</sup> . . . . .		29 May 1973 A	Turkmenistan . . . . .		1 May 1997 a
Greece . . . . .	7 Dec 1953	12 Dec 1955 A	United Kingdom of Great Britain and Northern Ireland . . . . .		7 Dec 1953 s
Guatemala . . . . .		11 Nov 1983 A	United States of Amer- ica . . . . .	16 Dec 1953	7 Mar 1956 A
Guinea . . . . .		12 Jul 1962 A	Yugoslavia . . . . .	11 Feb 1954	21 Mar 1955 A
Hungary . . . . .		26 Feb 1958 A			
India . . . . .		12 Mar 1954 s			
Iraq . . . . .		23 May 1955 A			
Ireland . . . . .		31 Aug 1961 A			

## Territorial Application

Participant	Date of receipt of the notification	Territories
Netherlands <sup>7</sup>	7 Jul 1955	Netherlands Antilles, Netherlands New Guinea, Surinam

### Notes:

<sup>1</sup> The amendments set forth in the Annex to the Protocol entered into force on 7 July 1955, in accordance with article III of the Protocol.

<sup>2</sup> *Official Records of the General Assembly, Eighth Session, Supplement No. 17 (A/2630)*, p. 50.

<sup>3</sup> Signed and ratified on behalf of the Republic of China on 7 December 1953 and 14 December 1955, respectively. See note concerning signatures, ratifications, accessions, etc. on behalf of China (note 4 in chapter I.1).

<sup>4</sup> On 10 June 1997, the Government of China notified the Secretary-General of the following:

[Same notification as the one made under note 2 in chapter V.3.]

In addition, the notification also contained the following declaration:

The Government of the People's Republic of China also declares that the signature and ratification by the Taiwan authorities in the name of China on 7 December 1953 and 14 December 1955 respectively of the [said Protocol] are all illegal and therefore null and void.

<sup>5</sup> The German Democratic Republic had accepted the Protocol on 16 July 1974. See also note 14 in chapter I.2.

<sup>6</sup> With the following declaration:

"The said Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany."

In this connection, the Secretary-General received, on 4 December 1973 from the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations, the following communication:

The 1926 Slavery Convention, as amended by the 1953 Protocol, deals with matters relating to the territories under the sovereignty of the countries Parties to the Convention within the limits of which they exercise jurisdiction. As is well known, the western sector of Berlin is not an integral part of the Federal Republic of Germany and cannot be governed by it. In that connexion, the Soviet Union regards the above-mentioned statement by the Federal Republic of Germany as unlawful and as having no legal force, with all the consequences flowing therefrom, since the extension of the validity of the Convention to the Western Sector of Berlin raises questions relating to its status, thus conflicting with the relevant provisions of the Quadripartite Agreement of 3 September 1971.

The Government of the German Democratic Republic, upon acceptance of the Protocol on 16 July 1974, made a declaration which is identical in essence to the above-quoted declaration.

The following communication on the same subject was received on 17 July 1974 from the Governments of France, the United Kingdom and the United States of America:

"In a communication to the Government of the Union of Soviet Socialist Republics which is an integral part (Annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America reaffirmed that, provided that matters of security and status are not affected, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of France, the United Kingdom and the United States which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of 3 September 1971, affirmed that it would raise no objection to such extension.

"The purpose and effect of the established procedures referred to above, which were specifically endorsed in Annex IV A and B to the Quadripartite Agreement, are precisely to ensure that agreements and arrangements to be extended to the Western Sectors of Berlin are extended in such a way that questions of security and status remain unaffected and to take account of the fact that these Sectors continue not to be a constituent part of the Federal Republic of Germany and not to be governed by it. The extension of the Convention of 1926, as amended by the Protocol of 1953, to the Western Sectors of Berlin received the prior authorization under these established procedures, of the authorities of France, the United Kingdom and the United States. The rights and responsibilities of the Governments of those three countries remain unaffected thereby. There is thus no question that the extension to the Western Sectors of Berlin of the Convention of 1926, as amended by the Protocol of 1953, is in any way inconsistent with the Quadripartite Agreement.

"Accordingly, the application to the Western Sectors of Berlin of the Convention of 1926, as amended by the Protocol of 1953, continues in full force and effect."

Subsequently, the Secretary-General received on 27 August 1974 from the Government of the Federal Republic of Germany a declaration to the effect that the said Government shared the position set out in the above-quoted declaration, and that the extension of the Protocol to Berlin (West) would continue in full force and effect.

In reference to the declaration by the Government of the German Democratic Republic, communications were received by the Secretary-General from the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (8 July 1975) and from the Government of the Federal Republic of Germany (19 September 1975), which are identical in substance, *mutatis mutandis*, to the corresponding communications reproduced in note 4 in chapter III.3.

See also note 6 above.

<sup>7</sup> See note 8 in chapter I.1.

**2. SLAVERY CONVENTION, SIGNED AT GENEVA ON 25 SEPTEMBER 1926 AND  
AMENDED BY THE PROTOCOL DONE AT THE HEADQUARTERS OF THE UNITED  
NATIONS, NEW YORK, ON 7 DECEMBER 1953**

*New York, 7 December 1953*

**ENTRY INTO FORCE:** 7 July 1955 the date on which the amendments, set forth in the annex to the Protocol of 7 December 1953, entered into force in accordance with article III of the Protocol.

**REGISTRATION:** 7 July 1955, No. 2861.

**STATUS:** Parties: 94.

**TEXT:** United Nations, Treaty Series, vol. 212, p. 17.

<i>Participant<sup>1</sup></i>	<i>Definitive signature or participation in the Convention and the Protocol</i>	<i>Ratification of the Convention as amended, Accession to the Convention as amended (a), Succession to the Convention as amended (d)</i>	<i>Participant<sup>1</sup></i>	<i>Definitive signature or participation in the Convention and the Protocol</i>	<i>Ratification of the Convention as amended, Accession to the Convention as amended (a), Succession to the Convention as amended (d)</i>
Afghanistan .....	16 Aug 1954		Jordan .....		5 May 1959 a
Albania .....		2 Jul 1957 a	Kuwait .....		28 May 1963 a
Algeria .....		20 Nov 1963 a	Kyrgyzstan .....		5 Sep 1997 a
Antigua and Barbuda.	25 Oct 1988		Lesotho .....		4 Nov 1974 d
Australia .....	9 Dec 1953		Liberia .....	7 Dec 1953	
Austria .....	16 Jul 1954		Libyan Arab Jamahir- iya .....		14 Feb 1957 a
Azerbaijan .....	16 Aug 1996		Madagascar .....		12 Feb 1964 a
Bahamas .....	10 Jun 1976		Malawi .....		2 Aug 1965 a
Bahrain .....		27 Mar 1990 a	Mali .....	2 Feb 1973	
Bangladesh .....	7 Jan 1985		Malta .....		3 Jan 1966 d
Barbados .....	22 Jul 1976		Mauritania .....	6 Jun 1986	
Belarus .....		13 Sep 1956 a	Mauritius .....		18 Jul 1969 d
Belgium .....	13 Dec 1962		Mexico .....	3 Feb 1954	
Bolivia .....	6 Oct 1983		Monaco .....	12 Nov 1954	
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Mongolia .....		20 Dec 1968 a
Brazil .....		6 Jan 1966 a	Morocco .....	11 May 1959	
Cameroon .....	27 Jun 1984		Myanmar .....	29 Apr 1957	
Canada .....	17 Dec 1953		Nepal .....		7 Jan 1963 a
Chile .....	20 Jun 1995		Netherlands .....	7 Jul 1955	
China <sup>2</sup> .....			New Zealand .....	16 Dec 1953	
Croatia .....		12 Oct 1992 d	Nicaragua .....	14 Jan 1986	
Cuba .....	28 Jun 1954		Niger .....	7 Dec 1964	
Cyprus .....		21 Apr 1986 d	Nigeria .....		26 Jun 1961 d
Denmark .....	3 Mar 1954		Norway .....	11 Apr 1957	
Dominica .....	17 Aug 1994		Pakistan .....		30 Sep 1955 a
Ecuador .....	17 Aug 1955		Papua New Guinea ..		27 Jan 1982 a
Egypt .....	29 Sep 1954		Philippines .....		12 Jul 1955 a
Ethiopia .....		21 Jan 1969	Romania .....	13 Nov 1957	
Fiji .....	12 Jun 1972		Russian Federation ..		8 Aug 1956 a
Finland .....	19 Mar 1954		Saint Lucia .....	14 Feb 1990	
France .....	14 Feb 1963		Saint Vincent and the Grenadines .....		9 Nov 1981
Germany <sup>3</sup> .....	29 May 1973		Saudi Arabia .....		5 Jul 1973 a
Greece .....	12 Dec 1955		Sierra Leone .....		13 Mar 1962 d
Guatemala .....	11 Nov 1983		Solomon Islands ....	3 Sep 1981	
Guinea .....	12 Jul 1963		South Africa .....	29 Dec 1953	
Hungary .....	26 Feb 1958		Spain .....	10 Nov 1976	
India .....	12 Mar 1954		Sri Lanka .....		21 Mar 1958 a
Iraq .....	23 May 1955		Sudan .....		9 Sep 1957 d
Ireland .....	31 Aug 1961		Sweden .....	17 Aug 1954	
Israel .....	12 Sep 1955		Switzerland .....	7 Dec 1953	
Italy .....	4 Feb 1954		Syrian Arab Republic	4 Aug 1954	
Jamaica .....		30 Jul 1964 d			

<i>Participant<sup>1</sup></i>	<i>Definitive signature or participation in the Convention and the Protocol</i>	<i>Ratification of the Convention as amended, Accession to the Convention as amended (a), Succession to the Convention as amended (d)</i>	<i>Participant<sup>1</sup></i>	<i>Definitive signature or participation in the Convention and the Protocol</i>	<i>Ratification of the Convention as amended, Accession to the Convention as amended (a), Succession to the Convention as amended (d)</i>
Trinidad and Tobago .		11 Apr 1966 d	United Republic of Tanzania . . . . .		28 Nov 1962 a
Tunisia . . . . .		15 Jul 1966 a	United States of America . . . . .	7 Mar 1956	
Turkey . . . . .	14 Jan 1955		Yemen <sup>4</sup> . . . . .		9 Feb 1987 a
Turkmenistan . . . . .	1 May 1997		Yugoslavia . . . . .	21 Mar 1955	
Uganda . . . . .		12 Aug 1964 a	Zambia . . . . .		26 Mar 1973 d
Ukraine . . . . .		7 Jan 1959 a			
United Kingdom of Great Britain and Northern Ireland . .	7 Dec 1953				

***Declarations and Reservations***  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**BAHRAIN<sup>5</sup>**

*Reservation:*

"The accession by the State of Bahrain to the said Convention shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith."

**Notes:**

<sup>1</sup> The Republic of Viet Nam had acceded to the Convention on 14 August 1956. See also note 32 in chapter I.2 and note 1 in chapter III.6.

<sup>2</sup> Signed on behalf of the Republic of China on 14 December 1955. See note concerning signatures, ratifications, accessions, etc. on behalf of China (note 4 in chapter I.1).

<sup>3</sup> A notification of reapplication of the Convention of 25 September 1926 was received on 16 July 1974 from the Government of the German Democratic Republic. As an instrument of acceptance of the amending Protocol of 7 December 1953 was deposited with the Secretary-General on the same date on behalf of the Government of the German Democratic Republic, the latter has been applying the Convention as amended since 16 July 1974 (see also note 10 in chapter XVIII.3). See also note 14 in chapter I.2.

<sup>4</sup> The formality was effected by Democratic Yemen. See also note 33 in chapter I.2.

<sup>5</sup> On 25 June 1990, the Secretary-General received from the Government of Israel the following objection concerning the reservation:

"The Government of the State of Israel has noted that the instruments of accession of Bahrain [to the Slavery Convention signed on 25 September 1926 and amended by the Protocol of 7 December 1953 and to the Supplementary Convention on the abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 7 September 1956] contain a declaration in respect of Israel.

"In the view of the Government of the State of Israel such declaration, which is explicitly of a political character is incompatible with the purposes and objectives of these Conventions and cannot in any way affect whatever obligations are binding upon Bahrain under general International Law or under particular Conventions.

"The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Bahrain an attitude of complete reciprocity."

### 3. SLAVERY CONVENTION

*Geneva, 25 September 1926*

**ENTRY INTO FORCE:** 9 March 1927, in accordance with article 12.  
**REGISTRATION:** 9 March 1927, No. 1414<sup>1</sup>.

#### *Ratifications or definitive accessions*

Afghanistan	(November 9th, 1935 a)	Finland	(September 29th, 1927)
Austria	(August 19th, 1927)	France	(March 28th, 1931)
United States of America <sup>2</sup>	(March 21st, 1929 a)	Syria	(June 25th, 1931 a)
Subject to the reservation that the Government of the United States, adhering to its policy of opposition to forced or compulsory labour except as punishment for crime of which the person concerned has been duly convicted, adheres to the Convention except as to the first subdivision of the second paragraph of Article 5, which reads as follows:			
"(1) Subject to the transitional provisions laid down in paragraph (2) below, compulsory or forced labour may only be exacted for public purposes."			
Belgium	(September 23rd, 1927)	Lebanon	(June 25th, 1931 a)
United Kingdom of Great Britain and Northern Ireland	(June 18th, 1927)	Greece	(July 4th, 1930)
Canada	(August 6th, 1928)	Haiti	(September 3rd, 1927 a)
Australia	(June 18th, 1927)	Hungary <sup>6</sup>	(February 17th, 1933 a)
New Zealand	(June 18th, 1927)	Iraq	(January 18th, 1929 a)
Union of South Africa(including <i>South West Africa</i> )	(June 18th, 1927)	Italy	(August 25th, 1928)
Ireland	(June 18th, 1930 a)	Latvia	(July 9th, 1927)
India	(June 18th, 1927)	Liberia	(May 17th, 1930)
The signature of the Convention is not binding in respect of Article 3 in so far as that article may require India to enter into any convention whereby vessels, by reason of the fact that they are owned, fitted out or commanded by Indians, or of the fact that one half of the crew is Indian, are classified as native vessels, or are denied any privilege, right or immunity enjoyed by similar vessels of other States signatories of the Covenant or are made subject to any liability or disability to which similar ships of such other States are not subject.			
Bulgaria	(March 9th, 1927)	Mexico	(September 8th, 1934 a)
China <sup>3, 4</sup>	(April 22nd, 1937)	Monaco	(January 17th, 1928 a)
Cuba	(July 6th, 1931)	<i>Burma</i> <sup>7</sup> The Convention is not binding upon Burma in respect of Article 3 in so far as that Article may require her to enter into any convention whereby vessels by reason of the fact that they are owned, fitted out or commanded by Burmans, or of the fact that one-half of the crew is Burman, are classified as native vessels or are denied any privilege, right or immunity enjoyed by similar vessels of other States signatories of the Covenant or are made subject to any liability or disability to which similar ships of these other States are not subject.	
Czechoslovakia <sup>5</sup>	(October 10th, 1930)	Netherlands <sup>8</sup>	(January 7th, 1928)
Denmark	(May 17th, 1927)	(including <i>Netherlands Indies, Surinam and Curaçao</i> )	
Ecuador	(March 26th, 1928 a)	Nicaragua	(October 3rd, 1927 a)
Egypt	(January 25th, 1928 a)	Norway	(September 10th, 1927)
Estonia	(May 16th, 1929)	Poland	(September 17th, 1930)
		Portugal	(October 4th, 1927)
		Romania	(June 22nd, 1931)
		Spain	(September 12th, 1927)
		For Spain and the <i>Spanish Colonies</i> , with the exception of the Spanish Protectorate of Morocco.	
		<i>Sudan</i>	(September 15th, 1927 a)
		Sweden	(December 17th, 1927)
		Switzerland	(November 1st, 1930 a)
		Turkey	(July 24th, 1933 a)
		Yugoslavia	(September 28th, 1929)

#### *Signatures or accessions not yet perfected by ratification*

Albania <sup>9</sup>	would place her ships of whatever tonnage in the category of native vessels provided for by the Convention on the Trade in arms.
Colombia	
Dominican Republic	
Iran	
<i>Ad referendum</i> and interpreting Article 3 as without power to compel Iran to bind herself by any arrangement or convention which	
Lithuania	
Panama	
Uruguay	

**Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations**

<i>Participant<sup>10</sup></i>	<i>Accession (a), Succession (d)</i>	<i>Participant<sup>10</sup></i>	<i>Accession (a), Succession (d)</i>
Antigua and Barbuda .....	25 Oct 1988 d	Guinea .....	30 Mar 1962 d
Azerbaijan .....	16 Aug 1996 a	Israel .....	6 Jan 1955 a
Bahamas .....	10 Jun 1976 d	Mali .....	2 Feb 1973 d
Bangladesh .....	7 Jan 1985 a	Mauritania .....	6 Jun 1986 a
Barbados .....	22 Jul 1976 d	Morocco <sup>11</sup> .....	11 May 1959 d
Benin .....	4 Apr 1962 d	Niger .....	25 Aug 1961 d
Bolivia .....	6 Oct 1983 a	Saint Lucia .....	14 Feb 1990 d
Cameroon .....	7 Mar 1962 d	Saint Vincent and the Grenadines .....	9 Nov 1981 a
Central African Republic .....	4 Sep 1962 d	Senegal .....	2 May 1963 d
Chile .....	20 Jun 1995 a	Seychelles .....	5 May 1992 a
Congo .....	15 Oct 1962 d	Slovakia <sup>5</sup> .....	28 May 1993 d
Côte d'Ivoire .....	8 Dec 1961 d	Solomon Islands .....	3 Sep 1981 d
Croatia .....	12 Oct 1992 d	Suriname .....	12 Oct 1979 d
Czech Republic <sup>5</sup> .....	22 Feb 1993 d	the former Yugoslav Republic of Mace-	
Dominica .....	17 Aug 1994 d	donia .....	18 Jan 1994 d
Fiji .....	12 Jun 1972 d	Togo .....	27 Feb 1962 d
Ghana .....	3 May 1963 d	Turkmenistan .....	1 May 1997 a
Guatemala .....	11 Nov 1983 a		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 60, p. 253.

<sup>2</sup> This accession, given subject to reservation, has been communicated to the signatory States for acceptance.

<sup>3</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>4</sup> On 10 June 1997, the Government of China notified the Secretary-General of the following:

[Same notification as the one made under note 2 in chapter V.3.]

<sup>5</sup> See note 11 in chapter I.2.

<sup>6</sup> See League of Nations, *Treaty Series*, vol. 130, p. 444.

<sup>7</sup> See note 3 in Part II.2 of the League of Nations Treaties.

<sup>8</sup> See note 8 in chapter I.1.

<sup>9</sup> The Government of Albania deposited on 2 July 1957 the instrument of accession to the Convention as amended by the Protocol of 7 December 1953 (see chapter XVIII.2).

<sup>10</sup> In a notification received on 16 July 1974 the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 22 December 1958.

In this connection, the Secretary-General received, on 2 March 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 17 June 1974, concerning the application, as from 22 December 1958, of the Slavery Convention of 25 September 1926, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 17 June 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Slavery Convention, September 25th, 1926 to which it established its status as a party by way of succession."

See also note 14 in chapter I.2.

<sup>11</sup> By virtue of its acceptance of the Protocol of amendment on 7 December 1953.

**4. SUPPLEMENTARY CONVENTION ON THE ABOLITION OF SLAVERY, THE SLAVE  
TRADE, AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY**

*Geneva, 7 September 1956*

**ENTRY INTO FORCE:** 30 April 1957, in accordance with article 13.  
**REGISTRATION:** 30 April 1957, No. 3822.  
**STATUS:** Signatories: 36. Parties: 118.  
**TEXT:** United Nations, Treaty Series, vol. 266, p. 3.

*Note:* The Convention was adopted by the United Nations Conference of Plenipotentiaries on a Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. The Conference was convened pursuant to resolution 608 (XXI) of 30 April 1956 of the Economic and Social Council of the United Nations, and met at the European Office of the United Nations in Geneva from 13 August to 4 September 1956. In addition to the Convention, the Conference adopted the Final Act and two resolutions for the texts of which, see United Nations, *Treaty Series*, vol. 226, p. 3.

<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan .....		16 Nov 1966 a	Ghana .....		3 May 1963 a
Albania .....		6 Nov 1958 a	Greece .....	7 Sep 1956	13 Dec 1972
Algeria .....		31 Oct 1963 a	Guatemala .....	7 Sep 1956	11 Nov 1983
Antigua and Barbuda .....		25 Oct 1988 d	Guinea .....		14 Mar 1977 a
Argentina .....		13 Aug 1964 a	Haiti .....	7 Sep 1956	12 Feb 1958
Australia .....	7 Sep 1956	6 Jan 1958	Hungary .....	7 Sep 1956	26 Feb 1958
Austria .....		7 Oct 1963 a	Iceland .....		17 Nov 1965 a
Azerbaijan .....		16 Aug 1996 a	India .....	7 Sep 1956	23 Jun 1960
Bahamas .....		10 Jun 1976 d	Iran (Islamic Republic of) .....		30 Dec 1959 a
Bahrain .....		27 Mar 1990 a	Iraq .....	7 Sep 1956	30 Sep 1963
Bangladesh .....		5 Feb 1985 a	Ireland .....		18 Sep 1961 a
Barbados .....		9 Aug 1972 d	Israel .....	7 Sep 1956	23 Oct 1957
Belarus .....	7 Sep 1956	5 Jun 1957	Italy .....	7 Sep 1956	12 Feb 1958
Belgium .....	7 Sep 1956	13 Dec 1962	Jamaica .....		30 Jul 1964 d
Bolivia .....		6 Oct 1983 a	Jordan .....		27 Sep 1957 a
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Kuwait .....		18 Jan 1963 a
Brazil .....		6 Jan 1966 a	Kyrgyzstan .....		5 Sep 1997 a
Bulgaria .....	26 Jun 1957	21 Aug 1958	Lao People's Demo- cratic Republic .....		9 Sep 1957 a
Cambodia .....		12 Jun 1957 a	Latvia .....		14 Apr 1992 a
Cameroon .....		27 Jun 1984 a	Lesotho .....		4 Nov 1974 d
Canada .....	7 Sep 1956	10 Jan 1963	Liberia .....	7 Sep 1956	
Central African Repub- lic .....		30 Dec 1970 a	Libyan Arab Jamahir- iya .....		16 May 1989 a
Chile .....		20 Jun 1995 a	Luxembourg .....	7 Sep 1956	1 May 1967
China <sup>3,4</sup> .....			Madagascar .....		29 Feb 1972 a
Congo .....		25 Aug 1977 a	Malawi .....		2 Aug 1965 a
Côte d'Ivoire .....		10 Dec 1970 a	Malaysia .....		18 Nov 1957 a
Croatia .....		12 Oct 1992 d	Mali .....		2 Feb 1973 a
Cuba .....	10 Jan 1957	21 Aug 1963	Malta .....		3 Jan 1966 d
Cyprus .....		11 May 1962 d	Mauritania .....		6 Jun 1986 a
Czech Republic <sup>5</sup> .....		22 Feb 1993 d	Mauritius .....		18 Jul 1969 d
Democratic Republic of the Congo .....		28 Feb 1975 a	Mexico .....	7 Sep 1956	30 Jun 1959
Denmark .....	27 Jun 1957	24 Apr 1958	Mongolia .....		20 Dec 1968 a
Djibouti .....		21 Mar 1979 a	Morocco .....		11 May 1959 a
Dominica .....		17 Aug 1994 d	Nepal .....		7 Jan 1963 a
Dominican Republic .....		31 Oct 1962 a	Netherlands .....	7 Sep 1956	3 Dec 1957
Ecuador .....		29 Mar 1960 a	New Zealand .....		26 Apr 1962 a
Egypt .....		17 Apr 1958 a	Nicaragua .....		14 Jan 1986 a
El Salvador .....	7 Sep 1956		Niger .....		22 Jul 1963 a
Ethiopia .....		21 Jan 1969 a	Nigeria .....		26 Jun 1961 d
Fiji .....		12 Jun 1972 d	Norway .....	7 Sep 1956	3 May 1960
Finland .....		1 Apr 1959 a	Pakistan .....	7 Sep 1956	20 Mar 1958
France .....	7 Sep 1956	26 May 1964	Peru .....	7 Sep 1956	
Germany <sup>6,7</sup> .....	7 Sep 1956	14 Jan 1959	Philippines .....		17 Nov 1964 a

<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Poland.....	7 Sep 1956	10 Jan 1963	Syrian Arab Republic <sup>8</sup>		17 Apr 1958 a
Portugal <sup>12</sup> .....	7 Sep 1956	10 Aug 1959	the former Yugoslav		
Romania.....	7 Sep 1956	13 Nov 1957	Republic of Mace-		
Russian Federation...	7 Sep 1956	12 Apr 1957	donia.....		18 Jan 1994 d
Saint Lucia.....		14 Feb 1990 d	Togo.....		8 Jul 1980 a
Saint Vincent and the			Trinidad and Tobago..		11 Apr 1966 d
Grenadines.....		9 Nov 1981 a	Tunisia.....		15 Jul 1966 a
San Marino.....	7 Sep 1956	29 Aug 1967	Turkey.....	28 Jun 1957	17 Jul 1964
Saudi Arabia.....		5 Jul 1973 a	Turkmenistan.....		1 May 1997 a
Senegal.....		19 Jul 1979 a	Uganda.....		12 Aug 1964 a
Seychelles.....		5 May 1992 a	Ukraine.....	7 Sep 1956	3 Dec 1958
Sierra Leone.....		13 Mar 1962 d	United Kingdom of		
Singapore.....		28 Mar 1972 d	Great Britain and		
Slovakia <sup>9</sup> .....		28 May 1993 d	Northern Ireland..	7 Sep 1956	30 Apr 1957
Slovenia.....		6 Jul 1992 d	United Republic of		
Solomon Islands.....		3 Sep 1981 d	Tanzania.....		28 Nov 1962 a
Spain.....		21 Nov 1967 a	United States of Amer-		
Sri Lanka.....	5 Jun 1957	21 Mar 1958	ica.....		6 Dec 1967 a
Sudan.....	7 Sep 1956	9 Sep 1957	Yugoslavia.....	7 Sep 1956	20 May 1958
Suriname.....		12 Oct 1979 d	Zambia.....		26 Mar 1973 d
Sweden.....		28 Oct 1959 a	Zimbabwe.....		1 Dec 1998 d
Switzerland.....		28 Jul 1964 a			

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

#### **BAHRAIN**

*[See in chapter XVIII.2.]*

#### *Territorial Application*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	6 Jan 1958	All the non-self governing, trust and other non-metropolitan territories for the international relations of which Australia is responsible
France	26 May 1964	All the territories of the Republic (Metropolitan France, overseas departments and territories)
Italy	12 Feb 1958	Somaliland under Italian Administration
Netherlands <sup>9</sup>	3 Dec 1957	Surinam, the Netherlands Antilles and Netherlands New Guinea
New Zealand	26 Apr 1962	The Cook Islands (including Niue) and the Tokelau Islands
United Kingdom	30 Apr 1957	The Channel Islands and the Isle of Man
United States of America	6 Dec 1967	All territories for the international relations of which the United States of America is responsible

#### *Territorial applications under paragraph 2 of article 12 of the Convention*

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
United Kingdom <sup>4,10,11</sup>	6 Sep 1957	Aden, Bahamas, Barbados, Basutoland, Bechuanaland, Bermuda, British Guiana, British Honduras, Brunei, Cyprus, Falkland Islands, Fiji, Gambia, Gibraltar, Hong Kong, Jamaica, Kenya, Antigua, Montserrat, St. Kitts-Nevis, Virgin Islands, Malta, Mauritius, North Borneo, St. Helena, Sarawak, Seychelles, Sierra Leone, Singapore, Somaliland Protectorate, Swaziland, Tanganyika, Gilbert and Ellice Islands, Solomon Islands Protectorate, Grenada, St. Lucia, St. Vincent, Zanzibar, Federation of Rhodesia and Nyasaland, Bahrain, Qatar, The Trucial States (Abu Dhabi, Ajman, Dubai, Fujairah, Ras al Khaimah, Sharjah and Ummal Qaiwain)



<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
	18 Oct 1957	Dominica and Tonga
	21 Oct 1957	Kuwait
	30 Oct 1957	Uganda
	14 Nov 1957	Trinidad and Tobago
	1 Jul 1957	The Federation of Nigeria

**Notes:**

<sup>1</sup> *Official Records of the Economic and Social Council, Twenty-first Session, Supplement No. 1 (E/2889), p. 7.*

<sup>2</sup> The Convention had been signed on behalf of the Republic of Viet-Nam on 7 September 1956. See also note 32 in chapter I.2 and note 1 in chapter III.6.

<sup>3</sup> Signed and ratified on behalf of the Republic of China on 23 May 1957 and 28 May 1959, respectively. See note concerning signatures, ratifications, accessions, etc. on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned ratification, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Hungary, Poland and the Union of Soviet Socialist Republics, on the one hand, and of China on the other hand. For the nature of these communications, see note 3 in chapter VI.14.

<sup>4</sup> On 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[Same notification as the one made under note 2 in chapter V.3.]

United Kingdom of Great Britain and Northern Ireland:

[Same notification as the one made under note 4 in chapter IV.1.]

In addition, the notification also contained the following declaration:

The Government of the People's Republic of China also declares that the signature and ratification by the Taiwan authorities in the name of China on 23 May 1957 and 28 May 1959 respectively of the [said Convention] are all illegal and therefore null and void.

<sup>5</sup> Czechoslovakia had signed and ratified the Convention on 7 September 1956 and 13 June 1958, respectively. See also note 11 in chapter I.2.

<sup>6</sup> The German Democratic Republic had acceded to the Convention on 16 July 1974. See also note 14 in chapter I.2.

<sup>7</sup> A note accompanying the instrument of ratification contains a statement that "the Supplementary Convention . . . also applies to Land Berlin as from the date on which the Convention enters into force in the Federal Republic of Germany".

With reference to the above-mentioned statement, communications have been addressed to the Secretary-General by the Governments of Czechoslovakia, Poland, Romania, the Union of Soviet Socialist Republics on the one hand, and by the Government of the Federal Republic of Germany on the other hand. The said communications are identical in essence, *mutatis mutandis*, to those referred to in the second paragraph of note 3 in chapter III.3.

See also note 6 above.

<sup>8</sup> Accession by the United Arab Republic. See note 5 in chapter I.1.

<sup>9</sup> See note 8 in chapter I.1.

<sup>10</sup> On 3 October 1983, the Secretary-General received from the Government of Argentina the following objection:

[The Government of Argentina makes a] formal objection to the [declaration] of territorial extension issued by the United Kingdom with regard to the Malvinas Islands (and dependencies), which that country is illegally occupying and refers to as the "Falkland Islands".

The Argentine Republic rejects and considers null and void the [said declaration] of territorial extension.

With reference to the above-mentioned objection, the Secretary-General received, on 28 February 1985, from the Government of the United Kingdom of Great Britain and Northern Ireland the following declaration:

[For the text of the declaration, see note 25 in chapter IV.1.]

<sup>11</sup> See note 26 in chapter V.2.

<sup>12</sup> On 27 April 1999, the Government of Portugal informed the Secretary-General that the Convention would apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (27 April 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (3 December 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau signed on 13 April 1987 (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China (hereinafter referred to as the Basic Law), which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, done at Geneva on 7 September 1956 (hereinafter referred to as the "Convention"), which applies to Macau at present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention.

## 5. INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES

*New York, 17 December 1979*

**ENTRY INTO FORCE:** 3 June 1983, in accordance with article 18(1).  
**REGISTRATION:** 3 June 1983, No. 21931.  
**STATUS:** Signatories: 40. Parties: 85.  
**TEXT:** United Nations, Treaty Series, vol. 1316, p. 205; and depositary notifications C.N.209.1987.TREATIES-6 of 8 October 1987 and C.N.324.1987.TREATIES-9 of 1 February 1988 (procès-verbal of rectification of the original Russian text).

*Note:* The Convention was adopted by resolution 34/146<sup>1</sup> of the General Assembly of the United Nations dated 17 December 1979. It was opened for signature from 18 December 1979 to 31 December 1980.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Algeria		18 Dec 1996 a	Kazakhstan		21 Feb 1996 a
Antigua and Barbuda		6 Aug 1986 a	Kenya		8 Dec 1981 a
Argentina		18 Sep 1991 a	Kuwait		6 Feb 1989 a
Australia		21 May 1990 a	Lebanon		4 Dec 1997 a
Austria	3 Oct 1980	22 Aug 1986	Lesotho	17 Apr 1980	5 Nov 1980
Bahamas		4 Jun 1981 a	Liberia	30 Jan 1980	
Barbados		9 Mar 1981 a	Liechtenstein		28 Nov 1994 a
Belarus		1 Jul 1987 a	Luxembourg	18 Dec 1979	29 Apr 1991
Belgium	3 Jan 1980	16 Apr 1999	Malawi		17 Mar 1986 a
Bhutan		31 Aug 1981 a	Mali		8 Feb 1990 a
Bolivia	25 Mar 1980		Mauritania		13 Mar 1998 a
Bosnia and Herzegovina		1 Sep 1993 d	Mauritius	18 Jun 1980	17 Oct 1980
Brunei Darussalam		18 Oct 1988 a	Mexico		28 Apr 1987 a
Bulgaria		10 Mar 1988 a	Mongolia		9 Jun 1992 a
Cameroon		9 Mar 1988 a	Morocco		9 Mar 1990 a
Canada	18 Feb 1980	4 Dec 1985	Netherlands <sup>6</sup>	18 Dec 1980	6 Dec 1988
Chile	3 Jan 1980	12 Nov 1981	New Zealand <sup>7</sup>	24 Dec 1980	12 Nov 1985
China <sup>2</sup>		26 Jan 1993 a	Norway	18 Dec 1980	2 Jul 1981
Côte d'Ivoire		22 Aug 1989 a	Oman		22 Jul 1988 a
Cyprus		13 Sep 1991 a	Panama	24 Jan 1980	19 Aug 1982
Czech Republic <sup>3</sup>		22 Feb 1993 d	Philippines	2 May 1980	14 Oct 1980
Democratic Republic of the Congo	2 Jul 1980		Portugal <sup>12</sup>	16 Jun 1980	6 Jul 1984
Denmark		11 Aug 1987 a	Republic of Korea		4 May 1983 a
Dominica		9 Sep 1986 a	Romania		17 May 1990 a
Dominican Republic	12 Aug 1980		Russian Federation		11 Jun 1987 a
Ecuador		2 May 1988 a	Saint Kitts and Nevis		17 Jan 1991 a
Egypt	18 Dec 1980	2 Oct 1981	Saudi Arabia		8 Jan 1991 a
El Salvador	10 Jun 1980	12 Feb 1981	Senegal	2 Jun 1980	10 Mar 1987
Finland	29 Oct 1980	14 Apr 1983	Slovakia <sup>3</sup>		28 May 1993 d
Gabon	29 Feb 1980		Slovenia		6 Jul 1992 d
Germany <sup>4,5</sup>	18 Dec 1979	15 Dec 1980	Spain		26 Mar 1984 a
Ghana		10 Nov 1987 a	Sudan		19 Jun 1990 a
Greece	18 Mar 1980	18 Jun 1987	Suriname	30 Jul 1980	5 Nov 1981
Grenada		10 Dec 1990 a	Sweden	25 Feb 1980	15 Jan 1981
Guatemala	30 Apr 1980	11 Mar 1983	Switzerland	18 Jul 1980	5 Mar 1985
Haiti	21 Apr 1980	17 May 1989	the former Yugoslav Republic of Macedonia		12 Mar 1998 d
Honduras	11 Jun 1980	1 Jun 1981	Togo	8 Jul 1980	25 Jul 1986
Hungary		2 Sep 1987 a	Trinidad and Tobago		1 Apr 1981 a
Iceland		6 Jul 1981 a	Tunisia		18 Jun 1997 a
India		7 Sep 1994 a	Turkey		15 Aug 1989 a
Iraq	14 Oct 1980		Turkmenistan		25 Jun 1999 a
Israel	19 Nov 1980		Uganda	10 Nov 1980	
Italy	18 Apr 1980	20 Mar 1986	Ukraine		19 Jun 1987 a
Jamaica	27 Feb 1980		United Kingdom of Great Britain and Northern Ireland <sup>2,8</sup>	18 Dec 1979	22 Dec 1982
Japan	22 Dec 1980	8 Jun 1987			
Jordan		19 Feb 1986 a			

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
United States of America .....	21 Dec 1979	7 Dec 1984
Uzbekistan.....		19 Jan 1998 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Venezuela .....		13 Dec 1988 a
Yugoslavia.....	29 Dec 1980	19 Apr 1985

#### **Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

#### **ALGERIA**

##### *Reservation:*

The Government of the People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 16, paragraph 1, of the [said Convention].

These provisions are not in accordance with the view of the Government of the People's Democratic Republic of Algeria that the submission of a dispute to the International Court of Justice requires the prior agreement of all the parties concerned in each case.

#### **BELARUS**

The Byelorussian Soviet Socialist Republic does not consider itself bound by article 16, paragraph 1, of the International Convention against the Taking of Hostages and declares that, in order for any dispute between parties to the Convention concerning the interpretation or application thereof to be referred to arbitration or to the International Court of Justice, the consent of all parties to the dispute must be secured in each individual case.

The Byelorussian Soviet Socialist Republic condemns international terrorism, which takes the lives of innocent people, constitutes a threat to their freedom and personal inviolability and destabilizes the international situation, whatever the motives used to explain terrorist actions. Accordingly, the Byelorussian Soviet Socialist Republic considers that article 9, paragraph 1, of the Convention should be applied in a manner consistent with the stated aims of the Convention, which include the development of international co-operation in adopting effective measures for the prevention, prosecution and punishment of all acts of hostage-taking as manifestations of international terrorism through, inter alia, the extradition of alleged offenders.

#### **BULGARIA<sup>9</sup>**

##### *Declaration on article 9, paragraph 1:*

The People's Republic of Bulgaria condemns all acts of international terrorism, whose victims are not only governmental and public officials but also many innocent people, including mothers, children, old-aged, and which exerts an increasingly destabilizing impact on international relations, complicates considerably the political solution of crisis situations, irrespective of the reasons invoked to explain terrorist acts. The People's Republic of Bulgaria considers that article 9, paragraph 1 of the Convention should be applied in a manner consistent with the stated aims of the Convention, which include the development of international co-operation in adopting effective measures for the prevention, prosecution and punishment of all acts of hostage-taking as manifestations of international terrorism, including extradition of alleged offenders.

#### **CHILE**

The Government of the Republic [of Chile], having approved this Convention, states that such approval is given on the understanding that the aforesaid Convention prohibits the taking of hostages in any circumstances, even those referred to in article 12.

#### **CHINA**

##### *Reservation:*

The People's Republic of China makes its reservation to article 16, paragraph 1, and does not consider itself bound by the provisions of article 16, paragraph 1, of the Convention.

#### **CZECH REPUBLIC<sup>3</sup>**

#### **DOMINICA**

##### *Understanding:*

"The aforesaid Convention prohibits the taking of hostages in any circumstances, even those referred to in article 12."

#### **EL SALVADOR**

##### *Upon signature:*

With the reservation permitted under article 16 (2) of the said Convention.

##### *Upon ratification:*

Reservation with respect to the application of the provisions of article 16, paragraph 1 of the Convention.

#### **HUNGARY<sup>10</sup>**

#### **INDIA**

##### *Reservation:*

"The Government of the Republic of India declares that it does not consider itself bound by paragraph 1 of article 16 which establishes compulsory arbitration or adjudication by the International Court of Justice concerning disputes between two or more States Parties relating to the interpretation or application of this Convention at the request of one of them."

#### **ISRAEL**

##### *Upon signature:*

"1. It is the understanding of Israel that the Convention implements the principle that hostage taking is prohibited in all circumstances and that any person committing such an act shall be either prosecuted or extradited pursuant to article 8 of this Convention or the relevant provisions of the Geneva Conventions of 1949 or their additional Protocols, without any exception whatsoever.

"2) The Government of Israel declares that it reserves the right, when depositing the instrument of ratification, to make reservations and additional declarations and understandings."

#### ITALY

*Upon signature:*

The Italian Government declares that, because of the differing interpretations to which certain formulations in the text lend themselves, Italy reserves the right, when depositing the instrument of ratification, to invoke article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969 in conformity with the general principles of international law.

#### JORDAN

"The Government of the Hashemite Kingdom of Jordan declares that their accession to the International Convention against the Taking of Hostages can in no way be construed as constituting recognition of, or entering into treaty relations with the 'state of Israel'.

#### KENYA

"The Government of the Republic of Kenya does not consider herself bound by the provisions of paragraph (1) of the article 16 of the Convention."

#### KUWAIT<sup>11</sup>

*Declaration:*

It is understood that the accession to this Convention does not mean in any way a recognition of Israel by the Government of the State of Kuwait.

Furthermore, no treaty relations will arise between the State of Kuwait and Israel.

#### LEBANON

*Declaration:*

1. The accession of the Lebanese Republic to the Convention shall not constitute recognition of Israel, just as the application of the Convention shall not give rise to relations or cooperation of any kind with it.

2. The provisions of the Convention, and in particular those of its article 13, shall not affect the Lebanese Republic's stance of supporting the right of States and peoples to oppose and resist foreign occupation of their territories.

#### LIECHTENSTEIN

*Interpretative declaration:*

The Principality of Liechtenstein construes article 4 of the Convention to mean that the Principality of Liechtenstein undertakes to fulfil the obligations contained therein under the conditions laid down in its domestic legislation.

#### MALAWI

"While the Government of the Republic of Malawi accepts the principles in article 16, this acceptance would nonetheless be read in conjunction with [the] declaration [made by the President and the Minister for Foreign Affairs of Malawi] of 12 December, 1966 upon recognition as compulsory, the jurisdiction of the International Court of Justice under article 36, paragraph 2, of the Statute of the Court."

#### MEXICO

In relation to article 16, the United Mexican States adhere to the scope and limitations established by the Government of

Mexico on 7 November 1945, at the time when it ratified the Charter of the United Nations and the Statute of the International Court of Justice.

6 August 1987

The Government of Mexico subsequently specified that the said declaration should be understood to mean that, in so far as article 16 is concerned, the United Mexican States accede subject to the limits and restrictions laid down by the Mexican Government when recognizing, on 23 October 1947, the compulsory jurisdiction of the International Court of Justice in accordance with article 36, paragraph 2, of the Statute of the Court.

#### NETHERLANDS

*Reservation:*

"In cases where the judicial authorities of either the Netherlands, the Netherlands Antilles or Aruba cannot exercise jurisdiction pursuant to one of the principles mentioned in article 5, paragraph 1, the Kingdom accepts the aforesaid obligation [laid down in article 8] subject to the condition that it has received and rejected a request for extradition from another State party to the Convention."

*Declaration:*

"In the view of the Government of the Kingdom of the Netherlands article 15 of the Convention, and in particular the second sentence of that article, in no way affects the applicability of article 33 of the Convention of 28 July 1951 relating to the Status of Refugees."

#### RUSSIAN FEDERATION

[*Same reservation and declaration identical in substance, mutatis mutandis, as those made by Belarus.*]

#### SAUDI ARABIA<sup>11</sup>

*Reservation:*

1. The Kingdom of Saudi Arabia does not consider itself obligated with the provision of paragraph 1, of article 16, of the Convention concerning arbitration.

*Declaration:*

2. The accession of the Kingdom of Saudi Arabia to this Convention does not constitute a recognition of Israel and does not lead to entering into any transactions or the establishment of any relations based on this Convention.

#### SLOVAKIA<sup>3</sup>

#### SWITZERLAND

*Declaration:*

The Swiss Federal Council interprets article 4 of the Convention to mean that Switzerland undertakes to fulfil the obligations contained therein in the conditions specified by its domestic legislation.

#### TUNISIA

*Reservation:*

[The Government of the Republic of Tunisia] declares that it does not consider itself bound by the provisions of paragraph 1 of article 16 and states that disputes concerning the interpretation or application of the Convention can only be submitted to arbitration or to the International Court of Justice with the prior consent of all the Parties concerned.

## TURKEY

### *Reservation:*

In acceding to the Convention the Government of the Republic of Turkey, under article 16 (2) of the Convention declares that it doesn't consider itself bound by the provisions of paragraph (1) of the said article.

## UKRAINE

[*Same reservation and declaration identical in substance, mutatis mutandis, as those made by Belarus.*]

## VENEZUELA

### *Declaration:*

The Republic of Venezuela declares that it is not bound by the provisions of article 16, paragraph 1, of the Convention.

## YUGOSLAVIA

### *Upon signature:*

"With the reservation with regard to article 9, subject to subsequent approval pursuant to the constitutional provisions in force in the Socialist Federal Republic of Yugoslavia".

### *Upon ratification:*

### *Declaration:*

"The Government of the Socialist Federal Republic of Yugoslavia herewith states that the provisions of Article 9 of the Convention should be interpreted and applied in practice in the way which would not bring into question the goals of the Convention, i.e. undertaking of efficient measures for the prevention of all acts of the taking of hostages as a phenomenon of international terrorism, as well as the prosecution, punishment and extradition of persons considered to have perpetrated this criminal offence."

## *Objections*

*(Unless otherwise indicated, the objections were received upon ratification, accession, acceptance, approval, formal confirmation or succession.)*

## ISRAEL

9 September 1998

### *With regard to declarations made by Lebanon upon accession:*

"... The Government of Israel refers in particular to the political declaration "[see declaration "1" made under "Lebanon"] made by the Lebanese Republic on acceding to the [said] Convention.

"In the view of the Government of Israel, this Convention is not the proper place for making declarations of a political char-

acter. The Government of Israel will, in so far as concerns the substance of the matter adopt towards the Lebanese Republic an attitude of complete reciprocity.

"Moreover, in view of the Government of Israel, the Lebanese understanding of certain of the Convention's provisions [see declaration "2" made under "Lebanon"] is incompatible with and contradictory to the object and purpose of the Convention and in effect defeats that object and purpose."

## *Notes:*

<sup>1</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 46 (A/34/46), p. 245.*

<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[*Same notifications as those made under note 4 in chapter IV.1.*]

In addition, the notification made by China contained the following declaration:

The Government of the People's Republic of China also declares that the reservation to paragraph 1, article 16 of the [said Convention] will also apply to the Hong Kong Special Administrative Region.

<sup>3</sup> Czechoslovakia had acceded to the Convention on 27 January 1988, with the following reservation to article 16 (1):

The Czechoslovak Socialist Republic does not consider itself bound by the provision of its article 16, paragraph 1, and states that, in accordance with the principle of sovereign equality of States, for any dispute to be submitted to a conciliation procedure or to the International Court of Justice the consent of all the parties to the dispute is required in each separate case.

Subsequently, on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the said reservation.

See also note 11 in chapter I.2.

<sup>4</sup> The German Democratic Republic had acceded to the Convention on 2 May 1988 with the following reservation and declaration:

### *Reservation regarding article 16, paragraph 1:*

The German Democratic Republic does not consider itself bound by the provisions of article 16, paragraph 1, of the International Convention against the Taking of Hostages and declares that in every single case the consent of all parties in the dispute is necessary to

submit to arbitration or refer to the International Court of Justice any dispute between the States Parties to the Convention concerning the interpretation or application of the Convention.

### *Declaration regarding article 9, paragraph 1:*

The German Democratic Republic decisively condemns any act of international terrorism. Therefore, the German Democratic Republic holds the opinion that article 9, paragraph 1, of the Convention shall be applied in such a way as to be in correspondence with the declared aims of the Convention which embrace the taking of effective measures for the prevention, prosecution and punishment of all acts of international terrorism, including the taking of hostages.

See also note 14 in chapter I.2.

<sup>5</sup> In a communication accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany, subject to the Allied rights, responsibilities and legislation.

With regard to the above declaration, the Secretary-General received, on 9 November 1981, from the Government of the Union of Soviet Socialist Republics the following communication:

The declaration made by the Government of the Federal Republic of Germany when depositing the instrument of ratification, to the effect that the said Convention shall extend to Berlin (West), is incompatible with the Quadripartite Agreement of 3 September 1971. That Agreement, as is generally known, does not grant the Federal Republic of Germany the right to extend to West Berlin international agreements which affect matters of security and status. The above-mentioned Convention belongs precisely to that category of agreement.

The 1979 Convention contains provisions on the establishment of criminal jurisdiction over hostage-taking offences committed in the territories of States parties or on board a ship or aircraft registered in those States, as well as provisions relating to extradition of and court

proceedings against offenders. Thus, the Convention concerns sovereign rights and obligations which cannot be exercised by a State in a territory which does not come under its jurisdiction.

In view of the foregoing, the Soviet Union considers the declaration made by the Federal Republic of Germany on extending the application of the International Convention against the Taking of Hostages to Berlin (West) to be illegal and to have no legal force.

Subsequently, the Secretary-General received the following communications:

*France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (4 June 1982):*

"In a communication to the Government of the Union of Soviet Socialist Republics, which is an integral part (annex IV A), of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom and the United States confirmed that, provided that matters of security and status are not affected and provided that the extension is specified in each case, international agreements and arrangements entered by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of the Three Powers, which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of 3 September 1971, affirmed that it would raise no objection to such extension.

"The established procedures referred to above, which were endorsed in the Quadripartite Agreement, are designed *inter alia* to afford the authorities of the Three Powers the opportunity to ensure that international agreements and arrangements entered into by the Federal Republic of Germany which are to be extended to the Western Sectors of Berlin are extended in such a way that matters of security and status are not affected.

"When authorizing the extension of the above-mentioned Convention to the Western Sectors of Berlin, the authorities of the Three Powers took such steps as were necessary to ensure that matters of security and status were not affected. Accordingly, the validity of the Berlin declaration made by the Federal Republic of Germany in accordance with established procedures is unaffected and the application of the Convention to the Western Sectors of Berlin continues in full force and effect, subject to Allied rights, responsibilities and legislation."

*Federal Republic of Germany (12 August 1982):*

"By their note of 28 May 1982 [...] the Governments of France, the United Kingdom and the United States answered the assertions made in the communication referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the note of the Three Powers, wishes to confirm that the application in Berlin (West) of the above-mentioned Convention extended by it under the established procedures continues in full force and effect, subject to Allied rights, responsibilities and legislation.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

See also note 4 above.

<sup>6</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>7</sup> For New Zealand (except Tokelau), Cook Islands and Niue.

<sup>8</sup> In respect of the United Kingdom of Great Britain and Northern Ireland and the Territories under the territorial sovereignty of the United Kingdom. (See also note 2 in this chapter.)

<sup>9</sup> On 24 June 1992, the Government of Bulgaria notified the Secretary-General of its decision to withdraw the reservation to article 16 (1) of the Convention, made upon accession which reads as follows:

The People's Republic of Bulgaria does not consider itself bound by the provisions of article 16, paragraph 1 of the International Convention against the Taking of Hostages and declares that submission of any dispute concerning interpretation and application of the Convention between parties to the Convention to arbitration or to

the International Court of Justice requires the consent of all parties to the dispute in each individual case.

<sup>10</sup> In a communication received on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw its reservation with respect to article 16 made upon accession which reads as follows:

The Hungarian People's Republic does not consider itself bound by the dispute settlement procedures provided for in article 16, paragraph 1 of the Convention, since in its opinion, the jurisdiction of any arbitral tribunal or of the International Court of Justice can be founded only on the voluntary prior acceptance of such jurisdiction by all the Parties concerned.

<sup>11</sup> On 17 May 1989, the Secretary-General received from the Government of Israel the following communication:

"The Government of the State of Israel has noted that the instrument of accession by the Government of Kuwait to the above-mentioned Convention contains a declaration in respect to Israel. In the view of the Government of the State of Israel, such declaration, which is explicitly of a political character, is incompatible with the purposes and objectives of this Convention and cannot in any way affect whatever obligations are binding upon the Government of Kuwait under general international law or under particular Conventions.

"The Government of the State of Israel, will insofar as concerns the substance of the matter, adopt towards the Government of Kuwait an attitude of complete reciprocity."

On 22 May 1991, the Secretary-General received from the Government of Israel a communication, identical in essence, *mutatis mutandis*, with regard to the declaration made by Saudi Arabia upon accession.

<sup>12</sup> On 28 June 1999, the Government of Portugal informed the Secretary-General that the Convention would also apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (27 October 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (3 December 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

[In accordance with the above provisions, the Government of the People's Republic of China informs the Secretary-General of the following:]

The International Convention Against the Taking of Hostages, adopted at New York on 17 December 1979 (hereinafter referred to as the "Convention"), to which the Government of the People's Republic of China deposited the instrument of accession on 26 January 1993, will apply to the Macau Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 20 of the Convention will also apply to the Macau Special Administrative Region.

**The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from**

**the application of the Convention to the Macau Special Administrative Region.**

**6. INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING  
AND TRAINING OF MERCENARIES**

*New York, 4 December 1989*

**NOT YET IN FORCE:** [see article 19(1)].  
**STATUS:** Signatories: 16. Parties: 19.  
**TEXT:** Doc. A/RES/44/34.

*Note:* The Convention was adopted by Resolution 44/34<sup>1</sup> on 4 December 1989. It is open for signature by all States until 31 December 1990 at United Nations Headquarters in New York.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Angola .....	28 Dec 1990		Nigeria .....	4 Apr 1990	
Azerbaijan.....		4 Dec 1997 a	Poland.....	28 Dec 1990	
Barbados.....		10 Jul 1992 a	Qatar.....		26 Mar 1999 a
Belarus .....	13 Dec 1990	28 May 1997	Romania .....	17 Dec 1990	
Cameroon .....	21 Dec 1990	26 Jan 1996	Saudi Arabia.....		14 Apr 1997 a
Congo.....	20 Jun 1990		Senegal.....		9 Jun 1999 a
Cyprus.....		8 Jul 1993 a	Seychelles.....		12 Mar 1990 a
Democratic Republic of the Congo .....	20 Mar 1990		Suriname.....	27 Feb 1990	10 Aug 1990
Georgia.....		8 Jun 1995 a	Togo.....		25 Feb 1991 a
Germany.....	20 Dec 1990		Turkmenistan .....		18 Sep 1996 a
Italy.....	5 Feb 1990	21 Aug 1995	Ukraine.....	21 Sep 1990	13 Sep 1993
Maldives.....	17 Jul 1990	11 Sep 1991	Uruguay.....	20 Nov 1990	14 Jul 1999
Mauritania.....		9 Feb 1998 a	Uzbekistan .....		19 Jan 1998 a
Morocco .....	5 Oct 1990		Yugoslavia .....	12 Dec 1990	

***Declarations and Reservations***

*(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)*

**SAUDI ARABIA**

***Reservation:***

The Kingdom of Saudi Arabia does not consider itself bound by article 17, paragraph 1, of the Convention.

***Notes:***

<sup>1</sup> *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 49 (A/44/49), p. 306.*



**7. CONVENTION ON THE PREVENTION AND PUNISHMENT OF CRIMES AGAINST  
INTERNATIONALLY PROTECTED PERSONS, INCLUDING DIPLOMATIC AGENTS**

*New York, 14 December 1973*

**ENTRY INTO FORCE:** 20 February 1977, in accordance with article 17 (1).  
**REGISTRATION:** 20 February 1977, No. 15410.  
**STATUS:** Signatories: 26. Parties: 102.  
**TEXT:** United Nations, Treaty Series, vol. 1035, p. 167.

*Note:* The Convention was opened for signature at New York on 14 December 1973.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Antigua and Barbuda.		19 Jul 1993 a	Jamaica .....		21 Sep 1978 a
Argentina.....		18 Mar 1982 a	Japan .....		8 Jun 1987 a
Armenia.....		18 May 1994 a	Jordan .....		18 Dec 1984 a
Australia .....	30 Dec 1974	20 Jun 1977	Kazakhstan .....		21 Feb 1996 a
Austria .....		3 Aug 1977 a	Kuwait.....		1 Mar 1989 a
Bahamas .....		22 Jul 1986 a	Latvia.....		14 Apr 1992 a
Barbados .....		26 Oct 1979 a	Lebanon.....		3 Jun 1997 a
Belarus.....	11 Jun 1974	5 Feb 1976	Liberia.....		30 Sep 1975 a
Bhutan .....		16 Jan 1989 a	Liechtenstein .....		28 Nov 1994 a
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Malawi.....		14 Mar 1977 a
Brazil.....		7 Jun 1999 a	Maldives .....		21 Aug 1990 a
Brunei Darussalam ..		13 Nov 1997 a	Mauritania.....		9 Feb 1998 a
Bulgaria.....	27 Jun 1974	18 Jul 1974	Mexico.....		22 Apr 1980 a
Burundi .....		17 Dec 1980 a	Mongolia.....	23 Aug 1974	8 Aug 1975
Cameroon .....		8 Jun 1992 a	Nepal.....		9 Mar 1990 a
Canada.....	26 Jun 1974	4 Aug 1976	Netherlands <sup>6</sup> .....		6 Dec 1988 a
Chile.....		21 Jan 1977 a	New Zealand <sup>7</sup> .....		12 Nov 1985 a
China <sup>1</sup> .....		5 Aug 1987 a	Nicaragua .....	29 Oct 1974	10 Mar 1975
Colombia.....		16 Jan 1996 a	Niger.....		17 Jun 1985 a
Costa Rica.....		2 Nov 1977 a	Norway.....	10 May 1974	28 Apr 1980
Croatia.....		12 Oct 1992 d	Oman.....		22 Mar 1988 a
Cuba.....		10 Jun 1998 a	Pakistan.....		29 Mar 1976 a
Cyprus.....		24 Dec 1975 a	Panama.....		17 Jun 1980 a
Czech Republic <sup>2</sup> .....		22 Feb 1993 d	Paraguay.....	25 Oct 1974	24 Nov 1975
Democratic People's Republic of Korea		1 Dec 1982 a	Peru.....		25 Apr 1978 a
Democratic Republic of the Congo .....		25 Jul 1977 a	Philippines.....		26 Nov 1976 a
Denmark <sup>3</sup> .....	10 May 1974	1 Jul 1975	Poland.....	7 Jun 1974	14 Dec 1982
Dominican Republic ..		8 Jul 1977 a	Portugal <sup>18</sup> .....		11 Sep 1995 a
Ecuador.....	27 Aug 1974	12 Mar 1975	Qatar.....		3 Mar 1997 a
Egypt.....		25 Jun 1986 a	Republic of Korea...		25 May 1983 a
El Salvador.....		8 Aug 1980 a	Republic of Moldova.		8 Sep 1997 a
Estonia.....		21 Oct 1991 a	Romania.....	27 Dec 1974	15 Aug 1978
Finland.....	10 May 1974	31 Oct 1978	Russian Federation ..	7 Jun 1974	15 Jan 1976
Gabon.....		14 Oct 1981 a	Rwanda.....	15 Oct 1974	29 Nov 1977
Germany <sup>4,5</sup> .....	15 Aug 1974	25 Jan 1977	Seychelles.....		29 May 1980 a
Ghana.....		25 Apr 1975 a	Slovakia.....		28 May 1993 d
Greece.....		3 Jul 1984 a	Slovenia.....		6 Jul 1992 d
Guatemala.....	12 Dec 1974	18 Jan 1983	Spain.....		8 Aug 1985 a
Haiti.....		25 Aug 1980 a	Sri Lanka.....		27 Feb 1991 a
Hungary.....	6 Nov 1974	26 Mar 1975	Sudan.....		10 Oct 1994 a
Iceland.....	10 May 1974	2 Aug 1977	Sweden.....	10 May 1974	1 Jul 1975
India.....		11 Apr 1978 a	Switzerland.....		5 Mar 1985 a
Iran (Islamic Republic of).....		12 Jul 1978 a	Syrian Arab Republic the former Yugoslav Republic of Mace- donia .....		25 Apr 1988 a
Iraq.....		28 Feb 1978 a	Togo.....		12 Mar 1998 d
Israel.....		31 Jul 1980 a	Trinidad and Tobago ..		30 Dec 1980 a
Italy.....	30 Dec 1974	30 Aug 1985	Tunisia.....	15 May 1974	15 Jun 1979 a
			Turkey.....		21 Jan 1977
					11 Jun 1981 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Turkmenistan . . . . .		25 Jun 1999 a
Ukraine . . . . .	18 Jun 1974	20 Jan 1976
United Kingdom of Great Britain and Northern Ireland . .	13 Dec 1974	2 May 1979
United States of Amer- ica . . . . .	28 Dec 1973	26 Oct 1976

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Uruguay . . . . .		13 Jun 1978 a
Uzbekistan . . . . .		19 Jan 1998 a
Yemen <sup>a</sup> . . . . .		9 Feb 1987 a
Yugoslavia . . . . .	17 Dec 1974	29 Dec 1976

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto see hereinafter.)*

**ARGENTINA**

In accordance with article 13, paragraph 2, of the Convention, the Argentine Republic declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

**BELARUS**

*Reservation made upon signature and confirmed upon ratification:*

The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

**BRAZIL**

*Reservation:*

With the reservation provided for in paragraph 2 of article 13.

**BULGARIA<sup>9</sup>**

**BURUNDI**

In respect of cases where the alleged offenders belong to a national liberation movement recognized by Burundi or by an international organization of which Burundi is a member, and their actions are part of their struggle for liberation, the Government of the Republic of Burundi reserves the right not to apply to them the provisions of article 2, paragraph 2, and article 6, paragraph 1.

**CHINA**

[The People's Republic of China] declares that, in accordance with paragraph 2 of article 13 of the Convention, the People's Republic of China has reservations on paragraph 1 of article 13 of the Convention and does not consider itself bound by the provisions of the said paragraph.

**COLOMBIA**

*Reservations:*

1. Colombia enters a reservation to those provisions of the Convention, and particularly to article 8(1), (2), (3) and (4)

thereof, which are inconsistent with article 35 of the Basic Law in force which states that: Native-born Colombians may not be extradited. Aliens will not be extradited for political crimes or for their opinions. Any Colombian who has committed, abroad, crimes that are considered as such under national legislation, shall be tried and sentenced in Colombia.

2. Colombia enters a reservation to article 13 (1) of the Convention, inasmuch as it is contrary to the provisions of article 35 of its Political Constitution.

3. Colombia enters a reservation to those provisions of the Convention, which are contrary to the guiding principles of the Colombian Penal Code and to article 29 of the Political Constitution of Colombia, the fourth paragraph of which states that:

Everyone shall be presumed innocent until proven guilty according to law. Anyone who is charged with an offence shall be entitled to defence and the assistance of counsel of his own choosing, or one appointed by the court, during the investigation and trial; to be tried properly, in public without undue delay; to present evidence and to refute evidence brought against him; to contest the sentence; and not to be tried twice for the same act.

Consequently, the expression "Alleged offender" shall be taken to mean "the accused".

**CUBA**

*Declaration:*

In accordance with article 13, paragraph 2 of the Convention, the Republic of Cuba declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

**CZECH REPUBLIC<sup>2</sup>**

**DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA**

*Reservation:*

The Government of the Democratic People's Republic of Korea does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, recognizing that any dispute between two or more States Parties concerning the interpretation or application of the Convention should not, without consent of both parties, be submitted to international arbitration and to the International Court of Justice.

**DEMOCRATIC REPUBLIC OF THE CONGO**

The Republic of Zaire does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties

concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice. In the light of its policy based on respect for the sovereignty of States, the Republic of Zaire is opposed to any form of compulsory arbitration and hopes that such disputes may be submitted to arbitration or referred to the International Court of Justice not at the request of one of the parties but with the consent of all the interested parties.

#### ECUADOR

*Upon signature:*

Ecuador wishes to avail itself of the provisions of article 13, paragraph 2, of the Convention, declaring that it does not consider itself bound to refer disputes concerning the application of the Convention to the International Court of Justice.

#### EL SALVADOR

The State of El Salvador does not consider itself bound by paragraph 1 of article 13 of the Convention.

#### FINLAND

*Reservation made upon signature and confirmed upon ratification:*

"Finland reserves the right to apply the provision of article 8, paragraph 3, in such a way that extradition shall be restricted to offences which, under Finnish Law, are punishable by a penalty more severe than imprisonment for one year and, provided also that other conditions in the Finnish Legislation for extradition are fulfilled."

*Declaration made upon signature:*

"Finland also reserves the right to make such other reservations as it may deem appropriate if and when ratifying this Convention."

#### GERMANY<sup>4</sup>

*Upon signature:*

"The Federal Republic of Germany reserves the right, upon ratifying this Convention, to state its views on the explanations of vote and declarations made by other States upon signing or ratifying or acceding to that Convention and to make reservations regarding certain provisions of the said Convention."

#### GHANA<sup>10</sup>

"(i) Paragraph 1 of article 13 of the Convention provides that disputes may be submitted to arbitration, failing which any of the parties to the dispute may refer it to the International Court of Justice by request. Since Ghana is opposed to any form of compulsory arbitration, she wishes to exercise her option under article 13 (2) to make a reservation on article 13 (1). It is noted that such a reservation can be withdrawn later under article 13 (3)."

#### HUNGARY<sup>11</sup>

#### INDIA

"The Government of the Republic of India does not consider itself bound by paragraph 1 of article 13 which establishes compulsory arbitration or adjudication by the International Court of Justice concerning disputes between two or more States Parties relating to the interpretation or application of this Convention."

#### IRAQ<sup>12</sup>

(1) The resolution of the United Nations General Assembly with which the above-mentioned Convention is enclosed shall be considered to be an integral part of the above-mentioned Convention.

(2) Sub-paragraph (b) of paragraph (1) of article 1 of the Convention shall cover the representatives of the national liberation movements recognized by the League of Arab States or the Organization of African Unity.

(3) The Republic of Iraq shall not bind itself by paragraph (1) of article 13 of the Convention.

(4) The accession of the Government of the Republic of Iraq to the Convention shall in no way constitute a recognition of Israel or a cause for the establishment of any relations of any kind therewith.

#### ISRAEL<sup>13</sup>

*Declarations:*

"The Government of the State of Israel declares that its accession to the Convention does not constitute acceptance by it as binding of the provisions of any other international instrument, or acceptance by it of any other international instrument as being an instrument related to the Convention.

The Government of Israel reaffirms the contents of its communication of 11 May 1979 to the Secretary-General of the United Nations."

*Reservation:*

"The State of Israel does not consider itself bound by paragraph 1 of article 13 of the Convention."

#### JAMAICA

"Jamaica avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of this article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and states that in each individual case, the consent of all parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice."

#### JORDAN<sup>12</sup>

*Reservation:*

The Government of the Hashemite Kingdom of Jordan declares that its accession [. . .] cannot give rise to relations with "Israel".

#### KUWAIT<sup>12</sup>

*Declaration:*

[The Government of Kuwait] wishes to reiterate Kuwait's complete reservation on paragraph 1 of article 13 in the Convention, for its accession to it does not mean in any way a recognition of Israel by the Government of the State of Kuwait and does not engage them into any treaty relations as a result.

#### LIECHTENSTEIN

*Interpretative declaration:*

The Principality of Liechtenstein construes articles 4 and 5, paragraph 1 of the Convention, to mean that the Principality of Liechtenstein undertakes to fulfil the obligations contained therein under the conditions laid down in its domestic legislation.

#### MALAWI

"The Government of the Republic of Malawi [declares], in accordance with the provisions of paragraph 2 of article 13, that it does not consider itself bound by the provisions of paragraph 1 of article 13 of the Convention."

#### MONGOLIA

*Declaration made upon signature and renewed upon ratification:*

"The Mongolian People's Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice."

#### NETHERLANDS

*Declaration:*

"In view of the Government of the Kingdom of the Netherlands article 12 of the Convention, and in particular the second sentence of that Article, in no way affects the applicability of article 33 of the Convention of 28 July 1951 relating to the Status of Refugees".

*Reservation:*

"In cases where the judicial authorities of either the Netherlands, the Netherlands Antilles or Aruba cannot exercise jurisdiction pursuant to one of the principles mentioned in article 3, para. 1, the Kingdom accepts the aforesaid obligation [laid down in article 7] subject to the condition that it has received and rejected a request for extradition from another State party to the Convention."

#### NEW ZEALAND

*Reservation:*

The Government of New Zealand reserves the right not to apply the provisions of the Convention to Tokelau pending the enactment of the necessary implementing legislation in Tokelau law.

#### PAKISTAN

"Pakistan shall not be bound by paragraph 1 of article 13 of the Convention".

#### PERU

With reservation as to article 13 (1).

#### POLAND<sup>14</sup>

#### PORTUGAL

*Reservation:*

Portugal does not extradite anyone for crimes which carry the death penalty or life imprisonment under the law of the requesting State nor does it extradite anyone for violations which carry security measure for life.

#### ROMANIA

*Reservation made upon signature and confirmed upon ratification:*

The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or

more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice.

The Socialist Republic of Romania considers that such disputes may be submitted to arbitration or referred to the International Court of Justice only with the consent of all parties to the dispute in each individual case.

#### RUSSIAN FEDERATION

*Reservation made upon signature and confirmed upon ratification:*

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

#### SLOVAKIA<sup>2</sup>

#### SWITZERLAND

*Declaration:*

The Swiss Federal Council interprets article 4 and article 5, paragraph 1, of the Convention to mean that Switzerland undertakes to fulfil the obligations contained therein in the conditions specified by its domestic legislation.

#### SYRIAN ARAB REPUBLIC<sup>12</sup>

*Declaration:*

1. The Syrian Arab Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, concerning arbitration and the results thereof.

2. Accession of the Syrian Arab Republic to this Convention in no way implies recognition or entry into any relations with Israel concerning any question regulated by this Convention.

#### TRINIDAD AND TOBAGO

"The Republic of Trinidad and Tobago avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of that article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and states that in each individual case, the consent of all Parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice."

#### TUNISIA

*Reservation made upon signature and confirmed upon ratification:*

No dispute may be brought before the International Court of Justice unless by agreement between all parties to the dispute.

#### UKRAINE

*Reservation made upon signature and confirmed upon ratification:*

The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the

Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

**YEMEN<sup>8, 12</sup>**

*Reservation:*

In acceding to this Convention, the People's Democratic Republic of Yemen does not consider itself bound by article 13, paragraph 1, of the Convention, which states that disputes be-

tween States parties concerning the interpretation or application of this Convention may, at the request of anyone of the parties to the dispute, be referred to the International Court of Justice. It declares that the competence of the International Court of Justice with respect to disputes concerning the interpretation or application of the Convention shall in each case be subject to the express consent of all parties to the dispute.

*Declaration*

The People's Democratic Republic of Yemen declares that its accession to this Convention shall in no way signify recognition of Israel or serve as grounds for the establishment of relations of any sort with Israel.

**Objections**  
*(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)*

**GERMANY<sup>4</sup>**

30 November 1979

The statement by the Republic of Iraq on sub-paragraph (b) of paragraph (1) of article 1 of the Convention does not have any legal effects for the Federal Republic of Germany.

25 March 1981

The Government of the Federal Republic of Germany considers the reservation made by the Government of Burundi concerning article 2, paragraph 2, and article 6, paragraph 1, of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, to be incompatible with the object and purpose of the Convention.

**ISRAEL**

"The Government of the State of Israel does not regard as valid the reservation made by Iraq in respect of paragraph (1) (b) of article 1 of the said Convention."

28 June 1982

"The Government of the State of Israel regards the reservation entered by the Government of Burundi as incompatible with the object and purpose of the Convention and is unable to consider Burundi as having validly acceded to the Convention until such time as the reservation is withdrawn.

"In the view of the Government of Israel, the purpose of this Convention was to secure the world-wide repression of crimes against internationally protected persons, including diplomatic agents, and to deny the perpetrators of such crimes a safe haven."

**ITALY**

(a) The Italian Government does not consider as valid the reservation made by Iraq on 28 February 1978 with regard to article 1, paragraph 1(b), of the said Convention;

(b) With regard to the reservation expressed by Burundi on 17 December 1980, [the Italian Government considers that] the purpose of the Convention is to ensure the punishment, worldwide, of crimes against internationally protected persons, including diplomatic agents, and to deny a safe haven to the perpetrators of such crimes. Considering therefore that the reservation expressed by the Government of Burundi is incompatible with the aim and purpose of the Convention, the Italian Government can not consider Burundi's accession to the Convention as valid as long as it does not withdraw that reservation.

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation made by Iraq in respect of paragraph (1) (b) of article 1 of the said Convention,"

15 January 1982

"The purpose of this Convention was to secure the worldwide repression of crimes against internationally protected persons, including diplomatic agents, and to deny the perpetrators of such crimes a safe haven. Accordingly the Government of the United Kingdom of Great Britain and Northern Ireland regard the reservation entered by the Government of Burundi as incompatible with the object and purpose of the Convention, and are unable to consider Burundi as having validly acceded to the Convention until such time as the reservation is withdrawn."

**Territorial Application**

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
United Kingdom <sup>1, 15, 16, 17</sup>	2 May 1979	Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Belize, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands and Dependencies, Gibraltar, Gilbert Islands, Hong Kong, Montserrat, the Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena and Dependencies, Turks and Caicos Islands, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
	16 Nov 1989	Anguilla

**Notes:**

<sup>1</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 5 in chapter IV.1.]*

In addition, the notification made by the Government of China contained the following declaration:

The Government of the People's Republic of China also declares that the reservation to paragraph 1, article 13 of the [said Convention] made by the Government of the People's Republic of China will also apply to the Hong Kong Special Administrative Region.

<sup>2</sup> Czechoslovakia had signed and ratified the Convention on 11 October 1974 and 30 June 1975, respectively, with a reservation. Subsequently, by a notification received on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation to article 13 (1) made upon ratification. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1035, p. 234. See also note 11 in chapter I.2.

<sup>3</sup> In a notification received on 12 March 1980, the Government of Denmark informed the Secretary-General that it had decided to withdraw the reservation made upon ratification of the Convention, which specified that until further decision, the Convention would not apply to the Faeroe Islands or to Greenland. The notification indicates 1 April 1980 as the effective date of withdrawal.

<sup>4</sup> The German Democratic Republic had signed and ratified the Convention, with reservation, on 23 May 1974 and 30 November 1976, respectively. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1035, p. 230. See also note 14 in chapter I.2.

<sup>5</sup> In a communication accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared as follows:

With effect from the day on which the Convention enters into force for the Federal Republic of Germany it will also apply to Berlin (West) subject to the rights and responsibilities of the Allied authorities.

With respect to the above declaration, the Secretary-General received the following communications:

*Union of Soviet Socialist Republics (21 July 1977):*

The declaration made by the Government of the Federal Republic of Germany when it deposited the instrument of ratification concerning the application of the Convention to Berlin (West) is incompatible with the Quadripartite Agreement of 3 September 1971 and can therefore have no legal force. The Quadripartite Agreement, as is well known, does not allow the Federal Republic of Germany to represent the interests of Berlin in matters of status and security in the international arena. The above-mentioned Convention directly affects matters of status and security. It therefore follows that the Federal Republic of Germany cannot assume the rights and obligations of ensuring the observance of the provisions of this Convention in Berlin (West).

Since under the Quadripartite Agreement the Governments of France, the United Kingdom and the United States retain their rights and responsibility with respect to the representation abroad of interests of Berlin (West) and its permanent residents, including rights and responsibility concerning matters of security and status, both in international organizations and in relations with other countries, the Soviet Union will, in any matters which may arise in connexion with the application and implementation of the Convention in Berlin (West), address itself to the authorities of France, the United Kingdom and the United States.

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (7 December 1977—in relation to the declaration made by the Union of Soviet Socialist Republics received on 21 July 1977):*

"We have the honour to refer to the Note from the Director of the General Legal Division in charge of the Office of Legal Affairs [...] dated 10 August 1977 concerning the ratification by the Government of the Federal Republic of Germany with declaration, of the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, and in particular to refer to paragraph 2 of that note which reported a communication made by the Government of the Union of Soviet Socialist Republics relating to the application of that Convention to the Western Sectors of Berlin.

"In a communication to the Government of the USSR which is an integral part (Annex IV A) of the Quadripartite Agreement of September 3, 1971, the Governments of France, the US and the UK confirmed that, provided matters of security and status are not affected and provided that extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established procedures. For its part, the Government of the USSR, in a communication to the Government of France, the UK and the US, which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of September 3, 1971, affirmed that it would raise no objection to such an extension.

"The established procedures referred to above, which were endorsed in the Quadripartite Agreement, are designed *inter alia* to afford the authorities of France, the UK and the US the opportunity to ensure that international agreements concluded by the FRG which are to be extended to the Western Sectors of Berlin are extended in such a way that matters of security and status remain unaffected. The extension of the aforesaid Convention to the Western Sectors of Berlin received the authorization, under these established procedures, of the authorities of France, the United Kingdom and the United States who took the necessary steps to ensure that matters of security and status would not be affected thereby. Consequently, pursuant to the declaration on Berlin made by the FRG, this Convention has been validly extended to the WSB. Accordingly, the application of this Convention to the Western Sectors of Berlin continues in full force and effect."

*Federal Republic of Germany (13 February 1978):*

"By their Note of 3 December 1977, disseminated [on] 19 January 1978, the Governments of France, the United Kingdom and the United States answered the assertions made in the communication [of 21 July 1977] referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the Note of the Three Powers, wishes to confirm that, subject to the rights and responsibilities of the Three Powers, the application in Berlin (West) of the above-mentioned instrument extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

*German Democratic Republic (22 December 1978):*

Concerning the application of the Convention to Berlin (West), the German Democratic Republic states, in conformity with the Quadripartite Agreement of 3 September 1971, that Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it. The statement of the Federal Republic of Germany, according to which this Convention is to be extended to Berlin (West), is inconsistent with the Quadripartite Agreement which stipulates that agreements concerning matters of security and the status of Berlin (West) must not be extended by the Federal Republic of Germany to Berlin (West). Accordingly, the statement made by the Federal Republic of Germany can have no legal effects.

*Czechoslovakia (25 April 1979):*

"According to the Quadripartite Agreement of September 3, 1971, the Federal Republic of Germany cannot extend international conventions to Berlin (West) if the conventions in question relate to matters of security and the status of Berlin (West). Since the above-mentioned multilateral international Convention leaves no doubt as to its direct relation to the matters of security and the status of Berlin (West) there is no legal ground for its extension to Berlin (West) by the Federal Republic of Germany.

"In view of all these facts the Czechoslovak Socialist Republic cannot accept the extension of the said Convention to Berlin (West) by the Federal Republic of Germany, is not in a position to regard the extension as legally valid and cannot attach to it any legal effects."

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (21 August 1979-relating to the communications from the German Democratic Republic and Czechoslovakia received on 22 December 1978 and 25 April 1979, respectively):*

"With regard to the communications referred to above, our Governments reaffirm that States which are not parties to the Quadripartite Agreement are not competent to comment authoritatively on its provisions.

"The three Governments do not consider it necessary, nor do they intend to respond to any further communications on this subject from States which are not parties to the Quadripartite Agreement. This should not be taken to imply any change of the position of the three Governments in this matter."

*Federal Republic of Germany (18 October 1979-relating to the communications from the German Democratic Republic and Czechoslovakia received on 22 December 1978 and 25 April 1979, respectively):*

"By their Note of 20 August 1979, disseminated [on] 21 August 1979, the Governments of France, the United Kingdom and the United States rejected the assertions made in the communications referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation, wishes to confirm that the application in Berlin (West) of the above-mentioned Convention extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

*Hungary (27 November 1979):*

*[Communication identical in essence, mutatis mutandis, to the one of 25 April 1979 by Czechoslovakia.]*

*Czechoslovakia (25 January 1980):*

"The Czechoslovak side continues to hold the view that also States that are not signatories of the Four-Power Agreement of 3 September 1971 must proceed from the criteria set forth by the Four-Power Agreement, since no other criteria exist. We furthermore believe that it is the inalienable right of every State to adjudge its treaty relations from its own will. The exercise of such a right even by a non-signatory State cannot be hindered by third State parties."

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (18 February 1982-relating to the declaration made by Czechoslovakia on 25 January 1980):*

"With regard to the communication of the Government of Czechoslovakia referred to above, our Governments reaffirm their position as stated in their note of 21 August 1979 to the Secretary-General in connexion with this Convention. The Quadripartite Agreement is an international treaty concluded between the four contracting parties and not open to participation by any other State. In concluding this Agreement, the four powers acted on the basis of their quadripartite rights and responsibilities, and of the corresponding war-time and post-war agreements and decisions of the four powers, which are not affected. The Quadripartite Agreement is a part of conventional, not customary international law. Accordingly, Czechoslovakia, as a third State not a party to the Quadripartite Agreement, has no right whatsoever to comment authoritatively on it."

*Federal Republic of Germany (2 April 1982-relating to the declaration made by Czechoslovakia on 25 January 1980):*

"By their note of 18 February 1982, disseminated [on] 12 March 1982, the Governments of France, the United Kingdom and the United States answered the assertion made in the communication referred to in depositary notification [ . . . ] of 27 February 1980. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the note of 18 February 1982, wishes to confirm that the application in Berlin (West) of the above-mentioned Convention extended by it under the established procedure continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

Subsequently, in a communication received by the Secretary-General on 3 October 1990, the Government of Hungary indicated that, the German State having achieved its unity on this day [3 October 1990], it had decided to withdraw, as from that date, the declaration it had made with respect to the notification of extension by the Federal Republic of Germany to *Land Berlin*.

See also note 4 above.

<sup>6</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>7</sup> The instrument of accession specifies that the Convention will also apply to the Cook Islands and Niue.

<sup>8</sup> The formality was effected by Democratic Yemen. See also note 33 in chapter I.2.

<sup>9</sup> On 24 June 1992, the Government of Bulgaria notified the Secretary-General of its decision to withdraw the reservation to article 13 (1) of the Convention, made upon signature and renewed upon ratification. For the text of the declaration, see United Nations, *Treaty Series*, vol. 1035, p. 228.

<sup>10</sup> In a notification received on 18 November 1976, the Government of Ghana informed the Secretary-General that it had decided to withdraw the reservation contained in its instrument of accession, concerning article 3 (1)(c) of the Convention. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1035, p. 235.

<sup>11</sup> In a communication received on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw the reservation in respect to article 13 (1) of the Convention made upon ratification. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1035, p. 235.

<sup>12</sup> The Secretary-General received on 11 May 1979 from the Government of Israel the following communication:

"The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

Identical communications, in essence, *mutatis mutandis* have been received by the Secretary-General from the Government of Israel on 11 March 1985 in respect of the reservation made by Jordan; on 21 August 1987 in respect of the declaration by Democratic Yemen; on 26 July 1988 in respect of the declaration made by the Syrian Arab Republic; and on 17 May 1989 in respect of the declaration made by Kuwait.

<sup>13</sup> The communication of 11 May 1979 refers to the reservation made by Iraq upon accession to the Convention. See note 12 above.

<sup>14</sup> On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 13, paragraph 1 of the Convention made upon ratifica-

tion. For the text of the reservation see United Nations, *Treaty Series*, vol. 1295, p. 394.

<sup>15</sup> The Secretary-General received, on 25 May 1979 from the Government of Guatemala, the following communication:

The Government of Guatemala [does] not accept [the extension by the United Kingdom of the Convention to the Territory of Belize] in view of the fact the said Territory is a territory concerning which a dispute exists and to which [Guatemala] maintains a claim that is the subject, by mutual agreement, of procedures for the peaceful settlement of disputes between the two Governments concerned.

In this respect, the Government of the United Kingdom of Great Britain and Northern Ireland in a communication received by the Secretary-General on 12 November 1979, stated the following:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their sovereignty over Belize and do not accept the reservation submitted by the Government of Guatemala."

<sup>16</sup> On 3 October 1983, the Secretary-General received from the Government of Argentina the following objection:

[The Government of Argentina makes a] formal objection to the [declaration] of territorial extension issued by the United Kingdom with regard to the Malvinas Islands [and dependencies], which that country is illegally occupying and refers to as the "Falkland Islands".

The Argentine Republic rejects and considers null and void the [said declaration] of territorial extension.

With reference to the above-mentioned objection, the Secretary-General received, on 28 February 1985, from the Government of the United Kingdom of Great Britain and Northern Ireland the following declaration:

*[For the text of the declaration see note 25 in chapter IV.1.]*

<sup>17</sup> The Government of the United Kingdom specified that the application of the Convention had been extended to Anguilla as from 26 March 1987.

<sup>18</sup> On 11 August 1999, the Government of Portugal informed the Secretary-General that the Convention will apply to Macau.

Subsequently, the Secretary-General received, on 18 November 1999, from the Government of Portugal, the following communication:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."



## 8. CONVENTION ON THE SAFETY OF UNITED NATIONS AND ASSOCIATED PERSONNEL

*New York, 9 December 1994*

**ENTRY INTO FORCE:** 15 January 1999, in accordance with article 27 (1).  
**REGISTRATION:** 15 January 1999, No. 35457.  
**STATUS:** Signatories: 43. Parties: 29.  
**TEXT:** Doc. A/49/742 of 2 December 1994.

*Note:* The Convention was adopted by resolution 49/59 of the General Assembly dated 9 December 1994. The Convention was open for signature on 15 December 1994 and will remain open for signature at the Headquarters of the United Nations in New York until 31 December 1995.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>
Argentina.....	15 Dec 1994		Pakistan.....	8 Mar 1995	
Australia.....	22 Dec 1995		Panama.....	15 Dec 1994	4 Apr 1996
Bangladesh.....	21 Dec 1994	22 Sep 1999	Philippines.....	27 Feb 1995	17 Jun 1997
Belarus.....	23 Oct 1995		Poland.....	17 Mar 1995	
Belgium.....	21 Dec 1995		Portugal.....	15 Dec 1994	14 Oct 1998
Bolivia.....	17 Aug 1995		Republic of Korea...		8 Dec 1997 a
Brazil.....	3 Feb 1995		Romania.....	27 Sep 1995	29 Dec 1997
Bulgaria.....		4 Jun 1998 a	Russian Federation..	26 Sep 1995	
Canada.....	15 Dec 1994		Samoa.....	16 Jan 1995	
Chile.....		27 Aug 1997 a	Senegal.....	21 Feb 1995	9 Jun 1999
Czech Republic.....	27 Dec 1995	13 Jun 1997	Sierra Leone.....	13 Feb 1995	
Denmark.....	15 Dec 1994	11 Apr 1995	Singapore.....		26 Mar 1996 a
Fiji.....	25 Oct 1995	1 Apr 1999	Slovakia.....	28 Dec 1995	26 Jun 1996
Finland.....	15 Dec 1994		Spain.....	19 Dec 1994	13 Jan 1998
France.....	12 Jan 1995		Sweden.....	15 Dec 1994	25 Jun 1996
Germany.....	1 Feb 1995	22 Apr 1997	Togo.....	22 Dec 1995	
Haiti.....	19 Dec 1994		Tunisia.....	22 Feb 1995	
Honduras.....	17 May 1995		Turkmenistan.....		29 Sep 1998 a
Hungary.....		13 Jul 1999 a	Ukraine.....	15 Dec 1994	17 Aug 1995
Italy.....	16 Dec 1994	5 Apr 1999	United Kingdom of Great Britain and Northern Ireland..	19 Dec 1995	6 May 1998
Japan.....	6 Jun 1995	6 Jun 1995 A	United States of Amer- ica.....	19 Dec 1994	
Liechtenstein.....	16 Oct 1995		Uruguay.....	17 Nov 1995	3 Sep 1999
Luxembourg.....	31 May 1995		Uzbekistan.....		3 Jul 1996 a
Malta.....	16 Mar 1995				
Monaco.....		5 Mar 1999 a			
Netherlands.....	22 Dec 1995				
New Zealand.....	15 Dec 1994	16 Dec 1998			
Norway.....	15 Dec 1994	3 Jul 1995			

### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance or accession.)*

#### GERMANY

*Declaration:*

In accordance with German law, the authorities of the Federal Republic of Germany will communicate information on alleged offenders, victims and circumstances of the crime (personal data) directly to the states concerned and, in parallel with this, will inform the Secretary-General of the United Nations that such information has been communicated.

#### SLOVAKIA

*Declaration made upon signature and confirmed upon ratification:*

"If a dispute concerning the interpretation or application of the Convention is not settled by negotiation, the Slovak Republic prefers its submission to the International Court of Justice in accordance with article 22, paragraph 1 of the Convention. Therefore a dispute, to which the Slovak Republic might be a Party can be submitted to arbitration only with the explicit consent of the Slovak Republic."

9. INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF TERRORIST BOMBINGS

New York, 15 December 1997

NOT YET IN FORCE: [see article 22].  
 STATUS: Signatories: 58. Parties: 8.  
 TEXT: Doc. A/RES/52/164.

*Note:* The Convention was adopted by resolution A/RES/52/164 of the General Assembly on 15 December 1997. In accordance with its article 21(1), the Convention will be open for signature by all States on 12 January 1998 until 31 December 1999 at United Nations Headquarters.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Algeria	17 Dec 1998		Netherlands	12 Mar 1998	
Argentina	2 Sep 1998		Norway	31 Jul 1998	20 Sep 1999
Austria	9 Feb 1998		Panama	3 Sep 1998	5 Mar 1999
Belarus	20 Sep 1999		Philippines	23 Sep 1998	
Belgium	12 Jan 1998		Poland	14 Jun 1999	
Brazil	12 Mar 1999		Portugal	30 Dec 1999	
Burundi	4 Mar 1998		Republic of Korea	3 Dec 1999	
Canada	12 Jan 1998		Romania	30 Apr 1998	
Comoros	1 Oct 1998		Russian Federation	12 Jan 1998	
Costa Rica	16 Jan 1998		Slovakia	28 Jul 1998	
Côte d'Ivoire	25 Sep 1998		Slovenia	30 Oct 1998	
Cyprus	26 Mar 1998		South Africa	21 Dec 1999	
Czech Republic	29 Jul 1998		Spain	1 May 1998	30 Apr 1999
Denmark	23 Dec 1999		Sri Lanka	12 Jan 1998	23 Mar 1999
Egypt	14 Dec 1999		Sudan	7 Oct 1999	
Estonia	27 Dec 1999		Sweden	12 Feb 1998	
Finland	23 Jan 1998		the former Yugoslav Republic of Mace- donia	16 Dec 1998	
France	12 Jan 1998	19 Aug 1999	Togo	21 Aug 1998	
Germany	26 Jan 1998		Turkey	20 May 1999	
Greece	2 Feb 1998		Turkmenistan	18 Feb 1999	25 Jun 1999
Hungary	21 Dec 1999		Uganda	11 Jun 1999	
Iceland	28 Sep 1998		United Kingdom of Great Britain and Northern Ireland	12 Jan 1998	
India	17 Sep 1999	22 Sep 1999	United States of Amer- ica	12 Jan 1998	
Ireland	29 May 1998		Uruguay	23 Nov 1998	
Israel	29 Jan 1999		Uzbekistan	23 Feb 1998	30 Nov 1998
Italy	4 Mar 1998		Venezuela	23 Sep 1998	
Japan	17 Apr 1998				
Lithuania	8 Jun 1998				
Luxembourg	6 Feb 1998				
Madagascar	1 Oct 1999				
Monaco	25 Nov 1998				
Nepal	24 Sep 1999				

*Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

EGYPT

*Upon signature:*

*Reservations:*

"1. Article 6, paragraph 5:

The Government of the Arab Republic of Egypt declares that it is bound by Article 6, paragraph 5, of the Convention in-

sofar as the domestic laws of States Parties do not contradict the relevant rules and principles of international law.

2. Article 19, paragraph 2:

The Government of the Arab Republic of Egypt declares that it is bound by Article 19, paragraph 2, of the Convention insofar as the military forces of the State, in the exercise of their duties do not violate the rules and principles of international law."

## GERMANY

*Upon signature:*

*Declaration:*

The Federal Republic of Germany understands article 1 para. 4 of [the said Convention] in the sense that the term "military forces of a state" includes their national contingents operating as part of the United Nations forces. Furthermore, the Federal Republic of Germany also understands that, for the purposes of this Convention, the term "military forces of a state" also covers police forces.

## INDIA

*Reservation:*

"In accordance with Article 20 (2), the Government of the Republic of India hereby declares that it does not consider itself bound by the provisions of Article 20 (1) of the Convention."

## PORTUGAL

*Upon signature:*

*Declaration:*

"For the purposes of article 8, paragraph 2, of the Convention, Portugal declares that the extradition of Portuguese nationals from its territory will be authorized only if the following conditions, as stated in the Constitution of the Portuguese Republic, are met:

- a) In case of terrorism and organised criminality; and
- b) For purposes of criminal proceedings and, being so, subject to a guarantee given by the state seeking the extradition that the concerned person will be surrendered to Portugal to serve the sentence or measure imposed on him or her, unless such person does not consent thereto by means of expressed declaration.

For purposes of enforcement of a sentence in Portugal, the procedures referred to in the declaration made by Portugal to the European Convention on the transfer of sentenced persons shall be complied with."

## RUSSIAN FEDERATION

*Upon signature:*

*Declaration:*

The position of the Russian Federation is that the provisions of article 12 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offences falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance.

## TURKEY

*Upon signature:*

*Declarations:*

"The Republic of Turkey declares that articles 9 and 12 should not be interpreted in such a way that offenders of these crimes are neither tried nor prosecuted. Furthermore mutual legal assistance and extradition are two different concepts and the conditions for rejecting a request for extradition should not be valid for mutual legal assistance.

The Republic of Turkey declares its understanding that the term international humanitarian law referred to in article 19 of the Convention for the Suppression of Terrorist Bombings shall be interpreted as comprising the relevant international rules excluding the provisions of additional Protocols to Geneva Conventions of 12 August 1949, to which Turkey is not a Party. The first part of the second paragraph of the said article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby as creating new obligations for Turkey.

*Reservation:*

Pursuant to paragraph 2 of article (20) of the [Convention] the Republic of Turkey declares that it does not consider itself bound by the provisions of paragraph 1 of article (20) of the said Convention."

## 10. ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

*Rome, 17 July 1998*

**NOT YET IN FORCE:**  
**STATUS:**  
**TEXT:**

[see article 126].

Signatories: 92. Parties: 6.

Doc. A/CONF.183/9 of 17 July 1998; depositary notifications C.N.577.1998.TREATIES-8 of 10 November 1998<sup>1</sup> and CN.604.1999.TREATIES-18 of 12 July 1999 (procès-verbaux of rectification of the original of the Statute (Arabic, Chinese, English, French, Russian and Spanish authentic texts); and C.N.1075.1999.TREATIES-28 of 30 November 1999 (procès-verbal of rectification of the original text of the Statute - French and Spanish authentic texts).

*Note:* The Statute was adopted on 17 July 1998 by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court. In accordance with its article 125, the Statute was opened for signature by all States in Rome at the Headquarters of the Food and Agriculture Organization of the United Nations on 17 July 1998. Thereafter, it was opened for signature in Rome at the Ministry of Foreign Affairs of Italy until 17 October 1998. After that date, the Statute was opened for signature in New York, at United Nations Headquarters, where it will be until 31 December 2000.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Albania	18 Jul 1998		Honduras	7 Oct 1998	
Andorra	18 Jul 1998		Hungary	15 Jan 1999	
Angola	7 Oct 1998		Iceland	26 Aug 1998	
Antigua and Barbuda	23 Oct 1998		Ireland	7 Oct 1998	
Argentina	8 Jan 1999		Italy	18 Jul 1998	26 Jul 1999
Armenia	1 Oct 1999		Jordan	7 Oct 1998	
Australia	9 Dec 1998		Kenya	11 Aug 1999	
Austria	7 Oct 1998		Kyrgyzstan	8 Dec 1998	
Bangladesh	16 Sep 1999		Latvia	22 Apr 1999	
Belgium	10 Sep 1998		Lesotho	30 Nov 1998	
Benin	24 Sep 1999		Liberia	17 Jul 1998	
Bolivia	17 Jul 1998		Liechtenstein	18 Jul 1998	
Bulgaria	11 Feb 1999		Lithuania	10 Dec 1998	
Burkina Faso	30 Nov 1998		Luxembourg	13 Oct 1998	
Burundi	13 Jan 1999		Madagascar	18 Jul 1998	
Cameroon	17 Jul 1998		Malawi	2 Mar 1999	
Canada	18 Dec 1998		Mali	17 Jul 1998	
Central African Republic	7 Dec 1999		Malta	17 Jul 1998	
Chad	20 Oct 1999		Mauritius	11 Nov 1998	
Chile	11 Sep 1998		Monaco	18 Jul 1998	
Colombia	10 Dec 1998		Namibia	27 Oct 1998	
Congo	17 Jul 1998		Netherlands	18 Jul 1998	
Costa Rica	7 Oct 1998		New Zealand	7 Oct 1998	
Côte d'Ivoire	30 Nov 1998		Niger	17 Jul 1998	
Croatia	12 Oct 1998		Norway	28 Aug 1998	
Cyprus	15 Oct 1998		Panama	18 Jul 1998	
Czech Republic	13 Apr 1999		Paraguay	7 Oct 1998	
Denmark	25 Sep 1998		Poland	9 Apr 1999	
Djibouti	7 Oct 1998		Portugal	7 Oct 1998	
Ecuador	7 Oct 1998		Romania	7 Jul 1999	
Eritrea	7 Oct 1998		Saint Lucia	27 Aug 1999	
Estonia	27 Dec 1999		Samoa	17 Jul 1998	
Fiji	29 Nov 1999	29 Nov 1999	San Marino	18 Jul 1998	13 May 1999
Finland	7 Oct 1998		Senegal	18 Jul 1998	2 Feb 1999
France	18 Jul 1998		Sierra Leone	17 Oct 1998	
Gabon	22 Dec 1998		Slovakia	23 Dec 1998	
Gambia	4 Dec 1998		Slovenia	7 Oct 1998	
Georgia	18 Jul 1998		Solomon Islands	3 Dec 1998	
Germany	10 Dec 1998		South Africa	17 Jul 1998	
Ghana	18 Jul 1998	20 Dec 1999	Spain	18 Jul 1998	
Greece	18 Jul 1998		Sweden	7 Oct 1998	
Haiti	26 Feb 1999		Switzerland	18 Jul 1998	
			Tajikistan	30 Nov 1998	

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
the former Yugoslav Republic of Mace- donia . . . . .	7 Oct 1998	
Trinidad and Tobago .	23 Mar 1999	6 Apr 1999
Uganda . . . . .	17 Mar 1999	

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
United Kingdom of Great Britain and Northern Ireland .	30 Nov 1998	
Venezuela . . . . .	14 Oct 1998	
Zambia . . . . .	17 Jul 1998	
Zimbabwe . . . . .	17 Jul 1998	

**Notes:**

<sup>1</sup> On 6 November 1998, the Secretary-General received from the Government of the United States of America the following communication dated 5 November 1998, relating to the proposed corrections to the Statute circulated on 25 September 1998:

"[...] The United States wishes to note a number of concerns and objections regarding the procedure proposed for the correction of the six authentic texts and certified true copies:

"First, the United States wishes to draw attention to the fact that, in addition to the corrections which the Secretary-General now proposes, other changes had already been made to the text which was actually adopted by the Conference, without any notice or procedure. The text before the Conference was contained in A/CONF.183/C.1/L.76 and Add. 1-13. The text which was issued as a final document, A/CONF.183/9, is not the same text. Apparently, it was this latter text which was presented for signature on July 18, even though it differed in a number of respects from the text that was adopted only hours before. At least three of these changes are arguably substantive, including the changes made to Article 12, paragraph 2(b), the change made to Article 93, paragraph 5, and the change made to Article 124. Of these three changes, the Secretary-General now proposes to "re-correct" only Article 124, so that it returns to the original text, but the other changes remain. The United States remains concerned, therefore, that the corrections process should have been based on the text that was actually adopted by the Conference.

"Second, the United States notes that the Secretary-General's communication suggests that it is "established depositary practice" that only signatory States or contracting States may object to a proposed correction. The United States does not seek to object to any of the proposed corrections, or to the additional corrections that were made

earlier and without formal notice, although this should not be taken as an endorsement of the merits of any of the corrections proposed. The United States does note, however, that insofar as arguably substantive changes have been made to the original text without any notice or procedure, as noted above in relation to Articles 12 and 93, if any question of interpretation should subsequently arise it should be resolved consistent with A/CONF.183/C.1/L.76, the text that was actually adopted.

"More fundamentally, however, as a matter of general principle and for future reference, the United States objects to any correction procedure, immediately following a diplomatic conference, whereby the views of the vast majority of the Conference participants on the text which they have only just adopted would not be taken into account. The United States does not agree that the course followed by the Secretary-General in July represents "established depositary practice" for the type of circumstances presented here. To the extent that such a procedure has previously been established, it must necessarily rest on the assumption that the Conference itself had an adequate opportunity, in the first instance, to ensure the adoption of a technically correct text. Under the circumstances which have prevailed in some recent conferences, and which will likely recur, in which critical portions of the text are resolved at very late stages and there is no opportunity for the usual technical review by the Drafting Committee, the kind of corrections process which is contemplated here must be open to all.

"In accordance with Article 77, paragraph 1 (e) of the 1969 Vienna Convention on the Law of Treaties, the United States requests that this note be communicated to all States which are entitled to become parties to the Convention."

**11. INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE FINANCING OF  
TERRORISM**

*New York, 9 December 1999*

**NOT YET IN FORCE:** (see article 26).

**TEXT:** Resolution A/RES/54/109.

*Note:* The Convention was adopted by Resolution 54/109 of 9 December 1999 at the fourth session of the General Assembly of the United Nations. In accordance with its article 25 (1), the Convention will be open for signature by all States at United Nations Headquarters from 10 January 2000 to 31 December 2001.

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**CHAPTER XIX**  
**COMMODITIES**

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**1. INTERNATIONAL AGREEMENT ON OLIVE OIL, 1956**

*Opened for signature at the Headquarters of the United Nations from 15 November 1955 to 15 February 1956*

**TEXT:** United Nations publications, sales No.: 1956.II.D.1 (E/CONF.19/5). (See also amended text in chapter XIX.3.)

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**2. PROTOCOL AMENDING THE INTERNATIONAL AGREEMENT ON OLIVE OIL, 1956**

*Geneva, 31 March 1958 and 3 April 1958*

**ENTRY INTO FORCE:** 11 April 1958, in accordance with article 4.  
**REGISTRATION:** 29 May 1958, No. 4355.  
**TEXT:** United Nations, *Treaty Series*, vol. 302, p. 121.

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**3. INTERNATIONAL AGREEMENT ON OLIVE OIL, 1956, AS AMENDED BY THE  
PROTOCOL OF 3 APRIL 1958**

*Geneva, 3 April 1958*

**ENTRY INTO FORCE:** 26 June 1959, in accordance with article 36 (5).  
**REGISTRATION:** 26 June 1959, No. 4806.  
**TEXT:** United Nations, *Treaty Series*, vol. 336, p. 177.

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**4. INTERNATIONAL COFFEE AGREEMENT, 1962**

*New York, 28 September 1962*

**ENTRY INTO FORCE:** provisionally on 1 July 1963, in accordance with article 64 (2) and definitively on 27 December 1963, in accordance with article 64 (1).  
**REGISTRATION:** 1 July 1963, No. 6791.  
**TEXT:** United Nations, *Treaty Series*, vol. 469, p. 169, and vol. 515, p. 322 (procès-verbal of rectification of the authentic Russian text of the Agreement).

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**5. INTERNATIONAL COFFEE AGREEMENT, 1968**

*New York, 18 and 31 March 1968*

**ENTRY INTO FORCE:** provisionally on 1 October 1968, in accordance with article 62 (2) and definitively on 30 December 1968, in accordance with article 62 (1).  
**REGISTRATION:** 1 October 1968, No. 9262.  
**TEXT:** United Nations, *Treaty Series*, vol. 647, p. 3.

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**5. a) Extension with modifications of the International Coffee Agreement, 1968**

*Approved by the International Coffee Council in resolution No. 264 of 14 April 1973*

**EFFECTIVE DATE:** 1 October 1973..  
**REGISTRATION:** 1 October 1973, No. 9262.  
**TEXT:** United Nations, *Treaty Series*, vol. 893, p. 350.

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**5. b) INTERNATIONAL COFFEE AGREEMENT, 1968**

*Open for signature at New York from 18 to 31 March 1968, as extended with modifications by the International Coffee Council in resolution No. 264 of 14 April 1973*

**EFFECTIVE DATE:** 1 October 1973, in accordance with the provisions of resolution No. 264 of the International Coffee Council..  
**REGISTRATION:** 1 October 1973, No. 9262 (Registration of the extension: see chapter XIX.5 (a)).  
**TEXT:** Document of the International Coffee Organization.

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**5. c) Protocol for the Continuation in Force of the International Coffee Agreement, 1968, as extended**

*Concluded at London on 26 September 1974*

**ENTRY INTO FORCE:** 1 October 1975, in accordance with article 5 (1).  
**REGISTRATION:** 1 October 1975, No. 9262..  
**TEXT:** United Nations, *Treaty Series*, vol. 982, p. 332.

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**5. d) International Coffee Agreement, 1968**

*Open for signature at New York from 18 to 31 March 1968, as extended by the Protocol of 26 September 1974*

**EFFECTIVE DATE:** 1 October 1975, in accordance with article 5, paragraph 1, of the Protocol.  
**REGISTRATION:** 1 October 1975, No. 9262 (registration of the Protocol of 26 September 1974).

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**6. INTERNATIONAL SUGAR AGREEMENT, 1968**

*New York, 3 and 24 December 1968*

**ENTRY INTO FORCE:** provisionally on 1 January 1969, in accordance with article 63 (2) and definitively on 17 June 1969, in accordance with article 63 (1).  
**REGISTRATION:** 1 January 1969, No. 9369.  
**TEXT:** United Nations, *Treaty Series*, vol. 654, p. 3.



## 7. AGREEMENT ESTABLISHING THE ASIAN COCONUT COMMUNITY

*Bangkok, 12 December 1968*

**ENTRY INTO FORCE:** 30 July 1969, in accordance with article 12.  
**REGISTRATION:** 30 July 1969, No. 9733.  
**STATUS:** Signatories: 6. Parties: 7.  
**TEXT:** United Nations, Treaty Series, vol. 684, p. 163; vol. 803, p. 514 [amendment to article 11 (2)] and depositary notification C.N.302.1980.TREATIES-1 of 29 October 1980 [amendment to article 5 (3)].<sup>1</sup>

*Note:* The Agreement was drawn up at the meeting of the Inter-Governmental Consultations on the Asian Coconut Community, held at the headquarters of the Economic Commission for Asia and the Far East in Bangkok from 26 to 28 November 1968, which was attended by the representatives of the Governments of Sri Lanka, India, Indonesia, the Philippines, Singapore and Thailand and of the United Nations Development Programme and the Food and Agriculture Organization of the United Nations.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>
India.....	12 Dec 1968	18 Jun 1969	Samoa.....		28 Dec 1972 a
Indonesia.....	12 Dec 1968	30 Jul 1969 A	Sri Lanka.....	11 Mar 1969	25 Apr 1969
Malaysia.....	30 Jun 1969	22 Feb 1972	Thailand.....	26 Jun 1969	
Papua New Guinea ..		11 Nov 1976 a			
Philippines.....	12 Dec 1968	26 Aug 1969			

**Notes :**

<sup>1</sup> Amendments were adopted in accordance with article 15 of the Agreement as follows, to enter into force upon adoption:

—On 21 December 1971, at the fifth regular session of the Asian Coconut Community, held in Jakarta (amendment to article 11 (2));

—On 30 August 1980, at the eighteenth regular session of the Asian Coconut Community, held at Port Moresby (amendment to article 5 (3)).

## 8. AGREEMENT ESTABLISHING THE PEPPER COMMUNITY

*Bangkok, 16 April 1971*

**ENTRY INTO FORCE:** 29 March 1972, in accordance with article 12.  
**REGISTRATION:** 29 March 1972, No. 11654.  
**STATUS:** Signatories: 3. Parties: 4.  
**TEXT:** United Nations, *Treaty Series*, vol. 818, p. 89.

*Note:* This Agreement was drawn up at the meeting of the Inter-Governmental Consultations on the Pepper Community, held at the headquarters of the Economic Commission for Asia and the Far East in Bangkok from 24 to 27 February 1971, which was attended by the representatives of the Governments of Sri Lanka, India, Indonesia and Malaysia and of the United Nations Food and Agriculture Organization (FAO) and the United Nations Conference on Trade and Development.

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<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Brazil .....		30 Mar 1981 a	Indonesia .....	21 Apr 1971	1 Nov 1971
India .....	21 Apr 1971	29 Mar 1972	Malaysia .....	21 Apr 1971	22 Mar 1972

**9. INTERNATIONAL COCOA AGREEMENT, 1972**

*Geneva, 21 October 1972*

**ENTRY INTO FORCE:** provisionally on 30 June 1973, in accordance with article 67 (2).  
**REGISTRATION:** 30 June 1973, No. 12652.  
**TEXT:** United Nations, *Treaty Series*, vol. 882, p. 67.

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**10. INTERNATIONAL SUGAR AGREEMENT, 1973**

*Geneva, 13 October 1973*

**NOT YET IN FORCE:** provisionally on 1 January 1974, in accordance with article 36 (2), definitively on 15 October 1974, in accordance with article 36 (1) and Validity extended until 31 December 1977, see under chapters XIX.10 (a) and (c).  
**REGISTRATION:** 1 January 1974, No. 12951.  
**TEXT:** United Nations, *Treaty Series*, vol. 906, p. 69 and vol. 958, p. 279 (rectification of authentic texts).

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**10. a) Extension of the International Sugar Agreement, 1973**

*Approved by the International Sugar Council in resolution No. 1 of 30 September 1975*

**EFFECTIVE DATE:** 1 January 1976, in accordance with paragraph 2 of resolution No. 1 adopted by the International Sugar Council on 30 September 1975.  
**REGISTRATION:** 1 January 1976, No. 12951.  
**TEXT:** United Nations, *Treaty Series*, vol. 993, p. 472.

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**10. b) International Sugar Agreement, 1973**

*Concluded at Geneva on 13 October 1973, as extended by the International Sugar Council in resolution No. 1 of 30 September 1975*

**EFFECTIVE DATE:** 1 January 1976, in accordance with paragraph 2 of resolution No. 1 adopted by the International Sugar Council on 30 September 1975.  
**REGISTRATION:** 1 January 1976, No. 12951 (registration of the extension).  
**TEXT:** See under chapter XIX.10, and annex to resolution No. 1.

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**10. c) Second extension of the International Sugar Agreement, 1973, as extended**

*Approved by the International Sugar Council in resolution No. 2 of 18 June 1976*

**EFFECTIVE DATE:** 1 January 1977, in accordance with paragraph 2 of resolution No. 2 adopted by the International Sugar Council on 18 June 1976.  
**REGISTRATION:** 1 January 1977, No. 12951.  
**TEXT:** United Nations, *Treaty Series*, vol. 1031, p. 402.

**10. d) International Sugar Agreement, 1973**

*Concluded at Geneva on 13 October 1973, as extended further by the International Sugar Council in resolution No. 2 of 18 June 1976*

**EFFECTIVE DATE:** 1 January 1977, in accordance with paragraph 2 of resolution No. 2 adopted by the International Sugar Council on 18 June 1976.  
**REGISTRATION:** 28 December 1976, No. 12951 (registration of the extension).  
**TEXT:** See chapter XIX.10, and annex to resolution No. 2.

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**10. e) THIRD EXTENSION OF THE INTERNATIONAL SUGAR AGREEMENT, 1973, AS FURTHER EXTENDED**

*Approved by the International Sugar Council in resolution No. 3 of 31 August 1977*

**EFFECTIVE DATE:** See "Note:" below.  
**REGISTRATION:** 1 January 1978, No. 12951.  
**TEXT:** Resolution No. 3 adopted by the International Sugar Council on 31 August 1977.

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## 11. AGREEMENT ESTABLISHING THE ASIAN RICE TRADE FUND

*Bangkok, 16 March 1973*

**ENTRY INTO FORCE:** 1 December 1974, in accordance with article 19.  
**REGISTRATION:** 1 December 1974, No. 13679.  
**STATUS:** Signatories: 5. Parties: 4.  
**TEXT:** United Nations, *Treaty Series*, vol. 955, p. 195; depositary notifications C.N.26.1979.TREATIES-1 of 28 February 1979 and C.N.101.TREATIES-2 of 22 May 1979 [amendments to paragraphs (i) and (iii) of article 1].

*Note:* The text of the Agreement was drawn up by the intergovernmental meeting on the establishment of an Asian Rice Trade Fund convened by the United Nations Economic Commission for Asia and the Far East at Bangkok, Thailand, from 12 to 16 March 1973; it was approved and initialled by the representatives of Democratic Kampuchea, the Philippines, Sri Lanka and Thailand.

The signatories agreed on 29 November 1973 to extend to 31 May and 1 December 1974, respectively, the time-limits provided for by articles 17 and 19 of the Agreement for signature and deposit of instruments of acceptance.

The Board of Directors of the Asian Rice Trade Fund, in a resolution adopted at Manila on 10 January 1979, proposed certain amendments to article 1 (i) and (iii) of the Agreement. In accordance with the provisions of article 13 of the Agreement the proposed amendments have come into force on 15 December 1981 upon acceptance by all members of the Fund. Following is a list of the States which have accepted the amendments and the dates of their acceptance:

<i>Participant</i>	<i>Date of acceptance</i>
Sri Lanka	1 Jun 1979
Bangladesh	14 Jun 1979
India	24 Jun 1980
Philippines	15 Dec 1981

<i>Participant</i> <sup>1,2</sup>	<i>Signature</i>	<i>Acceptance (A), Accession (a)</i>	<i>Participant</i> <sup>1,2</sup>	<i>Signature</i>	<i>Acceptance (A), Accession (a)</i>
Bangladesh .....	29 Jun 1973	1 Dec 1974 A	Philippines <sup>2</sup> .....	19 Apr 1973	11 Mar 1975 a
Cambodia .....	18 Apr 1973		Sri Lanka .....	31 May 1974	29 Nov 1974 A
India .....	29 Jun 1973	28 Nov 1974 A			

### *Notes:*

<sup>1</sup> The Republic of Viet Nam had signed the Agreement on 16 April 1974 and deposited an instrument of acceptance on 11 March 1975. In this regard see note 2 below and note 32 in chapter I.2 and note 1 in chapter III.6.

<sup>2</sup> The States Parties unanimously decided that the instruments of acceptance by the Governments of the Philippines and of the Republic of Viet Nam, having been received after the time-limit of 1 December 1974, should be treated as instruments of accession.

## 12. PROTOCOL FOR THE CONTINUATION IN FORCE OF THE INTERNATIONAL COFFEE AGREEMENT, 1968, AS EXTENDED

*London, 26 September 1974*

**ENTRY INTO FORCE:** 1 October 1975, in accordance with article 5 (1).  
**REGISTRATION:** 1 October 1975, No. 9262.  
**TEXT:** United Nations, *Treaty Series*, vol. 982, p. 332.

### 13. FIFTH INTERNATIONAL TIN AGREEMENT

*Geneva, 21 June 1975*

**ENTRY INTO FORCE:** provisionally on 1 July 1976, in accordance with article 50 (a) and definitively on 14 June 1977, in accordance with article 49 (a).  
**REGISTRATION:** 1 July 1976, No. 14851.  
**TEXT:** United Nations, *Treaty Series*, vol. 1014, p. 43.

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### 14. INTERNATIONAL COCOA AGREEMENT, 1975

*Geneva, 20 October 1975*

**ENTRY INTO FORCE:** provisionally on 1 October 1976, in accordance with article 69 (2) and definitively on 7 November 1978, in accordance with article 69 (1).  
**REGISTRATION:** 1 October 1976, No. 15033.  
**TEXT:** United Nations, *Treaty Series*, vol. 1023, p. 253.

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### 15. INTERNATIONAL COFFEE AGREEMENT, 1976

*London, 3 December 1975*

**ENTRY INTO FORCE:** provisionally on 1 October 1976, in accordance with article 61 (2) and definitively on 1 August 1977, in accordance with article 61 (1).  
**REGISTRATION:** 1 October 1976, No. 15034.  
**TEXT:** United Nations, *Treaty Series*, vol. 1024, p. 3.

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#### 15. a) International Coffee Agreement, 1976

*Approved by the International Coffee Council in resolution No. 318 of 25 September 1981*

**EFFECTIVE DATE:** 1 October 1982, in accordance with paragraph 2 of resolution No. 318 adopted by the International Coffee Council on 25 September 1981.  
**REGISTRATION:** 1 October 1982, No. 15034.  
**TEXT:** Resolution No. 318 adopted by the International Coffee Council on 25 September 1981.

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#### 15. b) International Coffee Agreement, 1976

*Concluded at London on 3 December 1975, as extended until 30 September 1983 by the International Coffee Council in resolution No. 318 of 25 September 1981*

**EFFECTIVE DATE:** 1 October 1982, in accordance with resolution No. 318.  
**REGISTRATION:** 1 October 1982, No. 15034 (registration of the extension).  
**TEXT:** Resolution No. 318 adopted by the International Coffee Council on 25 September 1981.

**16. AGREEMENT ESTABLISHING THE INTERNATIONAL TEA PROMOTION  
ASSOCIATION**

*Geneva, 31 March 1977*

**ENTRY INTO FORCE:** 23 February 1979, in accordance with article 19 (1).  
**REGISTRATION:** 23 February 1979, No. 17582.  
**STATUS:** Signatories: 6. Parties: 8.<sup>2</sup>  
**TEXT:** United Nations, *Treaty Series*, vol. 1128, p. 367.

*Note:* The Agreement was drawn up by the Intergovernmental Conference of the Tea Producing Countries for the establishment of an International Tea Promotion Association, which met in Geneva from 7 to 17 September 1976. (The Conference had been convened by the International Trade Centre UNCTAD/GATT.) In accordance with the provisions of the resolution adopted on 17 September 1976 by the Conference, the Governments of nine countries whose total volume of exports of tea accounted for more than two-thirds of the total volume of exports of tea of all countries qualified to participate in the Agreement had, as at 31 March 1977, notified the Director of the International Trade Centre UNCTAD/GATT their approval of the text of the Agreement.

In accordance with the provisions of article 18, the Agreement has been opened for signature at the United Nations Headquarters, New York, from 15 April 1977 until and including 15 October 1977.

By a Resolution adopted by the Governing Board of the International Tea Promotion Association on 21 November 1984, it was decided to suspend for an initial period of two years the following articles of the Agreement establishing the International Tea Promotion Association: article 1, paragraph 2, but only with regard to the phrase "and to formulate programmes to achieve this objective"; article 1, paragraph 3; article 11; article 12 and article 13.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Bangladesh .....		2 Apr 1979 a	Mozambique .....		29 Mar 1984 a
India .....	[20 Jul 1977	1 Nov 1977]	Sri Lanka <sup>2</sup> .....	[22 Sep 1977	1 Nov 1977]
Indonesia .....	7 Jul 1977	31 Aug 1978	Uganda .....	14 Oct 1977	23 Aug 1978
Kenya .....	2 Aug 1977	17 May 1978	United Republic of Tanzania .....	27 Jul 1977	28 Jul 1978
Malawi .....	17 Aug 1977	22 Feb 1978			
Mauritius .....	2 Aug 1977	25 Nov 1977			

**Notes:**

<sup>1</sup> On 25 July 1984, a notification of withdrawal was received from the Government of India.

<sup>2</sup> On 29 September 1982, a notification of withdrawal was received from the Government of Sri Lanka.

**17. AGREEMENT ESTABLISHING THE SOUTHEAST ASIA TIN RESEARCH AND  
DEVELOPMENT CENTRE**

*Bangkok, 28 April 1977*

**ENTRY INTO FORCE:** 10 February 1978, in accordance with article 8.  
**REGISTRATION:** 10 February 1978, No. 16434<sup>1</sup>.  
**STATUS:** Signatories: 3. Parties: 3.  
**TEXT:** United Nations, *Treaty Series*, vol 1075, p. 3.

*Note:* The Agreement was drawn up within the framework of the United Nations Economic and Social Commission for Asia and the Pacific. It was open for signature at the headquarters of the Commission, in Bangkok, until 30 April 1977.

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<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A)</i>
Indonesia <sup>1</sup> .....	28 Apr 1977	11 Jan 1978
Malaysia <sup>1</sup> .....	28 Apr 1977	11 Jan 1978
Thailand <sup>1</sup> .....	28 Apr 1977	11 Jan 1978

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**Notes:**

<sup>1</sup> By notifications, the last of which was received by the Secretary-General on 11 January 1978, the Governments of Indonesia, Malaysia and Thailand agreed to extend until 31 October 1977 the time-limit for lodging their instrument of ratification previously set at 31 July 1977 under article 7 (c) of the Agreement.

The instruments of ratification by the Governments of Indonesia, Malaysia and Thailand, which were lodged with the Secretary-General on 12 and 20 September and 18 October 1977, respectively, were officially deposited with the Secretary-General on 11 January 1978, the date of receipt of the last notification of acceptance referred to in the preceding paragraphs.



## 18. INTERNATIONAL SUGAR AGREEMENT, 1977

*Geneva, 7 October 1977*

**ENTRY INTO FORCE:** provisionally on 1 January 1978, in accordance with article 75 (2) and definitively on 2 January 1980, in accordance with article 75 (1).  
**REGISTRATION:** 1 January 1978, No. 16200.  
**TEXT:** United Nations, *Treaty Series*, vol. 1064, p. 219; vol. 1102, p. 355; vol. 1103, p. 398; vol. 1119, p. 388; vol. 1122, p. 391; vol. 1132, p. 444; vol. 1157, p. 459 (procès-verbaux of rectification of the original French and Russian, French and Spanish, Russian, French, and French, Spanish and Russian, respectively).

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### 18. a) Extension of the International Sugar Agreement, 1977

*Washington, 21 November 1981 and 21 May 1982*

**ENTRY INTO FORCE:** 1 January 1983 in accordance with decisions No. 13 of 20 November 1981 and No. 14 of 21 May 1982 adopted by the International Sugar Council.  
**REGISTRATION:** 1 January 1993, No. 16200.  
**TEXT:** United Nations, *Treaty Series*, vol. 1297, p. 433.

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### 18. b) Extension of the International Sugar Agreement, 1977

*Concluded at Geneva on 7 October 1977, as extended until 31 December 1984 by the International Sugar Council in decisions No. 13 of 20 November 1981 and No. 14 of 21 May 1982*

**ENTRY INTO FORCE:** 1 January 1983, for all States Party to the International Sugar Agreement, 1977, in accordance with article 83 (2).  
**REGISTRATION:** 1 January 1983, No. 16200.  
**TEXT:** Decisions No. 13 of 20 November 1981 and No. 14 of 21 May 1982 adopted by the International Sugar Council.

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## 19. AGREEMENT ESTABLISHING THE INTERNATIONAL TROPICAL TIMBER BUREAU

*Concluded at Geneva on 9 November 1977*

**NOT YET IN FORCE:** (see article 24).  
**TEXT:** Doc. TT/CONF.2.

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## 20. INTERNATIONAL NATURAL RUBBER AGREEMENT, 1979

*Geneva, 6 October 1979*

**ENTRY INTO FORCE:** provisionally on 23 October 1980, in accordance with article 61 (2) and definitively on 15 April 1982, in accordance with article 61 (1).  
**REGISTRATION:** 23 October 1980, No. 19184.  
**TEXT:** United Nations, *Treaty Series*, vol. 1201, p. 191.

## 21. AGREEMENT ESTABLISHING THE COMMON FUND FOR COMMODITIES

*Geneva, 27 June 1980*

**ENTRY INTO FORCE:** 19 June 1989, in accordance with article 57 (1) (see "Note.")  
**REGISTRATION:** 19 June 1989, No. 26691.  
**STATUS:** Signatories: 116. Parties: 109.  
**TEXT:** United Nations, *Treaty Series*, vol.1538, p. 3.

*Note:* The Agreement was adopted on 27 June 1980 by the United Nations Negotiating Conference on a Common Fund under the Integrated Programme for Commodities, which met at Geneva from 5 to 27 June 1980 under the auspices of the United Nations Conference on Trade and Development (UNCTAD). The Agreement was opened for signature at the Headquarters of the United Nations, New York, on 1 October 1980, and will remain open for signature until one year after the date of its entry into force.

At a meeting convened on 3 June 1982 in Geneva by the Secretary-General of UNCTAD, under article 57 (1) of the Agreement, the Contracting Parties decided to extend until 30 September 1983 the time-limit for the fulfilment of the requirements for its entry into force.

Subsequently, by a later decision taken at a Meeting of those States which had deposited prior to 30 September 1983 an instrument of ratification, approval or acceptance, which was held on 19 June 1989, it was decided further to extend to 19 June 1989 [the date of the decision] the date by which the requirements should be fulfilled.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Afghanistan.....	11 Sep 1981	28 Mar 1984	Egypt.....	19 Oct 1981	11 Jun 1982
Algeria.....	15 Mar 1982	31 Mar 1982	El Salvador.....	28 Jun 1983	
Angola.....	29 Jun 1983	28 Jan 1986	Equatorial Guinea....	22 Jul 1983	22 Jul 1983
Argentina.....	22 Sep 1982	1 Jul 1983	Ethiopia.....	30 Sep 1981	19 Nov 1981
Australia.....	[20 May 1981	9 Oct 1981]	European Community.	21 Oct 1981	6 Jul 1990 AA
Austria.....	8 Jul 1981	4 May 1983	Finland.....	27 Oct 1980	30 Dec 1981
Bangladesh.....	23 Dec 1980	1 Jun 1981	France.....	4 Nov 1980	17 Sep 1982 AA
Barbados.....	2 Jan 1985		Gabon.....	10 Sep 1981	30 Nov 1981
Belgium <sup>2</sup> .....	31 Mar 1981	6 Jun 1985	Gambia.....	23 Oct 1981	14 Apr 1983
Benin.....	10 Sep 1981	25 Oct 1982	Germany <sup>3,4</sup> .....	10 Mar 1981	15 Aug 1985
Bhutan.....	22 Sep 1983	18 Sep 1984	Ghana.....	1 Dec 1982	19 Jan 1983
Botswana.....	18 Nov 1981	22 Apr 1982	Greece.....	21 Jul 1981	10 Aug 1984
Brazil.....	16 Apr 1981	28 Jun 1984	Grenada.....	28 Jun 1983	
Bulgaria.....	29 Jul 1987	24 Sep 1987 AA	Guatemala.....	1 Jun 1983	22 Mar 1985
Burkina Faso.....	20 Aug 1981	8 Jul 1983	Guinea.....	6 Oct 1981	9 Dec 1982
Burundi.....	8 Apr 1981	1 Jun 1982	Guinea-Bissau.....	11 Sep 1981	7 Jun 1983
Cameroon.....	30 Jun 1981	1 Feb 1983	Guyana.....	8 Jun 1983	
Canada.....	[15 Jan 1981	27 Sep 1983]	Haiti.....	19 Jan 1981	20 Jul 1981
Cape Verde.....	9 Oct 1981	30 Jul 1984	Honduras.....	28 Jun 1983	26 May 1988
Central African Repub- lic.....	28 Jan 1982	2 Aug 1983	India.....	18 Sep 1981	22 Dec 1981 A
Chad.....	16 Dec 1981	6 Jun 1984	Indonesia.....	1 Oct 1980	24 Feb 1981
China.....	5 Nov 1980	2 Sep 1981 AA	Iraq.....	7 Apr 1981	10 Sep 1981
Colombia.....	14 Jun 1983	8 Apr 1986	Ireland.....	24 Feb 1981	11 Aug 1982
Common Market for Eastern and South- ern Africa.....		3 Feb 1998 a	Italy.....	17 Dec 1980	20 Nov 1984
Comoros.....	10 Sep 1981	27 Jan 1984	Jamaica.....	6 Jan 1983	7 Jan 1985
Congo.....	22 Oct 1981	4 Nov 1987	Japan.....	28 Nov 1980	15 Jun 1981 A
Costa Rica.....	29 Jul 1981		Kenya.....	10 Mar 1982	6 Apr 1982
Côte d'Ivoire.....	15 Jul 1987	29 Oct 1996 a	Kuwait.....	1 Dec 1981	26 Apr 1983
Cuba.....	22 Jun 1983	21 Jul 1988	Lesotho.....	7 Sep 1981	6 Dec 1983
Democratic People's Republic of Korea.	29 Jun 1983	5 Jun 1987	Liberia.....	21 Oct 1981	
Democratic Republic of the Congo.....	17 Mar 1981	27 Oct 1983	Luxembourg.....	29 Dec 1980	4 Oct 1985
Denmark.....	27 Oct 1980	13 May 1981	Madagascar.....	8 Jun 1983	21 Oct 1987
Djibouti.....	9 Oct 1984	25 Nov 1985	Malawi.....	17 Mar 1981	15 Dec 1981
Dominican Republic..	15 Jun 1983		Malaysia.....	30 Dec 1980	22 Sep 1983
Ecuador.....	3 Oct 1980	4 May 1982	Maldives.....	19 May 1988	11 Jul 1988
			Mali.....	17 Jun 1981	11 Jan 1982
			Mauritania.....	18 Oct 1988	28 Aug 1990
			Mexico.....	19 Dec 1980	11 Feb 1982
			Morocco.....	22 Jan 1981	29 May 1987
			Mozambique.....	21 Dec 1982	30 Sep 1993 a
			Myanmar.....		21 Nov 1996 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Nepal . . . . .	7 Sep 1981	3 Apr 1984	Sudan . . . . .	13 May 1981	30 Sep 1983
Netherlands <sup>5</sup> . . . . .	1 Oct 1980	9 Jun 1983 A	Suriname . . . . .	20 Jun 1983	
New Zealand <sup>1,6</sup> . . . . .	[12 Feb 1982	27 Sep 1983]	Swaziland . . . . .	18 Nov 1987	29 Jun 1988
Nicaragua . . . . .	7 Sep 1981	5 Mar 1984	Sweden . . . . .	27 Oct 1980	6 Jul 1981
Niger . . . . .	19 Oct 1981	19 Oct 1981 AA	Switzerland . . . . .	30 Mar 1981	27 Aug 1982
Nigeria . . . . .	20 Jul 1981	30 Sep 1983	Syrian Arab Republic	26 Mar 1982	8 Sep 1983
Norway . . . . .	27 Oct 1980	15 Jul 1981	Thailand . . . . .	8 Jun 1983	6 Aug 1992 a
Organization of African Unity . . . . .		16 Mar 1998 a	Togo . . . . .	29 Jun 1983	10 Apr 1984
Pakistan . . . . .	4 May 1982	9 Jun 1983	Trinidad and Tobago .		22 Jan 1998 a
Papua New Guinea . .	27 Oct 1981	27 Jan 1982	Tunisia . . . . .	2 Mar 1982	15 Dec 1982
Peru . . . . .	25 Sep 1981	29 Jul 1987	Turkey . . . . .	[ 7 Sep 1981	29 Aug 1990]
Philippines . . . . .	24 Feb 1981	13 May 1981	Uganda . . . . .	19 Mar 1982	19 Mar 1982
Portugal . . . . .	30 Jan 1981	3 Jul 1989	United Arab Emirates	8 Jun 1982	26 Apr 1983
Republic of Korea . .	27 Nov 1981	30 Mar 1982	United Kingdom of Great Britain and Northern Ireland .	16 Dec 1980	31 Dec 1981
Russian Federation . .	14 Jul 1987	8 Dec 1987 AA	United Republic of Tanzania . . . . .	7 Sep 1981	11 Jun 1982
Rwanda . . . . .	6 Oct 1981	23 Mar 1983	United States of Amer- ica . . . . .	5 Nov 1980	
Saint Lucia . . . . .	20 Dec 1984	6 Mar 1984	Uruguay . . . . .	13 Feb 1986	
Samoa . . . . .	2 Apr 1982	6 Dec 1983	Venezuela . . . . .	5 Dec 1980	31 Mar 1982
Sao Tome and Principe	20 Jun 1983	16 Mar 1983	Yemen <sup>7</sup> . . . . .	16 Dec 1981	8 Jan 1986
Saudi Arabia . . . . .	11 Jan 1983	20 Jun 1983	Yugoslavia . . . . .	7 Jan 1982	14 Feb 1983
Senegal . . . . .	11 Nov 1981	7 Oct 1982	Zambia . . . . .	3 Feb 1981	16 Mar 1983
Sierra Leone . . . . .	24 Sep 1981	16 Dec 1983	Zimbabwe . . . . .	8 Jun 1983	28 Sep 1983
Singapore . . . . .	17 Dec 1982	27 Aug 1984			
Somalia . . . . .	27 Oct 1981	5 Jan 1984			
Spain . . . . .	27 May 1981	4 Sep 1981			
Sri Lanka . . . . .	21 Jan 1981				

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.*

*For objections thereto, see hereinafter.)*

**ARGENTINA**

*Reservation made upon signature and maintained upon ratification:*

The Argentine Republic, exercising its prerogative under article 58 of the Agreement, enters a reservation regarding article 53 of that Agreement as it cannot accept compulsory arbitration as the only means of settling disputes of the kind referred to in this article, and as it believes that the parties to such disputes must be free to determine by mutual agreement the means of settlement best suited to each particular case.

**BELGIUM**

In accordance with article 11, paragraph 3, of the Agreement, the payment of the Paid-in Shares subscribed by Belgium (2,640,699 Units of Account) will be effected in three instalments in accordance with the specified procedure, the first of which will take place within 60 days after the entry into force of the Agreement.

With regard to the amount subscribed by Belgium for Payable Shares (915,543 Units of Account), it shall be subject to call by the Fund, in accordance with article 11, paragraph 4, only as provided in article 17, paragraph 12.

**BULGARIA**

*Upon signature:*

*[Same declaration identical in substance, mutatis mutandis, as that made by the Union of Soviet Socialist Republics.]*

**CUBA**

*Reservation:*

The Government of the Republic of Cuba declares, in conformity with article 58 of the Agreement, that it does not consider itself bound by the arbitration procedures for the settlement of disputes established in article 53.

**JAPAN**

"The Government of Japan shall contribute to the initial resources of the Second Account of the Common Fund an amount in Japanese yen that is equivalent to twenty-seven million United States dollars (U.S.\$27 million) in accordance with article 13 of the Agreement."

"The Government of Japan opts for payment of the above contribution in three equal annual instalments, with the first one to be made in cash or in notes within one year after the entry into force of the Agreement. The notes are understood to be irrevocable, non-negotiable, non-interest bearing promissory notes, issued in lieu of a cash payment and payable to the Fund at par value upon demand. It is also understood that the notes are to be treated in the same manner as notes of the same kind from other contributors."

**RUSSIAN FEDERATION**

*Declaration made upon signature and confirmed upon*

approval:

In view of its well known position, the Union of Soviet Socialist Republics cannot recognize the legality of the names "Republic of Korea" and "Democratic Kampuchea" contained in the schedules to the Agreement establishing the Common Fund for Commodities.

#### SINGAPORE

"The Government of the Republic of Singapore declares that it is not in agreement with the manner in which the share of individual countries to the Directly Contributed Capital was determined. Nevertheless, the Government of the Republic of Singapore will make contributions as presently indicated in schedule A of the Agreement. This should not however prejudice in any way Singapore's position on its share of any contributions to be made under other agreements."

#### SYRIAN ARAB REPUBLIC

*Declaration:*

Our accession to and ratification of the Agreement shall not in any way imply recognition of Israel and shall not, consequently, lead to involvement with it in any transactions as are regulated by the provisions of the Agreement.

*Reservation:*

The Syrian Arab Republic enters a reservation in respect of article 53 of the Agreement, with regard to the binding nature of arbitration.

#### VENEZUELA

*Upon signature, maintained upon ratification:*

With reservation as to article 53.

#### Objections

*(Unless otherwise indicated, the objections were made upon ratification, acceptance, approval or accession.)*

#### ISRAEL

14 November 1983

"The Government of the State of Israel has noted that the instrument deposited by the Syrian Arab Republic contains a declaration of a political character in respect of the State of Israel. In the view of the Government of the State of Israel this Agreement is not the place for making such political pronouncements.

Moreover, the said declaration cannot in any way affect whatever obligations are binding upon the Government of the Syrian Arab Republic under general international law or under specific conventions.

The Government of the State of Israel will, in regard to the substance of the matter, adopt towards the Government of the Syrian Arab Republic an attitude of complete reciprocity."

#### Declarations under article 11 (1) of the Agreement<sup>8</sup> (Procedure for the payment of Shares of Directly Contributed Capital)

#### Voluntary contribution for the use in the Second Account (article 13)

<i>Participant</i>	<i>Procedure selected [formula (a) or (b)] under article 11 (1)</i>	<i>Currency selected (by States having chosen procedure of payment (b))</i>	<i>Amended option<sup>9</sup> (currency selection indicates option (b))</i>
Argentina	(b)	French francs	
Australia <sup>1</sup>	[(a)]		[French franc]
Austria <sup>10</sup>	(b)	Deutsche mark	French franc
Bangladesh	(b)	US dollar	French franc
Belgium	(b)	French franc	
Canada <sup>1</sup>	[(b)]	[French franc]	
Central African Republic	(b)	French franc	
Democratic People's Republic of Korea	(a)		French franc
Denmark	(b)	French franc	
Finland	(b)	French franc	
Germany <sup>3,11</sup>	(b)	[Deutsche mark]	
Ghana	(b)	French franc	
Greece	(b)	French franc	
India	(a)		French franc
Ireland	(b)	French franc	
Italy	(b)	French franc	
Jamaica	(a)		French franc
Japan	(a)		
Malawi	(b)	US dollar	
Malaysia	(b)	US dollar	French franc
Mauritania	(b)	French franc	
Morocco	(b)	French franc	
Mozambique	(b)	French franc	
New Zealand <sup>1</sup>	[(b)]	[French franc]	
Niger	(b)	US dollar	
Norway	(a)		French franc
Pakistan	(b)	US dollar	(a)

<i>Participant</i>	<i>Procedure selected [formula (a) or (b)] under article 11 (1)</i>	<i>Currency selected (by States having chosen procedure of payment (b))</i>	<i>Amended option<sup>9</sup> (currency selection indicates option (b))</i>
Argentina	(b)	French francs	
Australia <sup>1</sup>	[(a)]		[French franc]
Austria <sup>10</sup>	(b)	Deutsche mark	French franc
Papua New Guinea	(b)	US dollar	
Peru	(b)	French franc	
Republic of Korea	(a)		French franc
Singapore	(b)	Pound sterling	French franc
Spain	(b)	French franc	
Sri Lanka	(a)		French franc
Swaziland	(b)	French franc	
Sweden	(a)		French franc
Switzerland	(a)		French franc
Tunisia	(b)	French franc	
Turkey <sup>1</sup>	[(a)]		[French franc]
Trinidad and Tobago		US dollar	
United Kingdom of Great Britain and Northern Ireland	(b)	Pound sterling	
United Republic of Tanzania	(b)	US dollar	
Venezuela	(a)		French franc

#### Notes:

<sup>1</sup> The Secretary-General was informed by the Common Fund for Commodities that, pursuant to article 30 of the Agreement, the following Governments had notified the Common Fund, by a letter on the following dates, their decision to withdraw from the Common Fund. The withdrawal became effective on the dates specified by the Governments, which were not less than twelve months after the receipt of their notice by the Fund, as indicated hereinafter:

<i>Participant</i>	<i>Date of the notification</i>	<i>Effective date</i>
Australia	15 Aug 1991	20 Aug 1992
Canada	8 Jun 1992	9 Jun 1993
New Zealand	15 Feb 1993	17 Feb 1994
Turkey	29 Jul 1994	1 Aug 1995

<sup>2</sup> The payment of the voluntary contribution will be made after the entry into force of the Common Fund, the terms of which are specified in article 57 of the Agreement.

<sup>3</sup> See note 14 in chapter I.2.

<sup>4</sup> The instrument of ratification states that the said Agreement shall also apply to Berlin (West) with effect from the date on which it will enter into force for the Federal Republic of Germany. See also note 3 above.

<sup>5</sup> For the Kingdom in Europe and the Netherlands Antilles.

<sup>6</sup> The Agreement shall also apply to the Cook Islands and Niue. See also note 1 in this chapter.

<sup>7</sup> The Yemen Arab Republic had signed and ratified the Agreement on 7 September 1981 and 14 January 1986, respectively. See note 33 in chapter I.2.

<sup>8</sup> At its 9th session held on 20 July 1989, the Governing Council decided that any Member State which had not yet made known its selection of one of the payment procedures provided for in article 11, paragraph 1 (see table), was to notify in writing the Secretary-General of UNCTAD of its selection not later than 18 August 1989, and that any Member State which had not notified its selection by 18 August 1989 would be deemed to have selected the procedure provided for under article 11, paragraph 1 (a).

At its 10th session, held on 21 July 1989, the Governing Council decided that the rates of conversion deemed to apply at the date of payment shall be the rate of the Unit of Account as defined in Schedule F of the Agreement and as determined by the International Monetary Fund, on the thirtieth business day before the actual date of payment.

<sup>9</sup> Prior to the entry into force of the Agreement, a number of States had notified a change in the option which they had exercised under article 11 (1) (see depositary notification of 17 July 1989). See also note 8 above.

<sup>10</sup> In notification received on 10 August 1983, the Government of Austria indicated that, in accordance with article 11 (1) (b), Austria's contribution to the Common Fund for Commodities will be paid in German marks until such time as payment in Austrian shillings becomes possible.

<sup>11</sup> On 8 June 1989, the Government of the Federal Republic of Germany informed the Secretary-General that it had decided to withdraw its notification under article 11 (1).

## 22. INTERNATIONAL COCOA AGREEMENT, 1980

*Geneva, 19 November 1980*

**ENTRY INTO FORCE:** provisionally on 1 August 1981 in accordance with the decision taken on 30 June 1981 by the meeting of Governments convened by the Secretary-General under article 56 (3).  
**REGISTRATION:** 1 August 1981, No. 20313.  
**TEXT:** United Nations, *Treaty Series*, vol. 1245, p. 221; vol. 1276, p. 520 (procès-verbal of rectification of the original English, French and Russian texts); and United Nations, *Treaty Series*, vol. 1288, p. 437 (rectification of the authentic Russian text).

## 23. SIXTH INTERNATIONAL TIN AGREEMENT

*Geneva, 26 June 1981*

**ENTRY INTO FORCE:** provisionally on 1 July 1982, in accordance with article 55 in accordance with a decision taken on 23 June 1982 by a meeting of Governments convened by the Secretary-General under article 55 (3) of the Agreement and definitively on 1 July 1982<sup>1</sup>.

**REGISTRATION:** 1 July 1982, No. 21139.

**STATUS:** Signatories: 24. Parties: 25.

**TEXT:** United Nations, *Treaty Series*, vol. 1282, p. 205; vol. 1287, p. 360 (procès-verbal of rectification of the Spanish authentic text); vol. 1294, p. 412 (procès-verbal of rectification of original Arabic, French and Spanish texts) and vol. 1300, p. 413 (procès-verbal of rectification of the French authentic text).

*Note:* The text of the Agreement was adopted by the United Nations Tin Conference which was held at Geneva from 9 March to 26 June 1981. The Agreement was opened for signature at the United Nations Headquarters in New York from 3 August 1981 to 30 April 1982.

Pursuant to the provisions of paragraphs 1 and 5 of article 54 of the said Agreement, the International Tin Council decided, at its session held in London on 6 May 1982, to establish standard conditions of accession to the Agreement so as to allow Governments which had not been able to sign the Agreement by 30 April 1982 to accede thereto prior to 1 July 1982, the date of its intended entry into force, the sole conditions being that they accept the obligations under the Agreement.

Subsequently, on 27 April 1987, the International Tin Council adopted a resolution extending the Agreement for two years as from 1 July 1987, in accordance with its article 59 (2).

<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Australia <sup>2</sup> .....	4 Feb 1982	4 Feb 1982	
Belgium <sup>2</sup> .....	27 Apr 1982	27 Apr 1982	26 Jun 1984
Canada <sup>2</sup> .....	29 Apr 1982	11 May 1982	30 Jun 1983
Democratic Republic of the Congo .....	30 Apr 1982		16 Nov 1982
Denmark <sup>2</sup> .....	27 Apr 1982	27 Apr 1982	9 Oct 1985
European Community <sup>2</sup> .....	27 Apr 1982	27 Apr 1982	
Finland <sup>2</sup> .....	11 Mar 1982	28 May 1982	6 Dec 1983
France .....	27 Apr 1982	28 May 1982	14 Jun 1983 AA
Germany <sup>2,3</sup> .....	27 Apr 1982	27 Apr 1982	
Greece <sup>2</sup> .....	30 Apr 1982	30 Apr 1982	16 May 1985
India .....		28 Jun 1982	26 May 1983 a
Indonesia .....	8 Oct 1981		2 Feb 1982
Ireland .....	27 Apr 1982	2 Jun 1982	
Italy <sup>2</sup> .....	27 Apr 1982	27 Apr 1982	12 Dec 1984
Japan <sup>2</sup> .....	19 Feb 1982	28 May 1982	28 Jun 1982 A
Luxembourg <sup>2</sup> .....	27 Apr 1982	27 Apr 1982	26 Jun 1984
Malaysia .....	4 Sep 1981		4 Sep 1981
Netherlands <sup>2,4</sup> .....	30 Mar 1982	30 Mar 1982	28 Mar 1984 A
Nigeria .....	30 Apr 1982		15 Jul 1983
Norway .....	18 Nov 1981		9 Jun 1982
Poland <sup>2</sup> .....	30 Apr 1982	9 Dec 1982	
Sweden .....	29 Apr 1982		9 Jun 1982
Switzerland .....	8 Apr 1982	22 Apr 1983	22 Apr 1983
Thailand .....	26 Jan 1982	28 May 1982	11 Aug 1983
United Kingdom of Great Britain and Northern Ireland .....	22 Apr 1982	26 May 1982	

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, acceptance, approval or accession.)*

BELGIUM  
DENMARK  
EUROPEAN COMMUNITY  
FRANCE  
GERMANY<sup>3</sup>  
IRELAND  
ITALY  
LUXEMBOURG

GREECE

*Upon signature:*

With the understanding that the Agreement will not be used to facilitate or support manipulations of the tin market.

*Upon notification of provisional application:*

"The Greek Government reserves its position with respect to article 23 (Arrears in contribution to the Buffer Stock Account) as far as the payment of interest on arrears is concerned for the period before the ratification by Greece of the Agreement.

*Upon signature:*

*Declaration*

With the understanding that the Agreement will not be used to facilitate or support manipulations of the tin market.

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**Notes:**

<sup>1</sup> For the following participants:

Australia, Belgium, Canada, Denmark, European Community, Finland, France, Germany, Federal Republic of, Greece, India, Indonesia, Ireland, Italy, Japan, Luxembourg, Malaysia, Netherlands, Norway, Sweden, Thailand and United Kingdom of Great Britain and Northern Ireland.

<sup>2</sup> Within the limitations of constitutional and/or legislative procedures, in accordance with article 53 (2): no contribution to Buffer Stock Account [article 53 (2)].

<sup>3</sup> See note 14 in chapter I.2.

<sup>4</sup> For the Kingdom in Europe.

## 24. INTERNATIONAL AGREEMENT ON JUTE AND JUTE PRODUCTS, 1982

*Geneva, 1 October 1982*

**ENTRY INTO FORCE:** provisionally on 9 January 1984, in accordance with article 40 (3) and definitively on 26 August 1986, in accordance with article 40 (1).  
**REGISTRATION:** 9 January 1984, No. 22672.  
**TEXT:** United Nations, *Treaty Series*, vol. 1346, p. 59; depositary notifications C.N.218.1985.TREATIES-4 OF 13 December 1985 (adoption of an authentic Chinese text) and C.N.143.1988.TREATIES-2 of 22 August 1988 (Decision 2 (IX) Renegotiation of the Agreement]

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## 25. INTERNATIONAL COFFEE AGREEMENT, 1983

*New York, 16 September 1982*

**ENTRY INTO FORCE:** provisionally on 1 October 1983, in accordance with article 61 (2) and definitively on 11 September 1985, in accordance with article 61 (1).  
**REGISTRATION:** 1 October 1983, No. 22376.  
**TEXT:** United Nations, *Treaty Series*, vol. 1333, p. 119.

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### 25. a) Extension of the International Coffee Agreement, 1983

*London, 1 October 1991*

**ENTRY INTO FORCE:** 1 October 1989 in accordance with paragraph 5 and 6 of Resolution No. 347.  
**REGISTRATION:** 1 October 1991, No. 22376.  
**TEXT:** Resolution No. 347 adopted by the International Coffee Council on 3 July 1989.

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### 25. b) International Coffee Agreement, 1983

*Adopted by the International Coffee Council on 16 September 1982, as modified and extended by Resolution No. 347 of 3 July 1989*

**ENTRY INTO FORCE:** 1 October 1989, in accordance with paragraph 5 and 6 of Resolution No. 347.  
**REGISTRATION:** 1 October 1989, No. 22376.  
**TEXT:** Resolution No. 347 adopted by the International Coffee Council on 3 July 1989.

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### 25. c) Second Extension of the International Coffee Agreement, 1983, as modified

*Adopted by the International Coffee Council by Resolution No. 352 of 28 September 1990*

**ENTRY INTO FORCE:** 1 October 1991, in accordance with paragraphs 4 and 5 of Resolution No. 352.  
**REGISTRATION:** 1 October 1991, No. 22376.  
**TEXT:** Resolution No. 352 adopted by the International Coffee Council on 28 September 1990 at its fifty-sixth session.



**25. d) International Coffee Agreement, 1983**

*Adopted by the International Coffee Council on 16 September 1982, as modified by Resolution No. 347 of 3 July 1989 and extended further by Resolution No. 352 of 28 September 1990*

**ENTRY INTO FORCE:** 1 October 1991, in accordance with paragraphs 4 and 5 of Resolution No. 352..  
**REGISTRATION:** 1 October 1991, No. 22376.  
**TEXT:** Resolution No. 352 adopted by the International Coffee Council on 28 September 1990 at its Fifty-sixth session.

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**25. e) Third Extension of the International Coffee Agreement, 1983, as modified**

*Adopted by the International Coffee Council by Resolution No. 355 of 27 September 1991*

**ENTRY INTO FORCE:** 1 October 1992, in accordance with paragraphs 3, 4 and 5 of Resolution No. 355.  
**REGISTRATION:** 1 October 1992, No. 22376..  
**TEXT:** Resolution No. 355 adopted by the International Coffee Council on 27 September 1991 at its Fifty-seventh session.

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**25. f) International Coffee Agreement, 1983**

*Adopted by the International Coffee Council on 16 September 1982, as modified by resolution No. 347 of 3 July 1989 and extended further by Resolution No. 355 of 27 September 1991*

**ENTRY INTO FORCE:** 1 October 1992, in accordance with paragraphs 3, 4 and 5 of Resolution No. 355..  
**REGISTRATION:** 1 October 1992, No. 22376.  
**TEXT:** Resolution No. 355 adopted by the International Coffee Council on 27 September 1991 at its fiftyseventh session.

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**25. g) Fourth Extension of the International Coffee Agreement, 1993, as modified**

*Adopted by the International Coffee Council under Resolution No. 363 of 4 June 1993*

**ENTRY INTO FORCE:** 1 October 1993, in accordance with paragraphs 2, 3 and 4 of Resolution No. 363..  
**REGISTRATION:** 1 October 1993, No. 22376.  
**TEXT:** Resolution No. 363 adopted by the International Coffee Council on 4 June 1993.

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**25. h) International Coffee Agreement, 1993**

*Adopted by the International Coffee Council on 4 June 1983, as modified by resolution No. 347 of 3 July 1989 and further extended by resolution No. 363 of 4 June 1993*

**ENTRY INTO FORCE:** 1 October 1993, in accordance with paragraphs 2, 3 and 4 of Resolution No. 363..  
**REGISTRATION:** 1 October 1993, No. 22376.  
**TEXT:** Resolution No. 363, adopted by the International Coffee Council on 4 June 1993.

## 26. INTERNATIONAL TROPICAL TIMBER AGREEMENT, 1983

*Geneva, 18 November 1983*

**ENTRY INTO FORCE:** provisionally on 1 April 1985, in accordance with article 37 (2)<sup>1</sup>.  
**REGISTRATION:** 1 April 1985, No. 23317.  
**STATUS:** Signatories: 35. Parties: 54.  
**TEXT:** United Nations, *Treaty Series*, vol. 1393, p. 671 and depositary notification C.N.204.1984.TREATIES-10 of 19 September 1984 (procès-verbal of rectification of the original Arabic, Russian and Spanish texts); and vol. 1457, p. 389 (procès-verbal of rectification of the Chinese authentic text).

*Note:* The Agreement was adopted within the framework of UNCTAD by the United Nations Conference on Tropical Timber, 1983, which met in Geneva from 14 to 31 March and 7 to 18 November 1983, the Agreement was open for signature by Governments invited to the United Nations Conference on Tropical Timber, 1983, at the United Nations Headquarters in November on 2 January 1984 until one month after the date of its entry into force.

On 24 June 1985, at its first session, held in Geneva, the International Tropical Timber Council decided, in accordance with article 35 of the Agreement, that the conditions of accession for non-signatory Governments shall be that the States accept all the obligations of the Agreement and that the time-limit for the deposit of instruments of accession would be the date of the opening of the second session of the Council.

At its second session, from 23 to 27 March 1987, the International Tropical Timber Council decided, that for all States acceding to the Agreement the conditions shall be that they accept all the obligations of the Agreement. The Council also decided that the time-limit for the deposit of instruments of accession shall be the duration of the Agreement [Decision 1 (III)]

Subsequently, by Decision 3(VI), confirmed at Abidjan, Côte d'Ivoire, on 24 May 1989, the International Tropical Timber Council decided, in accordance with article 42 (1) of the Agreement, to extend the Agreement for a period of two years from 1 April 1990 to 31 March 1992.

Subsequently, the Agreement was extended for a further period of two years with effect from 1 April 1992 until 31 March 1994 by Decision 4 (X) of the International Tropical Timber Council, taken at its tenth session held in Quito, Ecuador, from 29 May to 6 June 1991, in accordance with article 42 (2) of the Agreement.

At its Second Special Session held in Geneva on 21 January 1994, the International Tropical Timber Council, by Decision 1 (S-II), has extended the above Agreement until the entry into force of the successor Agreement, i.e. the International Tropical Timber Agreement 1994 (see chapter XIX.39).

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Australia .....			16 Feb 1988 a
Austria .....			6 Mar 1986 a
Belgium .....	29 Jun 1984	28 Sep 1984	21 Feb 1986
Bolivia .....	1 Nov 1984	25 Jun 1985	
Brazil .....	31 Mar 1985	31 Mar 1985	
Cameroon .....	15 Apr 1985	14 Jun 1985	19 Nov 1985
Canada .....			21 May 1986 a
China .....			2 Jul 1986 a
Colombia .....			27 Mar 1990 a
Congo .....	7 Mar 1985		28 Mar 1985
Côte d'Ivoire .....	27 Mar 1985	27 Mar 1985	
Democratic Republic of the Congo .....			20 Nov 1990 a
Denmark .....	29 Jun 1984		28 Sep 1984
Ecuador .....	31 Mar 1985	31 Mar 1985	19 Jan 1988
Egypt .....	31 Mar 1985	31 Mar 1985	16 Jan 1986
European Community .....	29 Jun 1984	29 Mar 1985	
Fiji .....			9 Aug 1995 a
Finland .....	10 May 1984		13 Feb 1985
France .....	29 Jun 1984	29 Jun 1984	6 Aug 1985 AA
Gabon .....	25 Jun 1984	19 Mar 1985	31 Oct 1988
Germany <sup>2,3</sup> .....	29 Jun 1984	29 Jun 1984	21 Mar 1986
Ghana .....	29 Mar 1985		29 Mar 1985
Greece .....	29 Jun 1984	28 Nov 1984	26 Jul 1988
Guyana .....			7 Oct 1992 a
Honduras .....	27 Sep 1984	29 Mar 1985	
India .....			19 Feb 1986 a
Indonesia .....	13 Jun 1984		9 Oct 1984
Ireland .....	29 Jun 1984		4 Oct 1984

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Italy .....	29 Jun 1984		29 Mar 1985
Japan .....	28 Mar 1984		28 Jun 1984 A
Liberia .....	8 Mar 1984		29 Mar 1985
Luxembourg .....	29 Jun 1984	28 Sep 1984	21 Feb 1986
Malaysia .....	14 Dec 1984		14 Dec 1984
Myanmar .....			16 Nov 1993 a
Nepal .....			3 Jul 1990 a
Netherlands <sup>4</sup> .....	29 Jun 1984	20 Sep 1984	29 May 1987 A
New Zealand .....			5 Aug 1992 a
Norway .....	23 Mar 1984		21 Aug 1984
Panama .....			3 Mar 1989 a
Papua New Guinea .....			27 Nov 1985 a
Peru .....	31 Mar 1985	31 Mar 1985	
Philippines .....	31 Mar 1985	31 Mar 1985	
Portugal .....			3 Jul 1989 a
Republic of Korea .....			25 Jun 1985 a
Russian Federation .....	28 Mar 1985		20 May 1985 A
Spain .....	27 Feb 1985	24 Apr 1985	1 Apr 1986
Sweden .....	23 Mar 1984		9 Nov 1984
Switzerland .....	30 Apr 1985		9 May 1985
Thailand .....			9 Oct 1985 a
Togo .....			8 May 1986 a
Trinidad and Tobago .....	29 Apr 1985		9 May 1986
United Kingdom of Great Britain and Northern Ireland .....	29 Jun 1984		18 Sep 1984
United States of America .....	26 Apr 1985	26 Apr 1985	25 May 1990 A
Venezuela .....			31 Mar 1994 a

#### **Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, accession, acceptance or approval. For objections thereto, see hereinafter.)*

#### **RUSSIAN FEDERATION**

*Reservation made upon signature and confirmed upon acceptance:*

(a) In the event that the European Economic Community becomes a party to the present Agreement, the participation of the Union of Soviet Socialist Republics in the Agreement shall not

give rise to any obligations on its part in relation to the Community.

(b) In view of its well-known position on the Korean question, the Union of Soviet Socialist Republics cannot recognize as lawful the designation "Republic of Korea" contained in Annex "B" to the Agreement.

#### **Objections**

*(Unless otherwise indicated, the objections were made upon notification of provisional application, ratification, accession, acceptance or approval.)*

#### **EUROPEAN COMMUNITY**

6 August 1985

On behalf of the European Economic Community and its member States, [the European Economic Community and its members] wish to inform you of their reaction to the [declaration made by the Union of Soviet Socialist Republics]. The International Tropical Timber Agreement, 1983, states, in article 5, paragraph 1, that "Any reference in this Agreement to 'Governments' shall be construed as including the European Economic Community and any other intergovernmental organisation having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements".

In application of the provision, the European Economic Community signed the International Tropical Timber Agreement on 29 June 1984, and notified the Secretary-General of the United Nations on 29 March 1985 that the Community would apply that Agreement provisionally, in accordance with the rules set forth in article 36.

[It] wishes to point out also that article 43 of the International Tropical Timber Agreement prohibits any reservation to the Agreement.

The Community and its member States are therefore of the opinion that the above declaration can in no way be enforceable against them, and they regard it as being without effect.

**Notes:**

<sup>1</sup> The authentic Chinese text of the Agreement was established by the depositary and submitted for adoption in accordance with the testimonium (see depositary notification 188.1988.TREATIES-8 of 23 August 1984).

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> In a letter accompanying the instrument of ratification, the Government of the Federal Republic of Germany specified that "the Agree-

ment shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany". See also note 2 above.

<sup>4</sup> For the Kingdom in Europe.

**27. INTERNATIONAL SUGAR AGREEMENT, 1984**

*Geneva, 5 July 1984*

**ENTRY INTO FORCE:** provisionally on 1 January 1985, in accordance with article 38 (2) and definitively on 4 April 1985, in accordance with article 38 (1).  
**REGISTRATION:** 1 January 1985, No. 23225.  
**TEXT:** United Nations, *Treaty Series*, vol. 1388, p. 3.

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## 28. a) International Wheat Agreement, 1986: (a) Wheat Trade Convention, 1986

*London, 14 March 1986*

**ENTRY INTO FORCE:** 1 July 1986, in accordance with article 28 (1).  
**REGISTRATION:** 1 July 1986, No. 24237.  
**STATUS:** Signatories: 31. Parties: 46.  
**TEXT:** United Nations, *Treaty Series*, vol. 1429, p. 71 and depositary notification C.N.139.1986.TREATIES-4/4 of 18 September 1986 (procès-verbal of rectification of the original).

*Note:* The Convention which together with the Food Aid Convention, 1986 (see hereinafter under chapter XIX.28 (b)) constitute the International Wheat Agreement, 1986, was open for signature at the United Nations Headquarters in New York from 1 May 1986 until and including 30 June 1986.

In accordance with the provisions of article 33 (2), the Wheat Trade Convention was to expire on 30 June 1991. At its 115th session, held on 25 and 26 June 1991, the International Wheat Council definitively extended the Convention for a period of two years, until 30 June 1993, and at its hundred and eighteenth session, held on 1 December 1992, the Committee extended the Convention for another period of 2 years, until 30 June 1995.

Moreover, the International Wheat Council decided to extend the time-limit for the deposit of the instruments of ratification, acceptance, approval or accession by the following participants, as indicated hereinafter:

<i>Session</i>	<i>Date</i>	<i>Decision taken</i>
105th	30 June to 3 July 1986	Extension until 30 June 1987: Algeria, Argentina, Austria, Barbados, Belgium, Bolivia, Brazil, Cuba, Ecuador, Egypt, European Economic Community, Finland, France, Germany, Federal Republic of Greece, India, Iran, Islamic Republic of, Iraq, Israel, Italy, Japan, Luxembourg, Malta, Mauritius, Morocco, Netherlands, Pakistan, Panama, Portugal, Republic of Korea, Saudi Arabia, Spain, Switzerland, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Yemen.
106th	9 to 11 December 1986	Extension until 30 June 1987: Hungary.
107th	8 to 10 July 1987 15 September 1987	Extension until 30 June 1988: Algeria, Argentina, Austria, Belgium, Brazil, Cuba, Ecuador, Egypt, European Economic Community, France, Germany, Federal Republic of Greece, Iran, Islamic Republic of, Israel, Italy, Luxembourg, Morocco, Netherlands, Panama, Portugal, Saudi Arabia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Yemen. Extension until 30 September 1987: Mauritius <sup>1</sup> .
109th	6 to 7 July 1988	Extension until 30 June 1989: Argentina, Belgium, Brazil, Egypt, European Economic Community, Greece, Iran, Islamic Republic of, Israel, Italy, Luxembourg, Morocco, Netherlands, Panama, Portugal, Saudi Arabia, United Kingdom of Great Britain and Northern Ireland, Venezuela and Yemen.
111th	10 to 12 July 1989	Extension until 30 June 1990: Argentina, Brazil, European Economic Community, Greece, Iran, Islamic Republic of, Italy, Morocco, Netherlands, Panama, Portugal, Saudi Arabia, Venezuela and Yemen.
113th	10 to 11 July 1990	Extension until 30 June 1991: Argentina, Brazil, European Economic Community, Greece, Iran, Islamic Republic of, Morocco, Panama, Saudi Arabia and Yemen
115th	25 to 26 June 1991	Extension until 30 June 1993: Brazil, European Economic Community, Greece, Iran, Islamic Republic of, Morocco, Panama, Saudi Arabia and Yemen.
118th	1 December 1992	Extension until 30 June 1993: Côte d'Ivoire.
119th	21 and 22 June 1993	Extension until 30 June 1995: Côte d'Ivoire, Iran (Islamic Republic of), Morocco, Panama, Saudi Arabia and Yemen.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Algeria . . . . .			23 Nov 1987 a
Argentina . . . . .	25 Jun 1986	25 Jun 1986	9 Aug 1990
Australia . . . . .			27 Jun 1986 a
Austria . . . . .			2 Sep 1987 a
Barbados . . . . .	26 Jun 1986		2 Jul 1986
Belgium . . . . .	26 Jun 1986	26 Jun 1986	2 Jun 1989

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Bolivia.....		30 Jun 1986	1 Jun 1987 a
Brazil.....	12 Jun 1986	12 Jun 1986	
Canada.....	23 Jun 1986		23 Jun 1986
Cuba.....	30 Jun 1986	30 Jun 1986	29 Jul 1987
Denmark.....	26 Jun 1986		26 Jun 1986
Ecuador.....	1 May 1986	1 May 1986	12 Aug 1987
Egypt.....	29 May 1986	2 Jul 1986	12 Jul 1988
El Salvador.....		11 Jul 1986	
European Community.....	26 Jun 1986	26 Jun 1986	21 Aug 1991 AA
Finland.....	1 May 1986	18 Jun 1986	2 Mar 1987
France.....	26 Jun 1986	26 Jun 1986	21 Sep 1987 AA
Germany <sup>2,3</sup> .....	26 Jun 1986	26 Jun 1986	14 Mar 1988
Greece.....	26 Jun 1986	26 Jun 1986	6 Mar 1992
Holy See.....			23 Jun 1986 a
Hungary.....			12 Mar 1987 a
India.....		27 Jun 1986	24 Sep 1986 a
Iraq.....			17 Jun 1987 a
Ireland.....	26 Jun 1986		26 Jun 1986
Israel.....			21 Nov 1988 a
Italy.....	26 Jun 1986	26 Jun 1986	28 Jul 1989
Japan.....	24 Jun 1986	30 Jun 1986	15 Dec 1986 A
Luxembourg.....	26 Jun 1986	30 Jun 1986	28 Jun 1989
Malta.....			9 Feb 1987 a
Mauritius.....			16 Sep 1987 a
Morocco.....	3 Jun 1986	3 Jun 1986	
Netherlands <sup>4</sup> .....	26 Jun 1986	26 Jun 1986	29 Dec 1989 A
Norway.....	30 Jun 1986		30 Jun 1986 AA
Pakistan.....		30 Jun 1986	13 Jan 1987 a
Panama.....		3 Jul 1986	
Portugal.....	26 Jun 1986	30 Jun 1986	17 Jul 1989
Republic of Korea.....		30 Jun 1986	22 Jun 1987 a
Russian Federation.....	18 Jun 1986		30 Jun 1986 A
South Africa.....	24 Jun 1986		24 Jun 1986
Spain.....	26 Jun 1986	26 Jun 1986	14 Sep 1987
Sweden.....	25 Jun 1986		25 Jun 1986
Switzerland.....	26 Jun 1986	26 Jun 1986	21 Sep 1987
Tunisia.....	14 May 1986	14 May 1986	15 May 1987
Turkey.....		30 Jun 1986	27 Feb 1987 a
United Kingdom of Great Britain and Northern Ireland <sup>5</sup> .....	26 Jun 1986	26 Jun 1986	26 Jun 1989
United States of America.....	26 Jun 1986	26 Jun 1986	27 Jan 1988
Yemen <sup>6</sup> .....	27 Jun 1986		

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, accession, acceptance or approval. For objections thereto, see hereinafter.)*

#### **ARGENTINA**

Bearing in mind that since the European Economic Community is one of the signatories to the Food Aid Convention, 1986, and the Wheat Trade Convention, 1986, the Treaty establishing the European Economic Community is applicable, and that in Part Four, Annex IV of this Treaty, the 'Falkland Islands and dependencies' and the 'British Antarctic Territory', are listed as dependent territories of the United Kingdom of Great Britain and Northern Ireland, the Argentine Republic declares that the inclusion of the Malvinas South Georgia and South Sandwich Islands under the incorrect designation of 'Falkland Islands and dependencies' does not in any way affect its rights over those islands, which form part of its national territory. Occupation by the United Kingdom of Great Britain and Northern Ireland has

prompted the United Nations General Assembly to adopt resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40 and 42/19, recognizing the existence of a sovereignty dispute relating to the Malvinas question and urging the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to engage in negotiations with a view to arriving as soon as possible at a definitive peaceful solution to the dispute through the good offices of the United Nations Secretary-General, who is to keep the General Assembly informed of progress.

The Argentine Republic likewise rejects the inclusion by the United Kingdom of Great Britain and Northern Ireland of the so-called 'British Antarctic Territory', while reaffirming its rights to the Argentine Antarctic sector, including sovereignty

and the corresponding maritime jurisdiction. It also recalls the safeguards against claims of territorial sovereignty in Antarctica established by article IV of the Antarctic Treaty, signed at Washington on 1 December 1959, to which the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland are parties.

The Argentine Republic does not accept that article XV of the Food Aid Convention, 1986, and article 8 of the International Wheat Agreement, 1986, apply to disputes relating to territories under foreign occupation or colonial domination in respect of which there is a sovereignty dispute to resolve for which the United Nations has recommended specific action.

#### CUBA

*Declarations made upon signature and confirmed upon ratification:*

The signature of the Republic of Cuba to the International Wheat Agreement, 1986, shall not be interpreted as recognition or acceptance on the part of the Government of the Republic of Cuba of the racist Government of South Africa, which does not represent the South African People and which, because of its systematic practice of the discriminatory policy of *apartheid*, has been expelled from international agencies, condemned by the United Nations and rejected by all the peoples of the world.

The signature of the Republic of Cuba to the International Wheat Agreement, 1986, shall not be interpreted as recognition or acceptance on the part of the Government of the Republic of Cuba of the Republic of Korea, because Cuba considers that it does not genuinely represent the interests of the Korean people.

The Government of the Republic of Cuba considers that the provisions contained in articles 24, 26 and 27 of the Agreement are discriminatory because they exclude a number of States from the right to sign, provisionally apply and accede to the Agreement, which is contrary to the principle of universality.

#### *Objections*

*(Unless otherwise indicated, the objections were received upon notification of provisional application, ratification, accession, acceptance or approval.)*

#### EUROPEAN COMMUNITY

28 January 1987

*(Made on behalf of the European Economic Community and of its member States with respect to the declaration made by the Union of Soviet Socialist Republics):*

Article 2 of the International Wheat Agreement, 1986 provides that any reference to a Government or Governments shall be construed as including a reference to the European Economic Community.

Further to this provision, the European Economic Community signed the International Wheat Agreement on 26 June 1986

#### ITALY

The Government of Italy will apply the Wheat Trade Convention, 1986, provisionally within the limits authorized by the Italian legal order.

#### JAPAN

"The Government of Japan implements the Convention, during the period of provisional application, within the limitations of its internal legislations and budgets."

#### REPUBLIC OF KOREA

"The Government of the Republic of Korea will provisionally apply, within the limitations of the domestic legislation and budgetary process of the Republic of Korea, the Wheat Trade Convention, 1986."

#### RUSSIAN FEDERATION

*Declarations made upon signature and confirmed upon acceptance:*

(a) Should the European Economic Community become a party to this Convention, the participation to the Convention by the Union of Soviet Socialist Republics shall not create for it any obligations with regard to that community.

(b) In the light of the well-known position on the Korean question, the Union of Soviet Socialist Republics cannot accept as valid the designation "Republic of Korea" contained in the annex to the Convention.

#### UNITED STATES OF AMERICA

"The United States of America will provisionally apply within the limitations of the United States internal legislation and budgetary process the Wheat Trade Convention, 1986."

and informed the Secretary-General of the United Nations that same day that it would apply the Agreement provisionally in accordance with the rules set forth in article 26 of the Agreement.

Accordingly, the Community and its member States consider unacceptable the declaration which the Union of Soviet Socialist Republics made concerning the European Economic Community when it signed and accepted the Agreement, which declaration was notified to the Community on 20 August 1986. This declaration can in no circumstances be invoked against them and they consider it null and void.

#### Notes:

<sup>1</sup> Decision taken on 15 September 1987, pursuant to a consultation by correspondence.

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> In a letter accompanying its instrument, the Government of the Federal Republic of Germany declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 2 above.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> For the United Kingdom, the British Virgin Islands, Gibraltar and Saint Helena.

<sup>6</sup> The formality was effected by the Yemen Arab Republic. See also note 33 in chapter I.2.

28. b) International Wheat Agreement, 1986: (b) Food Aid Convention, 1986

London, 13 March 1986

**ENTRY INTO FORCE:** 1 July 1986, in accordance with article XXI (2).  
**REGISTRATION:** 1 July 1986, No. 24237.  
**STATUS:** Signatories: 22. Parties: 23.  
**TEXT:** United Nations, *Treaty Series*, vol. 1429, p. 71 and depositary notification C.N.139.1986. TREATIES-4/4 of 18 September 1986 (procès-verbal of rectification of the original).

*Note:* The Convention, which together with the Wheat Trade Convention, 1986, constitute the International Wheat Agreement, 1986, was open for signature at the United Nations Headquarters in New York from 1 May 1986 until and including 30 June 1986.

In accordance with the provisions of article XXII (1), the Food Aid Convention, 1986, was to expire on 30 June 1989. The Food Aid Committee at its fifty-seventh session extended the Convention for a period of two years until 30 June 1991, at its sixty-second session extended it further for an additional period of two more years, until 30 June 1993, and at its sixty-fifth session, held on 1 December 1992, the Committee extended the Convention further for a period of two years, until 30 June 1995.

Moreover, the Food Aid Committee decided to extend the time-limit for the deposit of the instruments of ratification, acceptance, approval or accession by the following participants as indicated hereinafter:

Session	Date	Decision taken
52nd	3 July 1986	Extension until 30 June 1987: Argentina, Australia, Austria, Belgium, European Economic Community, Finland, France, Germany, Federal Republic of, Greece, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America.
54th	7 July 1987	Extension until 30 June 1988: Argentina, Australia, Austria, Belgium, European Economic Community, France, Germany, Federal Republic of, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America.
56th	5 July 1988	Extension until 30 June 1989: Argentina, Belgium, European Economic Community, Greece, Italy, Luxembourg, Netherlands, Portugal and United Kingdom of Great Britain and Northern Ireland.
58th	13 July 1989	Extension until 30 June 1990: Argentina, European Economic Community, Greece, Italy, Netherlands and Portugal.
60th	12 July 1990	Extension until 30 June 1991: Argentina, European Economic Community and Greece.
62nd	27 June 1991	Extension until 30 June 1993: European Economic Community and Greece.

Participant	Signature	Provisional application	Ratification, Accession (a), Acceptance (A), Approval (AA)
Argentina	25 Jun 1986	25 Jun 1986	9 Aug 1990
Australia			29 Jun 1988 a
Austria	27 Jun 1986		26 Aug 1987
Belgium	26 Jun 1986	26 Jun 1986	2 Jun 1989
Canada	23 Jun 1986		23 Jun 1986
Denmark	26 Jun 1986		26 Jun 1986
European Community	26 Jun 1986	26 Jun 1986	21 Aug 1991 AA
Finland	1 May 1986	18 Jun 1986	2 Mar 1987
France	26 Jun 1986	26 Jun 1986	21 Sep 1987 AA
Germany <sup>1,2</sup>	26 Jun 1986	26 Jun 1986	14 Mar 1988
Greece	26 Jun 1986	26 Jun 1986	6 Mar 1992
Ireland	26 Jun 1986		26 Jun 1986
Italy	26 Jun 1986	26 Jun 1986	28 Jul 1989
Japan	24 Jun 1986	30 Jun 1986	15 Dec 1986 A
Luxembourg	26 Jun 1986	30 Jun 1986	28 Jun 1989
Netherlands <sup>2</sup>	26 Jun 1986	26 Jun 1986	29 Dec 1989 A
Norway	30 Jun 1986		30 Jun 1986 AA
Portugal	26 Jun 1986	30 Jun 1986	17 Jul 1989
Spain	26 Jun 1986	26 Jun 1986	14 Sep 1987
Sweden	25 Jun 1986		25 Jun 1986
Switzerland	26 Jun 1986		26 Jun 1986



<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
United Kingdom of Great Britain and Northern Ireland <sup>1</sup>	26 Jun 1986	26 Jun 1986	26 Jun 1989
United States of America	26 Jun 1986	26 Jun 1986	27 Jan 1988

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, accession, acceptance or approval.)*

**ARGENTINA**

*[Same declarations and reservations as for chapter XIX.28 (a).]*

**ITALY**

*[Same declaration as for chapter XIX.28 (a).]*

**JAPAN**

*[Same declaration as for chapter XIX.28 (a).]*

**UNITED STATES OF AMERICA**

*[Same declaration as for chapter XIX.28 (a).]*

**Notes:**

<sup>1</sup> See note 14 in chapter I.2.

<sup>2</sup> In a letter accompanying its instrument, the Government of the Federal Republic of Germany declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 1 above.

<sup>3</sup> For the Kingdom in Europe.

<sup>4</sup> For the United Kingdom, the British Virgin Islands, Gibraltar and Saint Helena.

## 29. TERMS OF REFERENCE OF THE INTERNATIONAL NICKEL STUDY GROUP

Geneva, 2 May 1986

**ENTRY INTO FORCE:** 23 May 1990, in accordance with paragraph 19 (b).  
**REGISTRATION:** 23 May 1990, No. 27296.  
**STATUS:** Parties: 13.  
**TEXT:** United Nations, Treaty Series, vol. 1566, p. 29 and depositary notification C.N.145.1986.TREATIES-1 of 28 August 1986.

*Note:* The Terms of Reference, of which the Arabic, English, French, Russian and Spanish texts are equally authentic, were adopted on 2 May 1986 by the United Nations Conference on Nickel, 1985, which met in Geneva from 28 October 1985 to 7 November 1985 and from 28 April 1986 to 2 May 1986.

<i>Participant</i>	<i>Provisional application</i>	<i>Definitive application</i>	<i>Participant</i>	<i>Provisional application</i>	<i>Definitive application</i>
Australia .....		12 Mar 1990	Indonesia .....		2 May 1990
Canada .....		20 Sep 1986	Japan .....		11 Apr 1990
Cuba .....	18 Dec 1989		Netherlands <sup>3</sup> .....	19 Sep 1986	
Finland .....		12 Sep 1986	Norway .....		5 Jan 1988
France .....	28 Oct 1986		Russian Federation <sup>4</sup> ..		19 Nov 1990
Germany <sup>1,2</sup> .....	19 Sep 1986		Sweden .....		19 Sep 1986
Greece .....	2 Dec 1986				

### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional or definitive application.)*

#### AUSTRALIA

##### *Declaration:*

"The Government of Australia nevertheless wishes to state its opinion that the issue of the precise legal nature of the Terms of Reference [whether the Terms of Reference is or not a treaty] can be determined following consideration by the members of the Group once the Terms of Reference have come into effect.

The Australian authorities wish to request that, in the light of the above, Australia should be considered as having duly notified the Secretary-General and as having completed the necessary procedures for the purposes of calculating, under Paragraph 19 (a) of the Terms of Reference, the number of states and percentage of world trade in nickel required for the coming into effect of the Terms of Reference."

#### CANADA

With a view to ensuring the viability of the Group, the Government of Canada wishes to confirm that it would not support putting these terms of reference into effect in whole or in part until such time as an appropriate number of countries representing sufficient world trade have been able to notify similar acceptance. Therefore, pursuant to provision 19(B) of the terms of reference, the Government of Canada would not envisage the convening by the United Nations of an early meeting should less than 15 states accounting for 50 percent of the world trade notify by the September 20, 1986 deadline.

At the same time, on the basis of consultation with prospective members of the INSG, the Government of Canada proposes to convene an informal meeting to consider appropriate next steps in the establishment of the Group, including planning for an inaugural meeting.

#### CUBA

The Government of the Republic of Cuba wishes to state that, in view of the non-fulfilment as yet of the coming-into-effect requirements established in paragraph 19 (a) of the resolution adopted by the United Nations Conference on Nickel, 1985, and the annexed terms of reference, establishing an International Nickel Study Group which requirements are that when at least 15 countries which in total account for over 50% of the world trade in nickel have given notice of provisional or definitive application, the definitive application by the Republic of Cuba of the provisions of the resolution and the annexed terms of reference referred to above will be considered subject to the following conditions:

(a) A higher level of participation in the Group, in order to ensure the effective functioning of the Group and hence an acceptable level of contribution.

(b) The taking into account of the limitations existing for the Republic of Cuba in offering certain statistics on nickel production, consumption and trade.

The Government of the Republic of Cuba states that, for the reasons given above and in accordance with the provisions of paragraph 19 (c) of the resolution and annexed terms of reference, it has chosen the option of provisional application of the terms of reference, and further study of its definitive accession in the light of subsequent decisions on the conditions laid down."

#### GERMANY<sup>1</sup>

The Federal Republic of Germany reserves its position in relation to the text of paragraph 13 of the Terms of Reference of the International Nickel Study Group. In this respect it refers to the proposal of the United Kingdom of Great Britain and Northern Ireland [made during the Conference, to amend paragraph

13 of the Terms of Reference] as reproduced in Annex III of the resolution adopted by the United Nations Conference on Nickel 1985 (doc. TD/NICKEL/12):

*Annex III*

*Proposal submitted by the delegation of the United Kingdom of Great Britain and Northern Ireland*

"13. (a) The Group shall have legal personality. It shall in particular, but subject to paragraph 6 (b) above, have the capacity to enter into contracts, to acquire and to dispose of movable and immovable property and to institute legal proceedings.

(b) The members of the Group shall not be liable to meet any obligations of the Group (whether in contract, tort or otherwise). Their obligations shall be limited to meeting their respective budget contribution under paragraph 14 of these Terms of Reference and the Rules of Procedure. The Group shall not have the power and shall not be taken to have been authorized

by the members, to incur any obligation outside the scope of these Terms of Reference or the Rules of Procedure.

(c) All contracts of the Group shall incorporate subparagraph (b) of this paragraph.

(d) The status of the Group in the territory of the host Government shall be governed by a Headquarters Agreement between the host Government and the Group, to be concluded as soon as possible after these Terms of Reference have come into effect."

**GREECE**

Greece supports the British proposal [see under Federal Republic of Germany] to amend the Constitution of the Group, with the aim to restrain its contractual competence.

**Notes:**

<sup>1</sup> See note 14 in chapter I.2.

<sup>2</sup> In this regard, on 25 August 1987, the Secretary-General received from the Government of the Federal Republic of Germany the following communication:

On 19 September 1986, the Federal Republic of Germany signed the final document negotiated within UNCTAD on the establishment of an International Nickel Study Group, and, in accordance with paragraph 19 (c) of the Terms of Reference contained in the final document, gave written notice of the provisional application of the Terms of Reference. In so doing the Federal Republic of Germany endorsed the reservation made by the United Kingdom (see Annex II to the Terms of Reference).

According to the United Nations Secretariat, seven countries accounting for 30.83% of the world trade in nickel have so far notified the provisional or definitive application of the INSG Terms of Reference.

As a result of this unexpectedly low level of participation, the INSG has not yet been established because pursuant to their paragraph 19 (a) the Terms of Reference do not come into effect until at least 15 countries which in total account for over 50% of the world trade in nickel have notified provisional or definitive application.

Against this background, the Government of the Federal Republic of Germany would like to state the following concerning its provisional application of the Terms of Reference notified on 19 September 1986:

1. *Definitive* membership of the INSG by the Federal Republic of Germany can only be considered under the following conditions:

(a) A high minimum level of participation (80%) remains the primary prerequisite for the proper functioning of the INSG, in the view of the Federal Republic of Germany. During the negotiating conference, the representative of the Federal Republic of Germany made it clear that the other major nickel producing and nickel consuming countries must also become members of the group. The participants in the conference were even agreed that the envisaged INSG must attract so many countries that its membership accounts for at least 80% of the world trade in nickel.

(b) The Federal Republic of Germany confirms in this connection the reservation likewise notified on 19 September 1986 (Annexes II and III to the Terms of Reference).

2. For this reason, the Federal Republic of Germany chose the option of *provisional* application of the Terms of Reference, as provided in paragraph 19 (c) thereof. This does not "automatically" lead to definitive membership. The Federal Republic of Germany will therefore decide on its definitive accession in due course, taking into account the extent to which the conditions specified under paragraph 1 above have been met.

See also note 1 above.

<sup>3</sup> For the Kingdom in Europe.

<sup>4</sup> With effect from 1 January 1991.

### 30. INTERNATIONAL AGREEMENT ON OLIVE OIL AND TABLE OLIVES, 1986

*Geneva, 1 July 1986*

**ENTRY INTO FORCE:** provisionally on 1 January 1987, in accordance with article 55 (2) and definitively on 1 December 1988, in accordance with article 55 (1).  
**REGISTRATION:** 1 January 1987, No. 24591.  
**STATUS:** Signatories: 4. Parties: 9.  
**TEXT:** United Nations, *Treaty Series*, vol. 1445, p. 13; and depositary notifications C.N.262.1990.TREATIES-2 of 14 November 1990 (amendment to article 26 (1) (C)); C.N.169.1991.TREATIES-4 of 14 October 1991 [(amendment to article 26, section I-A, subparagraphs (a) and (b)); C.N.177.1992.TREATIES-1 of 13 August 1992 [modification to article 17 (1)]; and C.N.143.1994.TREATIES-1/2/3 of 20 June 1994 (modification of annexes A and B)<sup>2</sup>

*Note:* The Agreement was adopted on 1 July 1986 by the United Nations Conference on Olive Oil, 1986, which met at Geneva from 18 June to 2 July 1986. The Agreement was open for signature at the United Nations Headquarters from 1 September until and including 31 December 1986, by any Government invited to the United Nations Conference on Olive Oil, 1986, in accordance with its article 52 (1).

In accordance with the provisions of article 60 (1), the Agreement was to expire on 31 December 1991. In accordance with article 60 (2), the International Olive Oil Council, by resolution No. RES-1/63-IV/90 of 13 December 1990, adopted at its sixty-third session, held in Madrid from 10 to 14 December 1990, decided, in accordance with article 60 (2), to extend the Agreement for a period of one year from 31 December 1991 to 31 December 1992. The resolution further indicated that the Agreement shall be automatically prolonged for a second period of one year ending on 31 December 1993, unless Members indicate otherwise by written notification to the Executive Secretariat of the International Olive Oil Council by 30 April 1991. In the absence of such notification the Agreement was automatically prolonged for a second period of one year ending on 31 December 1993.

Moreover, the International Olive Council decided to extend the time-limit for the deposit of instruments of ratification, acceptance, approval, or accession, as indicated hereinafter:

<i>Date of the decision:</i>		<i>Extension until:</i>	
17 February	1987	31 December	1987
17 December	1987	5 June	1988
9 June	1988	31 December	1988
1 December	1988	30 June	1989
12 to 16 June	1989	31 December	1989
27 to 30 November	1989	30 June	1990
14 to 18 May	1990	31 December	1990
10 to 14 December	1990	30 June	1991
29 May	1991	31 December	1991
20 November	1991	30 June	1992
28 May	1992	31 December	1992 for Israel, Lebanon and Morocco.
10 June	1993	31 December	1993
18 November	1993	31 May	1994 for Lebanon.

*Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)*

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	
Algeria .....	23 Dec 1986	23 Dec 1986	29 Dec 1987
Cyprus.....			5 Nov 1992 a
Egypt.....			12 Jul 1988 a
European Community.....			12 Dec 1986 s
Israel.....			31 Dec 1992 a
Morocco.....	18 Dec 1986	18 Dec 1986	28 Jul 1993
Tunisia.....	17 Dec 1986	17 Dec 1986	23 Jul 1987
Turkey <sup>1</sup> .....	30 Dec 1986	30 Dec 1986	21 Jun 1988
Yugoslavia.....			20 Apr 1988 a

*Notes:*

<sup>1</sup> By Resolution No. RES-2/59-IV/88, adopted on 1 December 1988 during its fifty-ninth extraordinary session held in Madrid from 29 November to 2 December 1988, the International Olive Oil Council decided, in accordance with article 10 (2) of the Agreement to adjust the Member's participation shares pertaining to the Administrative Budget, as listed in Annex A to the Agreement, the total of the said shares thus reaching 100%. As a consequence, the conditions provided for in article 55 (1) of the Agreement were met, and accordingly the Agreement entered into force on 1 December 1988.

<sup>2</sup> At its sixty-third session, the Council recommended to its Members that article 17 (7), which stipulates that the contributions provided for in article 17 shall be determined in United States dollars, shall henceforth be determined in ECUS (European Currency Units). The

Council retained 15 August 1991 as the date by which members were to notify the depositary of their acceptance of the amendment, which time-limit was subsequently extended to 15 November 1991. By that later date however only two participants had accepted the amendment (Tunisia on 14 August 1991 and Turkey on 25 September 1991) and the amendment was accordingly considered withdrawn.

The International Olive Oil Council, by Resolution No. RES-2/68-IV/93, adopted during its sixty-eighth session held in Capri from 7 to 11 June 1993, has decided in accordance with article 10 (2), article 17 (3) and article 20 (1) and (2) of the Agreement to modify from 1 January 1993 the Members' participation shares pertaining to the administrative budget, and the shares for the purposes of contribution to the Publicity fund (Annexes A and B to the Agreement).

**30. a) Protocol of 1993 extending the International Agreement on Olive Oil and Table Olives, 1986**

*Geneva, 10 March 1993*

**ENTRY INTO FORCE:** provisionally on 26 January 1994 and definitively on 25 March 1994, in accordance with article 8 (1).

**REGISTRATION:** 26 January 1994, No. 24591.

**STATUS:** Signatories: 8. Parties: 12.<sup>1</sup>

**TEXT:** Doc. TD/OLIVE OIL.9/4; and depositary notification C.N.343.1995.TREATIES-4 of 10 November 1995 (procès-verbal of rectification of the authentic italian text).

*Note:* The Protocol, of which the Arabic, English, French, Italian and Spanish texts are equally authentic, was adopted at the United Nations Conference on Olive Oil and Table Olives, 1993, held in Geneva on 8, 9 and 10 March 1993. The Protocol was open for signature at United Nations Headquarters, in New York, from 1 May until 31 December 1993 in accordance with its article 5. In accordance with article 1, paragraph 2, so far as the Parties to the Protocol are concerned, the Agreement and the Protocol shall be read and interpreted as one single instrument and shall be known as the "International Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993". Subsequently, the International Olive Oil Council took the following decisions:

<i>Date of the decision:</i>	<i>Subject:</i>
28 January 1994	Extension until 31 March 1994 of the time-limit for the deposit of instruments of ratification, acceptance or approval in the case of those Governments which have not made a notification of provisional application of the Agreement as amended and extended.
	Extension until 30 June 1994 of the time-limit for the deposit of instruments of ratification, acceptance or approval by Governments which have made a notification of provisional application of the Agreement as amended and extended.
11 April 1994	Extension until 30 June 1994 of the time-limit for the deposit of instruments of ratification, acceptance or approval by signatory Governments.
31 May 1994	Extension until 31 December 1994 of the time-limit for the deposit of instruments of ratification, acceptance, approval of the Protocol and accession by Lebanon to the Agreement.
17 November 1994	Extension until 30 June 1995 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Algeria, Egypt, Morocco and accession by Lebanon and the Syrian Arab Republic.
1 June 1995	Extension until 31 December 1995 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Algeria, Egypt, Morocco and accession by Lebanon, Morocco and the Syrian Arab Republic.
24 November 1995	Extension until 30 June 1996 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Morocco and accession by the Syrian Arab Republic.
6 June 1996	Extension until 31 December 1996 of the time-limit for the deposit of instruments of ratification by Morocco and accession by Croatia and the Syrian Arab Republic.
20 November 1996	Extension until 30 June 1997 of the time-limit for the deposit of instruments of ratification by Morocco and accession by Croatia and the Syrian Arab Republic.
5 June 1997	Extension until 31 December 1997 of the time-limit for the deposit of instruments of ratification by Morocco and accession by Croatia and the Syrian Arab Republic.
20 November 1997	Extension until 30 June 1998 of the time-limit for the deposit of the instrument of ratification by Morocco.
4 June 1998	Extension until 30 December 1998 of the time-limit for the deposit of the instrument of ratification by Morocco.
25 November 1998	Extension until 30 June 1999 of the time-limit for the deposit of instruments of ratification by Morocco and accession by Croatia and Slovenia.
10 June 1999	Extension until 31 December 1999 of the time-limit for the deposit of instruments of ratification by Morocco and accession by Slovenia.
17 November 1999	Extension until 30 June 2000 of the time-limit for the deposit of instrument of ratification by Morocco.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Provisional application of the Agreement as amended and extended</i>
Algeria .....	29 Dec 1993	8 Feb 1995	
Croatia .....		27 Apr 1999 a	
Cyprus .....	17 Dec 1993	26 Jan 1994	
Egypt .....	30 Dec 1993	18 Jan 1995	
European Community .....	21 Dec 1993	21 Dec 1993 AA	
Israel .....	30 Dec 1993	30 Dec 1993	
Lebanon .....		7 Jul 1995 a	
Morocco .....	23 Jun 1993		31 Mar 1994
Slovenia .....		30 Jun 1999 a	
Syrian Arab Republic .....		29 Dec 1997 a	
Tunisia .....	23 Aug 1993	30 Jun 1994	30 Dec 1993
Turkey <sup>1</sup> .....	[21 Dec 1993	25 Mar 1994]	
Yugoslavia .....	23 Dec 1993	23 Dec 1993	

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance, approval or notification of provisional application.)*

**SYRIAN ARAB REPUBLIC**

*Declaration:*

"The accession of the Syrian Arab Republic to the above-mentioned Agreement does not mean recognition of Israel or establishing any kind of relations with it."

**TURKEY**

*Upon signature:*

"The signature, acceptance or ratification of this Protocol by the Republic of Turkey shall in no way imply the recognition of

the 'Republic of Cyprus' by Turkey. Nor should it imply any change in Turkey's well-known position that the Greek Cypriot side does not possess the right or authority to become party to international instruments on behalf of Cyprus as a whole. Turkey's accession to this Protocol, therefore, should not signify any obligation on the part of Turkey to enter into any dealings with 'Republic of Cyprus' as are regulated by the Protocol."

**Notes:**

<sup>1</sup> On 26 August 1998, the Government of Turkey notified the Secretary-General that it had decided to withdraw from the Internation-

al Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993, with effect from 24 November 1998

**30. b) International Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993**

*Geneva, 1 July 1986*

**ENTRY INTO FORCE:** provisionally on 26 January 1994, in accordance with article 8 (1) of the Protocol and definitively on 25 March 1994, in accordance with article 8 (1) of the Protocol.

**REGISTRATION:** 25 March 1994, No. 24591.

**STATUS:** Parties: 12.

**TEXT:** Doc. TD/OLIVE OIL.9/4 and depositary notifications C.N.284.1994.TREATIES-3 of 11 November 1994; C.N.39.1997.TREATIES-1 of 28 February 1997 [amendment of designations and definitions in article 26, paragraph 1 A, sub-paragraphs (a) and (b)]; C.N.870.1998.TREATIES-6 of 24 May 1999 (revision of annexes A and B); and C.N.1229.1999.TREATIES-6 of 19 January 2000 (revision of annexes A and B).

*Note:* See "Note:" in chapter XIX.30 a).

At its seventy-eighth session held in Budva (Yugoslavia, F.R.) from 1 to 5 June 1998, by Decision No. DEC-1/78-IV/98, the International Olive Oil Council decided, in accordance with article 9 of the Protocol, to extend the International Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993, for a period of two years, until 31 December 2000.

<i>Participant</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Algeria .....		8 Feb 1995	Morocco .....	31 Mar 1994	
Croatia .....		27 Apr 1999 a	Slovenia .....		30 Jun 1999 a
Cyprus .....		26 Jan 1994	Syrian Arab Republic .....		29 Dec 1997 a
Egypt .....		18 Jan 1995	Tunisia .....	30 Dec 1993	30 Jun 1994
European Community .....		21 Dec 1993 AA	Turkey <sup>1</sup> .....		[25 Mar 1994]
Israel .....		30 Dec 1993	Yugoslavia .....		23 Dec 1993
Lebanon .....		7 Jul 1995 a			

**Notes:**

<sup>1</sup> See note 1 in chapter XIX.30 a).

**31. INTERNATIONAL COCOA AGREEMENT, 1986**

*Geneva, 25 July 1986*

**ENTRY INTO FORCE:** provisionally on 20 January 1987, in accordance with article 70 (3).

**REGISTRATION:** 20 January 1987, No. 24604.

**TEXT:** United Nations, *Treaty Series*, vol. 1446, p. 103; depositary notifications C.N.189.1986.TREATIES-1 of 29 September 1986; C.N.51.1987.TREATIES-4 of 5 May 1987 (procès-verbal of rectification of the original English text); C.N.186.1987.TREATIES-10 of 10 September 1987 (adoption of the authentic Chinese text); C.N.20.1988.TREATIES-1 of 8 April 1988 (procès-verbal of rectification of the original Chinese text); C.N.267.1987.TREATIES-13 of 7 December 1987 (communication by the International Cocoa Council concerning the inclusion of Mexico in Annex B); C.N.115.1990.TREATIES-1 of 29 May 1990 (partial extension of the Agreement with list of provisions extended: see "Note" below) and C.N.77.1991.TREATIES-1 of 25 June 1991 [procès-verbal of rectification of the authentic text of Annex E (Russian version)].



## 32. INTERNATIONAL NATURAL RUBBER AGREEMENT, 1987

*Geneva, 20 March 1987*

**ENTRY INTO FORCE:** provisionally on 29 December 1988, in accordance with article 60 (2) and definitively on 3 April 1989, in accordance with article 61 (1).  
**REGISTRATION:** 29 December 1988, No. 26364.  
**STATUS:** Signatories: 23. Parties: 28.  
**TEXT:** United Nations, *Treaty Series*, vol. 1521, p. 3 and doc. TD/RUBBER.2/EX/R.1/Add.7 and depositary notification C.N.82.1988.TREATIES-2 of 26 May 1988 (procès-verbal of rectification of the original Arabic, Chinese, English, French and Russian texts).

*Note:* The Agreement was adopted on 20 March 1987 by the United Nations Conference on Natural Rubber, which met lastly at Geneva from 9 to 20 March 1987 under the auspices of the United Nations Conference on Trade and Development (UNCTAD). The Agreement was opened for signature at the Headquarters of the United Nations, New York, from 1 May to 31 December 1987, in accordance with its article 56. Subsequently, the International Rubber Council took the following decisions:

<i>Date of decision</i>	<i>Subject:</i>
3-7 April 1989	Extension until 28 December 1989 with retroactive effect from 2 January 1989, of the time-limit for the deposit of instruments of ratification, acceptance or approval by signatory States of the International Natural Rubber Agreement, 1987, which have been unable to deposit their instruments by 1 January 1989.
15 November 1989	Extension until 31 December 1990 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 28 December 1989.
12, 13 November 1990	Extension until 31 December 1991 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 31 December 1990.
21-23 October 1991	Extension until 31 December 1992 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 31 December 1991.
30 November and 1 December 1992	Extension until 30 May 1993 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 31 December 1992.
27, 28 May 1993	Extension until 31 August 1993 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 30 May 1993.
22, 25-30 November 1993	Extension until 31 January 1994 of the time-limit for the deposit of instruments of ratification, acceptance or approval by States which apply the Agreement provisionally and which could not deposit their instruments by 31 August 1993.

Further, by resolutions 152 (XXVIII) adopted at its twenty-eighth session held from 22, 25-30 November 1993 and 164 (XXX) adopted at its thirtieth session held from 28 November, 1 and 2 December 1994, the International Natural Rubber Council decided, pursuant to article 66 of the Agreement, to extend the International Rubber Agreement 1987, until 28 December 1994 and further until 28 December 1995, respectively.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Belgium .....	18 Dec 1987	22 Dec 1988	24 Dec 1991
China .....	1 Dec 1987		6 Jan 1988
Côte d'Ivoire .....			22 Dec 1991 a
Denmark .....	18 Dec 1987	22 Dec 1988	30 Oct 1992 A
European Community .....	18 Dec 1987	22 Dec 1988	30 Oct 1992 AA
Finland .....	21 Dec 1987	6 Dec 1988	18 Apr 1989
France .....	18 Dec 1987	7 Oct 1988	6 Jul 1992 AA
Germany <sup>1,2</sup> .....	18 Dec 1987	22 Dec 1988	30 Oct 1992
Greece <sup>3</sup> .....	18 Dec 1987	29 Dec 1988	12 Mar 1991
Indonesia .....	21 Aug 1987		2 Nov 1987
Ireland .....	18 Dec 1987	22 Dec 1988	30 Oct 1992
Italy .....	18 Dec 1987	22 Dec 1988	30 Oct 1992
Japan .....	18 Dec 1987		3 Jun 1988
Luxembourg .....	18 Dec 1987	22 Dec 1988	24 Dec 1991

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Malaysia	25 Jun 1987		25 Jun 1987
Morocco	14 Sep 1987	30 Dec 1988	9 Aug 1993
Netherlands <sup>4</sup>	6 Nov 1987		29 Dec 1988 A
Nigeria			28 Nov 1989 a
Norway	21 Dec 1987		29 Dec 1988
Portugal	18 Dec 1987		30 Oct 1992
Russian Federation			3 Apr 1989 a
Spain	18 Dec 1987	28 Dec 1988	2 Dec 1993
Sri Lanka			11 Jul 1990 a
Sweden	21 Dec 1987		29 Dec 1988
Switzerland			28 Jun 1989 a
Thailand	23 Dec 1987	29 Dec 1988	24 Sep 1990
United Kingdom of Great Britain and Northern Ireland <sup>5</sup>	18 Dec 1987	22 Dec 1988	30 Oct 1992
United States of America	28 Aug 1987		9 Nov 1988

**Notes:**

- <sup>1</sup> See note 14 in chapter I.2.
- <sup>2</sup> In a letter accompanying its notification, the Government of the Federal Republic of Germany stated that the said agreement shall also apply to Berlin (West) with effect from the date on which it enters into force provisionally for the Federal Republic of Germany. See also note 1 above.
- <sup>3</sup> Provisional application with effect from 1 January 1989.
- <sup>4</sup> For the Kingdom in Europe.
- <sup>5</sup> For Great Britain and Northern Ireland.
- Upon ratification, the Government of the United Kingdom of Great Britain and Northern Ireland specified that the ratification shall extend to the United Kingdom and the Bailiwick of Jersey.

**33. INTERNATIONAL SUGAR AGREEMENT, 1987**

*London, 11 September 1987*

**ENTRY INTO FORCE:** provisionally on 24 March 1988.  
**REGISTRATION:** 24 March 1988, No. 25811.  
**TEXT:** United Nations, *Treaty Series*, vol 1499, p. 31

### 34. TERMS OF REFERENCE OF THE INTERNATIONAL TIN STUDY GROUP

*New York, 7 April 1989*

**NOT YET IN FORCE:** [see article 21 (a)].  
**STATUS:** Parties: 12.  
**TEXT:** Doc.TD/TIN.7/13.

*Note:* The Terms of Reference, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, were adopted on 7 April 1989 by the United Nations Tin Conference, 1988 which met in Geneva from 21 November to 2 December 1988 and from 29 March to 7 April 1989. The terms of reference are open to acceptance at the Headquarters of the United Nations in New York.

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<i>Participant</i>	<i>Provisional acceptance/ accession</i>	<i>Definitive acceptance</i>	<i>Participant</i>	<i>Provisional acceptance/ accession</i>	<i>Definitive acceptance</i>
Belgium .....	6 Nov 1991		Malaysia .....		18 Oct 1989
European Community		6 Nov 1991	Netherlands <sup>1</sup> .....		6 Nov 1991
France .....	26 Nov 1991	7 Aug 1992	Nigeria .....		19 Dec 1989
Greece .....	29 Jun 1990	11 May 1993	Portugal .....		6 Nov 1991
Indonesia .....		9 Mar 1990	Thailand .....		16 Apr 1990
Italy .....		15 May 1992			
Luxembourg .....	6 Nov 1991				

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**Notes:**

<sup>1</sup> For the Kingdom in Europe.

### 35. TERMS OF REFERENCE OF THE INTERNATIONAL COPPER STUDY GROUP

*Geneva, 24 February 1989*

**ENTRY INTO FORCE:** 23 January 1992, in accordance with article 22 (d).  
**REGISTRATION:** 23 January 1992, No. 28603.  
**STATUS:** Parties: 25.<sup>1</sup>  
**TEXT:** United Nations, *Treaty Series*, vol. 1662, p. 229 and depositary notification C.N.314.1992.TREATIES-7 of 16 November 1992 (amendments to paragraphs 13 and 14).

*Note:* The Terms of Reference, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, were adopted on 24 February 1989 by the United Nations Conference on Copper, 1988 which met in Geneva from 13 to 24 June 1988 and from 20 to 24 February 1989. The terms of reference are open to acceptance at the Headquarters of the United Nations in New York.

Subsequently, the International Copper Study Group took the following decision:

<i>Date of decision</i>	<i>Subject:</i>
7 to 9 June 1999	Extension until 30 June 2000 of the time-limit for the deposit of notifications of definitive acceptance by Belgium and Luxembourg.

<i>Participant</i>	<i>Provisional acceptance/ accession</i>	<i>Definitive acceptance</i>	<i>Participant</i>	<i>Provisional acceptance/ accession</i>	<i>Definitive acceptance</i>
Belgium .....	6 Nov 1991	14 Oct 1999	Netherlands <sup>2</sup> .....		6 Nov 1991
Canada .....		19 Jun 1992	Norway .....		27 Feb 1991
Chile .....	29 Jun 1990	25 Oct 1994	Peru .....	28 Jun 1990	16 May 1995
China .....		12 Jul 1990	Philippines .....	[13 Jan 1992	10 Sep 1993]
European Community		6 Nov 1991	Poland .....	29 Jun 1990	6 Feb 1991
Finland .....		19 Jun 1990	Portugal .....		6 Nov 1991
France .....	26 Nov 1991	7 Aug 1992	Russian Federation ...		21 Jan 1997
Germany .....	22 Jan 1992	16 Dec 1992	Spain .....	6 Nov 1991	1 Feb 1994
Greece .....	29 Jun 1990	11 May 1993	United Kingdom of		
India .....		30 Jul 1997	Great Britain and		
Indonesia .....		30 Jul 1992	Northern Ireland <sup>2</sup> .	26 Jun 1998	
Italy .....		22 Jan 1992	United States of Amer-		
Japan .....		30 Oct 1992	ica .....	15 Mar 1990	11 Nov 1994
Luxembourg .....	6 Nov 1991	14 Oct 1999	Zambia .....		18 Nov 1992
Mexico .....		3 Apr 1995			

**Notes:**

<sup>1</sup> On 4 December 1995, the Government of the Philippines notified the Secretary-General that it had decided to withdraw from the Terms of Reference as from 2 February 1996.

<sup>2</sup> For the Kingdom in Europe.

### 36. INTERNATIONAL AGREEMENT ON JUTE AND JUTE PRODUCTS, 1989

Geneva, 3 November 1989

**ENTRY INTO FORCE:** provisionally on 12 April 1991, in accordance with article 40 (3).  
**REGISTRATION:** 12 April 1991, No. 28026.  
**STATUS:** Signatories: 20. Parties: 25<sup>1</sup>.  
**TEXT:** United Nations, *Treaty Series*, vol. 1605, p. 211.

*Note:* The Agreement was adopted by the United Nations Conference on Jute and Jute Products held in Geneva from 30 October to 3 November 1989. It is open for signature at the United Nations Headquarters in New York from 1 January 1990 to 31 December 1990 inclusive by Governments invited to the United Nations Conference on Jute and Jute Products, 1989. The International Jute Council, at its fifteenth session, held from 23 to 26 April 1991, established conditions of accession to the Agreement in its decision I (XV), *inter alia*, that instruments of accession were to be deposited by 30 November 1991.

Subsequently, the International Jute Council took the following decisions:

<i>Date of decision</i>	<i>Subject</i>
29 to 31 Oct 1991	Extension until 30 June 1992 of the time-limit for the deposit of instruments of accession.
29 to 3 May 1992	Extension until 30 June 1993 of the time-limit for the deposit of instruments of accession.
20 to 23 Apr 1993	Extension until 30 June 1994 of the time-limit for the deposit of instruments of accession.
12, 14 and 15 May 1994	Extension until 30 June 1995 of the time-limit for the deposit of instruments of accession.
22 to 25 April 1995	Extension until 30 June 1996 of the time-limit for the deposit of instruments of accession.
20 to 22 April 1996	Extension until 30 June 1997 of the time-limit for the deposit of instruments of accession.
26 to 28 April 1997	Extension until 30 June 1998 of the time-limit for the deposit of instruments of accession.
21 to 23 March 1998	Extension until 30 June 1999 of the time-limit for the deposit of instruments of accession.
25 to 27 April 1999	Extension until 11 April 2000 of the time-limit for the deposit of instruments of accession.

Moreover, pursuant to article 46 (2) of the Agreement, the International Jute Council, by Decision I (XXIII) et I (XXIV) adopted at its twenty-third and twenty-fourth sessions held in Dhaka from 22 to 25 April 1995, and 20 to 22 April 1996, respectively, decided to extend the Agreement for a period of two years until 11 April 1998 and further until 11 April 2000.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Australia			[25 Oct 1991 a]
Austria			16 Apr 1993 a
Bangladesh	7 Jun 1990		29 Jan 1991
Belgium	20 Dec 1990	22 Mar 1991	2 Oct 1997
China			18 Jul 1990 s
Denmark	20 Dec 1990	22 Mar 1991	30 Oct 1992 A
Egypt	31 Dec 1990		16 May 1991
European Community	20 Dec 1990	22 Mar 1991	30 Oct 1992 AA
Finland	16 Nov 1990	20 Mar 1991	
France	20 Dec 1990	20 Dec 1990	2 Aug 1994 AA
Germany	20 Dec 1990	22 Mar 1991	12 Nov 1991
Greece	20 Dec 1990	22 Mar 1991	30 Oct 1992
India <sup>1</sup>			23 Dec 1999 a
Indonesia	27 Dec 1990		3 Apr 1991
Ireland	20 Dec 1990	4 Apr 1991	30 Oct 1992
Italy	20 Dec 1990	24 Oct 1991	30 Oct 1992
Japan	27 Mar 1990		13 Jul 1990 A
Luxembourg	20 Dec 1990	20 Dec 1990	
Nepal			9 Sep 1992 a
Netherlands	20 Dec 1990	22 Mar 1991	30 Oct 1992 A
Norway	16 Nov 1990		28 Dec 1990
Pakistan	[11 Dec 1990		30 Jan 1991]
Portugal	20 Dec 1990		30 Oct 1992
Spain	20 Dec 1990	22 Mar 1991	22 Nov 1993
Sweden	16 Nov 1990		20 Mar 1991

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Switzerland .....			9 Nov 1990 s
Thailand <sup>1</sup> .....			[27 Mar 1992 a]
United Kingdom of Great Britain and Northern Ireland <sup>3</sup> .....	20 Dec 1990	14 Aug 1991	30 Oct 1992
United States of America .....	[31 Dec 1990		31 Dec 1990 A]

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, accession, acceptance, approval or definitive signature.)*

**FRANCE**

*Declaration:*

It being understood that the constitutional procedures required for this purpose cannot be completed before 31 December 1990, the French Government, in accordance with the pro-

visions of article 39 of the International Agreement of 1989, hereby declares that it will apply this Agreement provisionally, within the limits of its constitutional procedures, when the Agreement enters into force in accordance with article 40.

*Notes:*

<sup>1</sup> In accordance with article 43 (2) of the Agreement, the following states notified the Secretary-General of their withdrawal from the Agreement on the dates indicated hereinafter:

<i>Participant:</i>	<i>Date of notification:</i>	<i>Date of effect:</i>
United States of America	21 Mar 1994	191 Jun 1994
Australia	26 Jan 1996	25 Apr 1996
Pakistan	7 Jul 1997	5 Oct 1997

<i>Participant:</i>	<i>Date of notification:</i>	<i>Date of effect:</i>
India	9 Oct 1998	7 Jan 1999
Thailand	22 Dec 1998	22 Mar 1999

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> In respect of the United Kingdom of Great Britain and Northern Ireland and the Bailiwick of Jersey.

### 37. INTERNATIONAL SUGAR AGREEMENT, 1992

*Geneva, 20 March 1992*

**ENTRY INTO FORCE:** provisionally on 20 January 1993, in accordance with article 40 (3) and definitively on 10 December 1996, in accordance with article 40 (1).  
**REGISTRATION:** 20 January 1993, No. 29467.  
**STATUS:** Signatories: 23. Parties: 42.<sup>1</sup>  
**TEXT:** Doc. TD/SUGAR.12/6.

*Note:* The Agreement was adopted on 20 March 1992 by the United Nations Sugar Conference, 1992, and is the successor Agreement to the International Sugar Agreement, 1987 (see chapter XIX.27), which expires on 31 December 1992. The International Sugar Agreement, 1992, was open for signature at United Nations Headquarters from 1 May 1992 until 31 December 1992, in accordance with its article 36. Subsequently, the International Sugar Council took the following decisions:

<i>Date of decision</i>	<i>Subject</i>
20 January 1993	Establishment of conditions for accession to the Agreement for the States listed in Annex A of the Agreement and extension until 31 December 1993 of the time-limit for the deposit by signatories of the 1992 International Sugar Agreement of their instruments of ratification, acceptance or approval.
2 December 1993	Extension until 31 December 1994 the time-limit for the deposit by signatories of the Agreement of their instruments of ratification, acceptance or approval.
24 November 1994	Extension until 31 December 1995 of the time-limit for the deposit by signatories of their instrument of ratification, acceptance or approval.
1 December 1995	Extension until 31 December 1996 of the time-limit for the deposit by signatories of their instrument of ratification, acceptance or approval and extension of the Agreement for a period of two years, i.e., until 31 December 1997
29 May 1997	Extension of the Agreement for a period of two years, i.e., until 31 December 1999.
28 November 1997	Extension until 31 December 1998 of the time-limit for the deposit by signatories of their instrument of ratification, acceptance or approval.
27 November 1998	Extension until 31 December 1999 of the time-limit for the deposit by signatories of their instrument of ratification, acceptance or approval.
27 May 1999	Extension of the Agreement for a period of two years, i.e., until 31 December 2001.
20 October 1999	Establishment of condition of accession by Nigeria.
26 November 1999	Extension until 31 December 2000 of the time-limit for the deposit by signatories of their instrument of ratification, acceptance or approval.
6 December 1999	Establishment of conditions of accession for Romania.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Argentina . . . . .	29 Dec 1992	29 Dec 1992	
Australia . . . . .	24 Dec 1992		24 Dec 1992
Austria <sup>1</sup> . . . . .	[29 Dec 1992		19 Jul 1993]
Barbados <sup>1</sup> . . . . .	[31 Dec 1992	19 Jan 1993	20 Jan 1993]
Belarus . . . . .			27 Sep 1993 a
Belize . . . . .			24 Jan 1994 a
Brazil . . . . .	30 Dec 1992	19 Jan 1993	10 Dec 1996
Colombia . . . . .	31 Dec 1992	31 Dec 1992	13 Dec 1996
Costa Rica . . . . .			11 Oct 1996 a
Côte d'Ivoire . . . . .			23 Mar 1993 a
Cuba . . . . .	3 Nov 1992	3 Nov 1992	14 Oct 1994
Dominican Republic . . . . .	25 Nov 1992	19 Jan 1993	19 Mar 1998
Ecuador . . . . .			29 Dec 1993 a
Egypt . . . . .			20 Oct 1998 a
El Salvador . . . . .		1 Dec 1995	
European Community . . . . .	20 Nov 1992		20 Nov 1992 AA
Fiji . . . . .	4 Dec 1992		21 Dec 1992
Finland <sup>1</sup> . . . . .	[22 Dec 1992	22 Dec 1992	21 Sep 1993]

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Guatemala . . . . .	31 Dec 1992	18 Mar 1993	24 Dec 1992
Guyana . . . . .	24 Dec 1992		27 Oct 1998 a
Honduras . . . . .			19 Mar 1993 AA
Hungary . . . . .	31 Dec 1992	19 Jan 1993	20 Jan 1993
India . . . . .	31 Dec 1992	19 Jan 1993	23 Mar 1993
Jamaica . . . . .	23 Dec 1992	18 Jan 1993	29 Dec 1992 A
Japan . . . . .	29 Dec 1992		6 Nov 1995 a
Kenya . . . . .			7 Jul 1994 a
Latvia . . . . .			13 Sep 1993 a
Malawi . . . . .			18 Dec 1992
Mauritius . . . . .	18 Dec 1992		16 Jun 1997 a
Mexico . . . . .			19 Oct 1999 a
Nigeria . . . . .			
Panama . . . . .	23 Dec 1992	23 Dec 1992	14 Nov 1996 a
Philippines . . . . .		23 Oct 1996	15 Apr 1993
Republic of Korea . . . . .	23 Dec 1992		9 Jun 1998 a
Republic of Moldova . . . . .			10 Dec 1999 a
Romania . . . . .			22 Dec 1992
South Africa . . . . .	22 Dec 1992		
Sudan . . . . .		9 May 1997	
Swaziland . . . . .	23 Dec 1992		23 Dec 1992
Sweden <sup>1</sup> . . . . .	[18 Dec 1992		21 Jan 1993]
Switzerland . . . . .	30 Dec 1992	30 Dec 1992	27 Jan 1994
Thailand . . . . .	30 Dec 1992	30 Dec 1992	8 Apr 1993
Trinidad and Tobago . . . . .	31 Dec 1992		9 Sep 1993
Turkey . . . . .			21 Jan 1998 a
Ukraine . . . . .			28 Oct 1994 a
Zambia . . . . .	31 Dec 1992		
Zimbabwe . . . . .			14 Dec 1994 a

**Notes:**

<sup>1</sup> Notifications of withdrawal received by the following States on the dates indicated hereinafter:

<i>States:</i>	<i>Notification received on:</i>	<i>Date of effect:</i>
Barbados	1 Sep 1994	1 Oct 1994
Finland	27 Jun 1995	27 Jul 1995
Sweden	23 Jun 1995	23 Jul 1995
Austria	25 Jul 1996	24 Aug 1996



### 38. INTERNATIONAL COCOA AGREEMENT, 1993

*Geneva, 16 July 1993*

**ENTRY INTO FORCE:** provisionally on 22 February 1994, in accordance with article 56<sup>1</sup>.  
**REGISTRATION:** 22 February 1994, No. 30692.  
**STATUS:** Signatories: 40. Parties: 41.  
**TEXT:** United Nations, *Treaty Series*, vol. 1766, p. 3.

*Note:* The Agreement was adopted by the United Nations Conference on Cocoa on 16 July 1993, and is the successor Agreement to the International Cocoa Agreement, 1986. The International Cocoa Agreement, 1993, was open for signature at the United Nations Headquarters from 16 August 1993 until 30 September 1993, by Parties to the International Cocoa Agreement, 1986, and Governments invited to the United Nations Cocoa Conference, 1992, in accordance with its article 52.

The International Cocoa Council took the following decisions:

<i>Date of decision</i>	<i>Subject</i>
9 to 18 September 1993	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 28 February 1994 and establishment of the standard conditions for accession.
23 February 1994	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1994 and confirmation of the standard conditions for accession.
8 to 16 September 1994	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1995.
11 to 15 September 1995	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1996.
9 to 13 September 1996	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1997.
8 to 12 September 1997	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1998.
3 to 9 September 1998	Extension of the time-limit for signature and the deposit of instruments of ratification, acceptance or approval of the Agreement until 30 September 1999.
	Extension of the Agreement, in whole, for a first period of two years from 1 October 1999, i.e., until 30 September 2001.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Austria . . . . .	30 Jun 1995		23 Apr 1996
Belgium . . . . .	16 Feb 1994	16 Feb 1994	
Benin . . . . .	2 Feb 1994		13 Jul 1998
Brazil . . . . .	2 Feb 1994	18 Feb 1994	10 Dec 1996
Cameroon . . . . .	11 Jan 1994	11 Jan 1994	
Côte d'Ivoire . . . . .	3 Sep 1993	3 Sep 1993	18 May 1994
Czech Republic . . . . .	7 Jun 1994		23 Jun 1994 AA
Denmark <sup>1,4</sup> . . . . .	17 Feb 1994	17 Feb 1994	28 Sep 1998 AA
Dominican Republic . . . . .		6 Feb 1997	
Ecuador . . . . .	16 Sep 1993	16 Sep 1993	26 Oct 1994
European Community . . . . .	16 Feb 1994	16 Feb 1994	28 Sep 1998 AA
Finland . . . . .	1 Oct 1993		1 Oct 1993 A
France . . . . .	16 Feb 1994	16 Feb 1994	16 May 1996 AA
Gabon . . . . .	30 Sep 1993	21 Dec 1993	
Germany . . . . .	18 Feb 1994	18 Feb 1994	28 Sep 1998
Ghana . . . . .	22 Sep 1993	12 Oct 1993	
Greece . . . . .	16 Feb 1994	16 Feb 1994	28 Sep 1998
Grenada . . . . .	18 Feb 1994	18 Feb 1994	
Guatemala . . . . .	28 Feb 1994		
Hungary . . . . .	9 Dec 1993	18 Feb 1994	22 Feb 1994 AA
Ireland . . . . .	16 Feb 1994	16 Aug 1994	30 Sep 1998
Italy . . . . .	16 Feb 1994	6 Jan 1995	28 Sep 1998
Jamaica . . . . .	6 Dec 1993	6 Dec 1993	28 Feb 1994

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Japan	8 Feb 1994	8 Feb 1994	18 Jan 1995 A
Luxembourg	16 Feb 1994	16 Feb 1994	
Malaysia	21 Dec 1993		25 Jan 1994
Netherlands <sup>2</sup>	16 Feb 1994	16 Feb 1994	21 Jul 1998 A
Nigeria	23 Sep 1993	17 Feb 1994	2 Dec 1994
Norway	30 Sep 1993		14 Oct 1993
Papua New Guinea			1 Sep 1995 a
Portugal	28 Feb 1994		31 Aug 1995
Russian Federation	13 Sep 1994		2 Nov 1994 A
Sao Tome and Principe	6 Mar 1995	6 Mar 1995	
Sierra Leone	7 Oct 1993	7 Oct 1993	
Slovakia	15 Feb 1994		26 Apr 1994 AA
Spain	16 Feb 1994	16 Feb 1994	29 Sep 1994
Sweden	30 Sep 1993		30 Sep 1993
Switzerland	30 Nov 1993	30 Nov 1993	17 Jun 1994
Togo	22 Sep 1993	12 Oct 1993	
Trinidad and Tobago	30 Sep 1993		30 Sep 1993
United Kingdom of Great Britain and Northern Ireland <sup>3</sup>	16 Feb 1994	16 Feb 1994	6 Nov 1998
Venezuela	13 Sep 1994		8 May 1996

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon notification of provisional application, ratification, accession, acceptance or approval.)

**JAPAN**

**Declaration:**

"The Government of Japan implements the said Agreement during the period of provisional application within the limitations of its internal legislation and budgets."

**Notes:**

<sup>1</sup> The conditions required under paragraph 1 of article 56 of the Agreement for its definitive entry into force not having been fulfilled as at 1 October 1993 and neither the conditions required under paragraph 2 of the said article 56 for the provisional entry into force, the Secretary-General convened on 22 February 1994 in London, under article 56 (3) of the Agreement, a Meeting of the Governments and Organisation which had deposited an instrument of ratification, acceptance, approval or a notification of provisional application of the Agreement i.e.: Belgium, Brazil, Cameroon, Côte d'Ivoire, Ecuador, European Community, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Jamaica, Japan, Luxembourg, Malaysia, Netherlands, Nigeria, Norway, Sierra Leone, Spain, Sweden, Switzerland, Togo, Trinidad and Tobago, United Kingdom. At this Meeting, the above-mentioned Governments and Organisation decided to put the Agreement into force provisionally and in whole among them as of 22 February 1994.

The participants also decided that the Governments of Denmark and Hungary (which had not taken part in the meeting although they had been invited having deposited a notification of provisional application), could notify to the Secretary-General their acceptance of the above decision to put the Agreement into force, and that in the event of such an acceptance, they would be added to the above list of participants which apply the Agreement provisionally as of 22 February 1994. Both Governments notified to the Secretary-General their acceptance.

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> For the United Kingdom of Great Britain and Northern Ireland and the Bailiwick of Jersey.

<sup>4</sup> The instrument of approval was accompanied by the following declaration: "This approval shall not apply to the Faroe Islands and Greenland."

### 39. INTERNATIONAL TROPICAL TIMBER AGREEMENT, 1994

Geneva, 26 January 1994

**ENTRY INTO FORCE:** provisionally on 1 January 1997, in accordance with article 41 (3)<sup>1</sup>.  
**REGISTRATION:** 1 January 1997, No. 33484.  
**STATUS:** Signatories: 49. Parties: 55.  
**TEXT:** Doc. TD/TIMBER.2/L.8 and depositary notification C.N.89.1995.TREATIES-2 of 22 May 1995 (procès-verbal of rectification of the the Arabic, Chinese, English, French, Russian and Spanish authentic texts).

*Note:* The Agreement was adopted on 26 January 1994 at Geneva by the United Nations Conference on Tropical Timber, 1993. It is the successor agreement to the International Tropical Timber Agreement, 1983, which expired on 31 March 1994. It was opened for signature at United Nations Headquarters, from 1 April 1994 until one month after the date of its entry into force, by Governments invited to the United Nations Conference for the Negotiation of a Successor Agreement to the International Tropical Timber Agreement, 1983, in accordance with article 38 (1).

Subsequently, the International Tropical Timber Council, at its twenty-second session, held in Bolivia, from 21 to 29 May 1997, by Decision 2 (XXII) dated 23 May 1997, established the conditions for accession to the Agreement and decided that the time limit for the deposit of instruments of accession shall be the duration of the Agreement.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA), Definitive signature (s)</i>
Australia			2 Feb 1996 s 16 May 1997
Austria	13 May 1996		
Belgium	13 May 1996	13 May 1996	
Bolivia	17 Aug 1995		17 Aug 1995
Brazil	13 Dec 1996		28 Nov 1997
Cambodia	3 Feb 1995		3 Feb 1995 A
Cameroon	22 Dec 1994	31 Aug 1995	
Canada	3 May 1995		23 May 1996
Central African Republic		23 May 1997	
China	22 Feb 1996		31 Jul 1996 AA
Colombia	8 Nov 1995	9 Oct 1996	16 Aug 1999
Congo	22 Jun 1994	25 Oct 1995	
Côte d'Ivoire	9 Sep 1996	9 Sep 1996	31 Jan 1997
Democratic Republic of the Congo	17 Dec 1996	27 Mar 1997	
Denmark	13 May 1996		13 May 1996
Ecuador	1 Jun 1994		6 Sep 1995
Egypt	8 Nov 1994	15 May 1996	
European Community	13 May 1996	13 May 1996	
Fiji	27 Jan 1995	27 Jan 1995	
Finland	13 May 1996	13 May 1996	
France	13 May 1996	28 Oct 1996	
Gabon	27 May 1994	2 Aug 1995	
Germany	30 Aug 1995	30 Aug 1995	
Ghana	12 Jul 1995		28 Aug 1995
Greece	13 May 1996		13 Oct 1997
Guyana	13 Sep 1996		27 Aug 1997
Honduras	9 May 1995	2 Nov 1995	
India	17 Sep 1996		17 Oct 1996
Indonesia	21 Apr 1994		17 Feb 1995
Ireland	14 May 1996		
Italy	7 May 1996		25 Jun 1998
Japan	13 Dec 1994	13 Dec 1994	9 May 1995 A 9 Dec 1994 s
Liberia			
Luxembourg	13 May 1996	13 May 1996	
Malaysia	14 Feb 1995		1 Mar 1995
Myanmar	6 Jul 1995		31 Jan 1996
Nepal		23 May 1997	
Netherlands <sup>2</sup>	6 Jul 1995	6 Jul 1995	
New Zealand			6 Jun 1995 s
Norway	25 Jan 1995		1 Feb 1995
Panama	22 Jun 1994	4 May 1995	4 Apr 1996

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA), Definitive signature (s)</i>
Papua New Guinea . . . . .	28 Aug 1995	28 Aug 1995	13 May 1996
Peru . . . . .	29 Aug 1994	1 Jan 1997	21 Sep 1995
Philippines . . . . .	29 Sep 1995	26 Feb 1996	
Portugal . . . . .	13 May 1996		4 Nov 1999
Republic of Korea . . . . .	12 Sep 1995		12 Sep 1995
Spain . . . . .	12 Jan 1996	12 Jan 1996	15 Jan 1997
Suriname . . . . .			24 Aug 1998 a
Sweden . . . . .	13 May 1996		13 May 1996
Switzerland . . . . .	29 Aug 1995		10 Jun 1996
Thailand . . . . .	10 Apr 1996		25 Jul 1996
Togo . . . . .	12 Jul 1994		4 Oct 1995 A
Trinidad and Tobago . . . . .			29 Dec 1998 a
United Kingdom of Great Britain and Northern Ireland . . . . .	13 May 1996	13 May 1996	
United States of America . . . . .	1 Jul 1994		14 Nov 1996 A
Venezuela . . . . .	4 Oct 1995		2 Mar 1998

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance, approval or definitive signature.)*

**EUROPEAN COMMUNITY**

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Italy.]*

**ITALY**

*Upon signature:*

*Declaration:*

"Italy interprets the terms of ITTA 1994 as follows:

a) unless the scope of the agreement is changed pursuant to article 35, the agreement shall refer solely to tropical timber and tropical forests;

b) any financial contribution other than the contribution to the administrative budget provided for in article 19 shall be entirely voluntary."

**Notes:**

<sup>1</sup> The conditions required under paragraphs 1 and 2 of article 56 of the Agreement not having been fulfilled, the Secretary-General convened on 13 September 1996 a meeting of the Governments and inter-governmental organization which had deposited instruments of ratification, acceptance or approval, or signed the Agreement definitively or had notified the provisional application of the Agreement, in accordance with its article 41 (3). At this meeting it was decided to put the Agreement into force provisionally and in whole among them as of

1 January 1997. It was also decided that the Governments of Bolivia, Liberia, Norway, Peru and Togo (which did not participate in the meeting) could notify to the Secretary-General their acceptance of the above decision and in the event of such notification, they would be deemed to apply the Agreement provisionally as of 1 January 1997. Subsequently, Peru and Norway notified the Secretary-General of their acceptance.

<sup>2</sup> For the Kingdom in Europe.

## 40. INTERNATIONAL COFFEE AGREEMENT, 1994

*30 March 1994*

**ENTRY INTO FORCE:** provisionally on 1 October 1994 and definitively on 19 May 1995, in accordance with article 40 (3).<sup>1</sup>

**REGISTRATION:** 1 October 1994, No. 31252.

**STATUS:** Signatories: 49. Parties: 65.<sup>2</sup>

**TEXT:** United Nations, *Treaty Series*, vol. 1827, p. 3.

*Note:* At its sixty-fourth session held in London from 21 to 30 March 1994, the International Coffee Council approved by Resolution No. 366, the International Coffee Agreement, 1994. It shall be considered as a continuation of the International Coffee, 1983, as extended. The Agreement was open for signature at United Nations Headquarters, from 18 April 1994 until and including 26 September 1994 by Contracting Parties to the International Coffee Agreement, 1983 or the International Coffee Agreement, 1983, as extended, and Governments invited to the sessions of the International Coffee Council at which this Agreement was negotiated, in accordance with its article 38. Subsequently, the International Coffee Council took the following decisions:

<i>Date of decision</i>	<i>Subject</i>
26 to 30 September 1994	Establishment of conditions of accession which may be effected up to and including 31 March 1995.
30 September 1994	Extension to 31 March 1995 of the time-limit for the deposit of instruments of ratification, acceptance or approval. Extension to 31 December 1994 of the time-limit for the deposit of notifications of provisional application by non-signatory States but which are Contracting Parties to the International Coffee Agreement, 1983, as extended.
19 and 20 January 1995	Extension to 25 September 1995 of the time-limit for the deposit of instruments of ratification, acceptance, approval or accession.
26 September 1995	Extension to 25 September 1996 of the time-limit for the deposit of instruments of ratification, acceptance, approval or accession.
23 September 1996	Extension to 25 September 1997 and 31 March 1997 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Governments which are applying the Agreement provisionally and signatory Governments, respectively; and extension until 31 March 1997 of the time-limit for the deposit of instruments of accession.
22 May 1997	Extension to 25 September 1997 of the time-limit for the deposit of instruments by Benin and Ghana.
26 September 1997	Extension to 24 September 1998 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Governments which are applying the Agreement provisionally.
21 to 25 September 1998	Extension to 30 September 1999 of the time-limit for the deposit of instruments of ratification, acceptance, approval by Governments which are applying the Agreement provisionally.
28 May 1999	Establishment of conditions for the deposit of instruments by Benin.
21 July 1999	Extension of the Agreement for a period of two years from 1 October 1999 to 30 September 2001. (Resolution No. 384). <sup>6</sup>

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Angola . . . . .	7 Jun 1994		7 Jun 1995 A
Austria . . . . .			28 Aug 1996 a
Belgium . . . . .	19 Sep 1994	19 Sep 1994	
Benin . . . . .	4 Aug 1994		18 Aug 1999
Bolivia . . . . .	23 Sep 1994		28 Jul 1995
Brazil . . . . .	7 Jul 1994	7 Jul 1994	25 Sep 1995
Burundi . . . . .	30 Jun 1994	20 Sep 1994	22 Sep 1995 A
Cameroon . . . . .	30 Jun 1994		30 Jul 1996 a
Central African Republic . . . . .	29 Aug 1994		21 May 1996 AA
Colombia . . . . .	2 Aug 1994	13 Sep 1994	14 Jun 1996
Congo . . . . .			1 Oct 1994 a
Costa Rica . . . . .	26 Sep 1994	26 Sep 1994	15 May 1996
Côte d'Ivoire . . . . .	23 Sep 1994		23 Sep 1994
Cuba . . . . .	22 Aug 1994	26 Sep 1994	9 Feb 1995
Cyprus . . . . .	19 Sep 1994		22 Mar 1995
Democratic Republic of the Congo . . . . .	26 Aug 1994	22 Sep 1994	22 Sep 1999 A

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Denmark <sup>3</sup>	19 Sep 1994		19 Sep 1994 AA
Dominican Republic	20 Sep 1994		23 Aug 1996
Ecuador	22 Jul 1994	27 Jul 1994	8 Nov 1994
El Salvador	6 Jul 1994	26 Sep 1994	5 Apr 1995
Equatorial Guinea			27 Apr 1995 a
Ethiopia	26 Sep 1994		26 Jul 1995
European Community	19 Sep 1994		19 Sep 1994 AA
Finland	19 Sep 1994	19 Sep 1994	26 Sep 1995 A
France	19 Sep 1994	19 Sep 1994	29 Mar 1996 AA
Gabon			17 Feb 1995 a
Germany	19 Sep 1994	19 Sep 1994	2 May 1996
Ghana	9 Sep 1994		18 Sep 1997
Greece	26 Sep 1994	26 Sep 1994	11 Jun 1996
Guatemala	26 Sep 1994	26 Sep 1994	2 Oct 1996
Guinea	26 Sep 1994		12 Apr 1995 A
Haiti			3 Jan 1996 a
Honduras	15 Sep 1994		13 Sep 1996
India	26 Aug 1994		16 Sep 1994
Indonesia	23 Sep 1994		17 Feb 1995
Ireland	23 Sep 1994	30 Sep 1999	19 May 1995
Italy	20 Jun 1994		19 Sep 1995
Jamaica	26 Sep 1994		26 Sep 1994
Japan		13 Dec 1994	18 May 1995 a
Kenya	10 Aug 1994		10 Aug 1994
Luxembourg	19 Sep 1994	19 Sep 1994	
Madagascar	16 Sep 1994	26 Sep 1994	8 May 1998
Malawi	13 Sep 1994		13 Sep 1994
Mexico			9 Feb 1996 a
Netherlands <sup>4</sup>	19 Sep 1994	19 Sep 1994	22 Sep 1995 A
Nicaragua			24 Mar 1997 a
Nigeria			21 Sep 1995 a
Norway	19 Sep 1994		26 Sep 1994
Papua New Guinea		30 Dec 1994	1 Sep 1995 a
Paraguay	23 Sep 1994	23 Sep 1994	24 Sep 1998
Philippines			18 Nov 1996 a
Portugal	19 Sep 1994		8 Feb 1996
Rwanda			11 Sep 1995 a
Spain	19 Sep 1994	19 Sep 1994	4 Aug 1995
Sweden	19 Sep 1994		19 Sep 1994
Switzerland	26 Sep 1994	26 Sep 1994	23 Aug 1995
Thailand			21 Mar 1995 a
Togo	23 Sep 1994		13 Oct 1995 A
Trinidad and Tobago	[23 Sep 1994]		26 Sep 1994]
Uganda	13 Jul 1994		26 Sep 1994
United Kingdom of Great Britain and Northern Ireland <sup>5</sup>	19 Sep 1994	30 Sep 1999	23 Sep 1994
United Republic of Tanzania	26 Sep 1994		18 Sep 1995
Venezuela	26 Sep 1994		18 Aug 1995
Viet Nam			14 Oct 1996 a
Zambia			7 Mar 1995 a
Zimbabwe			28 Jun 1996 a

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, accession or approval.)

**MEXICO**

**Declaration :**

In acceding to the [said Agreement], the Government of the United Mexican States does so without prejudice to the Interna-

tional agreements on this subject to which it is a party, including the World Trade Organization.

**Notes:**

<sup>1</sup> At a meeting held in London, the Representatives of the States and Organisation listed below decided to put the Agreement into force provisionally among themselves as of 1 October 1994, pursuant to the provisions of article 40 (3) of the Agreement: Belgium, Brazil, Burundi, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Denmark, Ecuador, El Salvador, European Community, Finland, France, Germany, Greece, Guatemala, India, Jamaica, Kenya, Luxembourg, Madagascar, Malawi, Netherlands, Norway, Paraguay, Spain, Sweden, Switzerland, Trinidad and Tobago, Uganda, United Kingdom and Zaire. Subsequently, the International Coffee Council decided, by Resolution No. 373 of 19 May 1995, adopted during its sixty-seventh session, and in accordance with article 40 (3) of the Agreement, that the International Coffee Agreement, 1994 shall enter into force definitively as from the date of adoption of this Resolution, i.e., on 19 May 1995 among those Governments which have deposited instruments of ratification, acceptance, approval, accession or made notifications of provisional application of the Agreement.

<sup>2</sup> On 27 March 1997, the Government of Trinidad and Tobago notified the Secretary-General that it had decided to withdraw from the Agreement.

<sup>3</sup> With a declaration of non-application to the Faroe Islands and Greenland.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey and St. Helena.

<sup>6</sup> As of 30 September, the following instruments had been deposited on the dated indicated:

<i>Participant</i>	<i>Provisi- onal applica- tion under para- graph 5 of Resolu- tion No. 384</i>	<i>Accept- ance under para- graph 4 of Resolu- tion No. 384</i>	<i>Exp. mem- bers/ Dis- tribu- tion of votes</i>	<i>Impor- -ting mem- bers/ Dis- tribu- tion of votes</i>
Angola		24 Sep '99	5	
Belgium*	30 Sep '99			48
Brazil		30 Sep '99	178	
Burundi		23 Sep '99	10	
Cameroon		30 Sep '99	12	
Central African Republic		30 Sep '99	7	
Costa Rica		28 Sep '99	29	
Colombia		14 Sep '99	122	
Côte d'Ivoire		28 Sep '99	37	
Cuba	29 Sep '99		6	
Democratic Republic of the Congo		22 Sep '99	14	
Ecuador		24 Sep '99	22	
Ethiopia		30 Sep '99	23	

<i>Participant</i>	<i>Provisi- onal applica- tion under para- graph 5 of Resolu- tion No. 384</i>	<i>Accept- ance under para- graph 4 of Resolu- tion No. 384</i>	<i>Exp. mem- bers/ Dis- tribu- tion of votes</i>	<i>Impor- -ting mem- bers/ Dis- tribu- tion of votes</i>
Finland		30 Sep '99		24
France		30 Sep '99		129
Gabon		10 Sep '99	5	
Germany	30 Sep '99			242
Greece	30 Sep '99			15
Guatemala	30 Sep '99		46	
Honduras		30 Sep '99	25	
Ireland	30 Sep '99			7
Italy		30 Sep '99		103
Jamaica		24 Sep '99	5	
Japan	24 Sep '99			111
Netherlands	30 Sep '99			57
Rwanda		15 Sep '99	7	
Spain		30 Sep '99		65
Sweden		30 Sep '99		33
Switzerland	30 Sep '99			24
Togo		22 Sep '99	7	
United Kingdom of Great Britain and Northern Ireland	30 Sep '99			59

\* In the name of the Kingdom of Belgium and the Grand Duchy of Luxembourg and by virtue of article 31 of the Consolidated Convention between Belgium and the Grand Duchy of Luxembourg instituting the Belgo-Luxembourg Economic Union.

The requirements for the continuation in force of the extended International Coffee Agreement 1994, with modifications, had not been met by 30 September 1999, in accordance with the provisions of paragraphs 4 and 5 of Resolution No. 384, adopted by the International Coffee Council on 21 July 1999.

In accordance with the provisions of paragraph 7 of the said Resolution No. 384, the representatives of the Governments of Angola, Belgium/Luxembourg, Brazil, Finland, Burundi, France, Cameroon, Germany, Central African Republic, Greece, Colombia, Ireland, Costa Rica, Italy, Côte d'Ivoire, Japan, Cuba, Netherlands, Democratic Republic of the Congo, Spain, Ecuador, Sweden, Ethiopia, Switzerland, Gabon, United Kingdom, Guatemala, Honduras, Jamaica, Rwanda and Togo met in London on 29 November 1999 and decided that the International Coffee Agreement 1994, as extended, with modifications, shall continue in force among themselves with effect from 1 October 1999. The conditions for the continued operation of the International Coffee Organization are established in paragraph 3 of the Decision.

**40. a) International Coffee Agreement, 1994, as extended until 30 September 2001,  
with modifications, by Resolution No. 384 adopted by the International Coffee  
Council in London on 21 July 1999**

*London, 30 March 1994*

**ENTRY INTO FORCE:** 1 October 1999 (see article 47)<sup>4</sup>.  
**REGISTRATION:** 1 October 1999, No. 31252.  
**STATUS:** Parties: 39.  
**TEXT:** Resolution No. 384 of the International Coffee Council.

*Note: [See "Note" in chapter XIX.40].*

Subsequently, the International Coffee Council took the following decision:

<i>Date of decision</i>	<i>Subject</i>
29 November 1999	Extension to 30 September 2000 of the time-limit for the deposit of instruments of acceptance by Cuba, Guatemala, Belgium/Luxembourg, Germany, Greece, Ireland, Japan, Netherlands, Switzerland and the United Kingdom of Great Britain and Northern Ireland and establishment of conditions of accession.

<i>Participant</i>	<i>Provisional application</i>	<i>Acceptance (A), Accession (a)</i>	<i>Participant</i>	<i>Provisional application</i>	<i>Acceptance (A), Accession (a)</i>
Angola		24 Sep 1999 A	Guatemala	30 Sep 1999	
Belgium <sup>3</sup>	30 Sep 1999		Honduras		30 Sep 1999 A
Brazil		30 Sep 1999 A	Ireland	30 Sep 1999	
Burundi		23 Sep 1999 A	Italy		30 Sep 1999 A
Cameroon		30 Sep 1999 A	Jamaica		30 Sep 1999 A
Central African Republic			Japan	24 Sep 1999	20 Dec 1999 A
Colombia		30 Sep 1999 A	Kenya		18 Oct 1999 a
Costa Rica		14 Sep 1999 A	Luxembourg <sup>3</sup>	30 Sep 1999	
Côte d'Ivoire		28 Sep 1999 A	Madagascar <sup>1</sup>		13 Oct 1999 a
Cuba	29 Sep 1999	28 Sep 1999 A	Netherlands <sup>1</sup>	30 Sep 1999	14 Feb 2000 A
Democratic Republic of the Congo			Rwanda		15 Sep 1999 A
Denmark		22 Sep 1999 A	Spain		30 Sep 1999 A
Ecuador		26 Nov 1999 a	Sweden		30 Sep 1999 A
El Salvador		24 Sep 1999 A	Switzerland	30 Sep 1999	
Ethiopia		13 Oct 1999 a	Togo		22 Sep 1999 A
European Community		30 Sep 1999 A	Uganda		7 Oct 1999 a
Finland		26 Nov 1999 a	United Kingdom of Great Britain and Northern Ireland <sup>2</sup>	30 Sep 1999	
France		30 Sep 1999 A	United Republic of Tanzania		2 Nov 1999 a
Gabon		10 Sep 1999 A			
Germany	30 Sep 1999				
Greece	30 Sep 1999				

**Notes:**

<sup>1</sup> For the Kingdom in Europe.

<sup>2</sup> For the United Kingdom of Great Britain and Northern Ireland, St. Helena and the Bailiwick of Jersey.

<sup>3</sup> In the name of the Kingdom of Belgium and the Grand Duchy of Luxembourg and by virtue of Article 31 of the Consolidated Convention between Belgium and the Grand Duchy of Luxembourg instituting the Belgo-Luxembourg Economic Union.

<sup>4</sup> See note 6 in chapter XIX.40.



## 41. a) Grains Trade Convention, 1995

*London, 7 December 1994*

**ENTRY INTO FORCE:** 1 July 1995, in accordance with article 28 (2)<sup>1</sup>.  
**REGISTRATION:** 1 July 1995, No. 32022.  
**STATUS:** Signatories: 15. Parties: 24.  
**TEXT:** Doc. International Wheat Council CL 122/5.

*Note:* The International Grains Agreement, 1995, consists of the Grains Trade Convention, 1995, concluded at London on 7 December 1994, and the Food Aid Convention, concluded at London on 5 December 1994 (see hereinafter under chapter XIX.41 b). The Grains Trade Convention, was established at a Conference of governments organized by the International Wheat Council on 7 December 1994, while the Food Aid Convention, 1995, was established by the Food Aid Committee at its 69th session on 5 December 1994. Both Conventions, of which the English, French, Russian and Spanish texts are equally authentic, were open for signature at the United Nations Headquarters, New York, from 1 May 1995 until and including 30 June 1995, in accordance with their respective articles 24 and XVII.

At its first session, held in London on 6 July 1995, the International Grains Council took the following decision:

<i>Date of decision</i>	<i>Subject</i>
6 July 1995	Extension until 30 June 1996 of the time-limit for the deposit of instruments of ratification or accession by the following States/Organization: Algeria, Argentina, Barbados, Bolivia, Côte d'Ivoire, Cuba, Ecuador, Egypt, European Community, Iraq, Iran (Islamic Republic of), Israel, Japan, Jordan, Korea (Republic of), Malta, Morocco, Norway, Pakistan, Panama, Russian Federation, Saudi Arabia, South Africa, Switzerland, Tunisia, Turkey, United States of America and Yemen.
17 June 1996	Extension until 30 June 1997 of the time-limit for the deposit of instruments of ratification or accession by the following States: Algeria, Argentina, Bolivia, Côte d'Ivoire, Ecuador, Egypt, Iraq, Jordan, Kazakhstan, Morocco, Norway, Pakistan, Panama, Russian Federation, Saudi Arabia, South Africa, Tunisia, Turkey and United States of America. (Subsequently, the International Grains Council agreed to grant Malta an extension to 30 June 1997 of the time-limit for the deposit of its instrument of accession.)
3 December 1996	Extension until 30 June 1997 of the time-limit for the deposit of the instrument of accession by Yemen.
18 June 1997	Extension until 30 June 1998 of the time-limit for the deposit of the instruments of ratification or accession for Bolivia, Côte d'Ivoire, Ecuador, Egypt, Iraq, Jordan, Kazakhstan, Morocco, Norway, Panama, Russian Federation, Saudi Arabia, United States of America.
15 to 16 June 1998	Extension until 30 June 1999 of the Convention and of the time-limit for the deposit of the instruments of ratification or accession for Bolivia, Côte d'Ivoire, Iraq, Jordan, Kazakhstan, Kenya, Panama, Russian Federation, Saudi Arabia, Ukraine, United States of America and Yemen.
8 June 1999	Extension of the Convention until 30 June 2001.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Algeria .....		20 Jun 1995	23 Apr 1997 a
Argentina .....		30 Jun 1995	6 Jan 1997 a
Australia .....			28 Jun 1995 a
Canada .....	26 Jun 1995		26 Jun 1995
Côte d'Ivoire .....	15 Jun 1995		
Cuba .....	22 Jun 1995	22 Jun 1995	16 Oct 1995
Ecuador .....			4 Nov 1997 a
Egypt .....	30 Jun 1995		27 May 1998
European Community .....	30 Jun 1995	30 Jun 1995	1 Feb 1996 AA
Holy See .....	20 Jun 1995		28 Jun 1995
Hungary .....	29 Jun 1995		29 Jun 1995 AA
India .....	22 Jun 1995		27 Jun 1995
Japan .....	21 Jun 1995	21 Jun 1995	1 Dec 1995 A
Kenya .....			15 Jun 1998 a
Malta .....			31 Oct 1996 a
Mauritius .....			29 Jun 1995 a
Morocco .....	26 Jun 1995	26 Jun 1995	10 Jul 1997

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Norway .....	21 Jun 1995	21 Jun 1995	6 Oct 1997
Pakistan .....		7 Aug 1996	3 Apr 1997 a
Panama .....	30 Jun 1995		
Republic of Korea .....		23 Jun 1995	4 Mar 1996 a
South Africa .....		16 Aug 1995	14 Nov 1996 a
Switzerland .....	16 Jun 1995	16 Jun 1995	16 Apr 1996
Tunisia .....	30 Jun 1995	30 Jun 1995	31 Jul 1996
Turkey .....		30 Jun 1995	10 Jul 1996 a
United States of America .....	26 Jun 1995		21 May 1999

***Declarations and Reservations***  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

**ARGENTINA**

*Declaration:*

The Argentine Republic declares that the inclusion of the "Malvinas, South Georgia and South Sandwich Islands" under the incorrect designation of "of Falkland Islands and dependencies" does not in any way affect its rights over those islands and the surrounding waters, which form an integral part of its national territory.

The Argentine Republic likewise rejects the inclusion of the so-called "British Antarctic Territory", while reaffirming its rights to the Argentine Antarctic sector, including sovereignty and the corresponding maritime jurisdiction. It also recalls the safeguards against claims of territorial sovereignty in Antarctica est

ablished by article IV of the Antarctic Treaty of 1 December 1959, to which the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland are parties.

The Argentine Republic does not accept that the provisions of article XV of the Food Aid Convention, 1995, and article 8 of the International Wheat Agreement, 1995, apply to disputes relating to territories under foreign occupation or colonial domination in respect of which there is a sovereignty dispute to resolve for which the United Nations has recommended specific action.

**EUROPEAN COMMUNITY**

*Declaration:*

"The Republic of Austria, the Republic of Finland and the Kingdom of Sweden, having become Member States of the European Community on 1 January 1995, will no longer be individual members of this Convention but will be covered by Community membership thereof. The European Community accordingly also undertakes to exercise the rights and perform the undertakings laid down in this Convention for those three States."

*Notes:*

<sup>1</sup> A Conference of Governments held in London on 6 July 1995 decided to bring the Grains Trade Convention, 1995 into force as of 1 July 1995, among the Governments and International Organisation

which had deposited instruments of ratification, acceptance, approval or accession, or notifications of provisional application, pursuant to the provisions of article 28 (2) of the Convention.

## 41. b) Food Aid Convention, 1995

*London, 5 December 1994*

**ENTRY INTO FORCE:** 1 July 1995, in accordance with article XXI (2)<sup>1</sup>.  
**REGISTRATION:** 1 July 1995, No. 32022.  
**STATUS:** Signatories: 18. Parties: 21.  
**TEXT:** Doc. Food Aid Committee FAC(95)1.

*Note:* See "Note" under chapter XIX.41 a). At its first session, held in London on 6 July 1995, the International Grains Council took the following decision:

<i>Date of decision</i>	<i>Subject</i>
6 July 1995	Extension until 30 June 1996 of the time-limit for the deposit of instruments of ratification or accession by the following States/Organisation : Argentina, Austria, Belgium, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom, United States of America and the European Community.
14 June 1996	Extension until 30 June 1997 of the time-limit for the deposit of instruments of ratification or accession by the following States : Argentina, Austria, Belgium, France, Greece, Italy, Luxembourg, Netherlands, Norway, Portugal, United Kingdom, and United States of America.
18 June 1997	Extension until 30 June 1998 of the time-limit for the deposit of the instruments of ratification or accession for Belgium, France, Greece, Italy, Luxembourg, Portugal and the United States of America.
2 December 1997	Extension until 30 June 1999 of the Convention.
19 June 1998	Extension until 30 June 1999 of the time-limit for the deposit of the instruments of ratification or accession for Belgium, France, Greece, Luxembourg, Portugal and the United States of America.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Argentina.....	30 Jun 1995	30 Jun 1995	6 Jan 1997
Australia.....			28 Jun 1995 a
Austria.....			28 Aug 1996 a
Belgium.....	30 Jun 1995	30 Jun 1995	29 Jun 1999
Canada.....	26 Jun 1995		26 Jun 1995
Denmark.....	28 Jun 1995		28 Jun 1995
European Community.....	30 Jun 1995	30 Jun 1995	1 Feb 1996 AA
Finland.....	30 Jun 1995		30 Jun 1995 A
France.....	26 Jun 1995	26 Jun 1995	12 Aug 1998
Germany.....	30 Jun 1995	30 Jun 1995	6 Feb 1996
Ireland.....	30 Jun 1995		15 Mar 1996
Italy.....	30 Jun 1995		20 Jan 1998
Japan.....	21 Jun 1995	21 Jun 1995	1 Dec 1995 A
Luxembourg.....	30 Jun 1995		29 Jun 1999
Netherlands <sup>2</sup> .....			20 Jun 1996 a
Norway.....	21 Jun 1995	21 Jun 1995	30 Aug 1996
Portugal.....	30 Jun 1995		
Spain.....	29 Jun 1995	29 Jun 1995	2 Feb 1996
Sweden.....	28 Jun 1995		28 Jun 1995
Switzerland.....	16 Jun 1995		16 Jun 1995
United Kingdom of Great Britain and Northern Ireland <sup>3</sup> .....			28 Jun 1996 a
United States of America.....	26 Jun 1995		21 May 1999

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

**ARGENTINA**

**Declaration:**

*[Same declaration as under XIX.41 a).]*

**EUROPEAN COMMUNITY**

**Declaration:**

*[Same declaration as under XIX.41 a).]*

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**Notes:**

<sup>1</sup> The Conference of Governments held in London on 6 July 1995, decided to bring the Food Aid Convention, 1995 into force as of 1 July 1995, among the Governments and Intergovernmental Organisation which have deposited instruments of ratification, acceptance, approval or accession or notifications of provisional application pursuant to the provisions of article XXI (2) of the Convention.

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> For the United Kingdom of Great Britain and Northern Ireland.

#### 41. c) Food Aid Convention, 1999

London, 13 April 1999

**ENTRY INTO FORCE:** 1 July 1999, in accordance with article XXIV (b)<sup>1</sup>.  
**REGISTRATION:** 1 July 1999, No. 32022.  
**STATUS:** Signatories: 14. Parties: 14.  
**TEXT:** Depository notifications C.N.310.1999.TREATIES-2 of 30 April 1999; et C.N.954.1999.TREATIES-22 of 22 October 1999 (procès-verbal of correction to the original English, French, Russian and Spanish texts of the Convention).

*Note:* The Convention was adopted on 13 April 1999 at London. In accordance with its article XXII (a), the Convention will be open for signature at United Nations Headquarters in New York by the Governments and organization referred to in paragraph (e) of article III, from 1 May 1999 until and including 30 June 1999.

In accordance with articles XXII (b) and XXIII (a) of the Convention, a Conference of Governments held in London on 2 July 1999 took the following decision:

<i>Date of decision</i>	<i>Subject</i>
2 July 1999	Extension until 30 June 2000 of the time-limit for the deposit of instruments of ratification, acceptance, approval or accession by the following States/Organisation : Argentina, Australia, the European Community and the following member States: Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America .

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Australia .....			7 Dec 1999 a
Belgium .....	30 Jun 1999	30 Jun 1999	
Canada .....	21 Jun 1999		21 Jun 1999
Denmark .....	29 Jun 1999		2 Jul 1999
European Community .....	29 Jun 1999	29 Jun 1999	
Finland .....	30 Jun 1999		19 Jul 1999 A
France .....	29 Jun 1999	30 Jun 1999	
Germany .....	29 Jun 1999	29 Jun 1999	
Ireland .....	29 Jun 1999		29 Jun 1999
Japan .....	25 Jun 1999	25 Jun 1999	20 Dec 1999 A
Luxembourg .....	29 Jun 1999		
Norway .....	30 Jun 1999	30 Jun 1999	
Spain .....	29 Jun 1999	29 Jun 1999	
Switzerland .....			29 Jun 1999 a
United Kingdom of Great Britain and Northern Ireland .....	29 Jun 1999	29 Jun 1999	
United States of America .....	16 Jun 1999		

## 42. INTERNATIONAL NATURAL RUBBER AGREEMENT, 1995

*Geneva, 17 February 1995*

**ENTRY INTO FORCE:** provisionally on 6 February 1997 and definitively on 14 February 1997, in accordance with article 61<sup>1</sup>.

**REGISTRATION:** 6 February 1997, No. 33546.

**STATUS:** Signatories: 20. Parties: 21.

**TEXT:** TD/Rubber.3/10; and depositary notification C.N.466.1995.TREATIES-5 of 8 February 1996 (procès-verbal of rectification of the authentic text).

*Note:* The Agreement was adopted on 17 February 1995 at Geneva, by the United Nations Conference on Natural Rubber, 1994, at its seventh plenary meeting. It was open for signature at United Nations Headquarters, from 3 April to 28 December 1995, inclusive, by the Governments invited to the United Nations Conference on Natural Rubber 1994, in accordance with its article 57. Subsequently, by resolution TD/RUBBER.3/16 adopted at Geneva on 28 March 1996, the United Nations Conference on Natural Rubber, 1994, decided to extend the time-limit for the signature of the International Rubber Agreement, 1995, to 31 July 1996.

Further, the United Nations Conference on Natural Rubber, 1994, took the following decision:

<i>Date of decision</i>	<i>Subject</i>
11 March 1997	Extension until 31 December 1997 (with retroactive effect from 2 January 1997) of the time-limit for the deposit of instruments of ratification, approval or acceptance of the Agreement.
21 November 1997	Extension until 31 December 1998 of the time-limit for the deposit of instruments of ratification, approval or acceptance of the Agreement.
22 October 1998	Extension until 31 December 1999 of the time-limit for the deposit of instruments of ratification, approval or acceptance of the Agreement.

<i>Participant</i>	<i>Signature</i>	<i>Provisional application</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Austria.....	22 Dec 1995		20 Nov 1996
Belgium.....	22 Dec 1995	26 Nov 1996	
China.....	17 Jul 1996		14 Feb 1997 AA
Côte d'Ivoire.....			14 Mar 1997 a
Denmark.....	22 Dec 1995	14 Jan 1997	
European Community.....	22 Dec 1995	18 Dec 1996	
Finland.....	22 Dec 1995	17 Jan 1997	
France.....	28 Dec 1995	1 Oct 1996	5 Oct 1999 AA
Germany <sup>3</sup> .....	22 Dec 1995	26 Nov 1996	
Greece.....	22 Dec 1995	22 Dec 1995	8 Sep 1999
Indonesia.....	28 Dec 1995		27 Dec 1996
Ireland.....	22 Dec 1995		31 Dec 1996
Italy.....	22 Dec 1995		11 Dec 1997
Japan.....	19 Dec 1995		19 Dec 1995 A
Luxembourg.....	22 Dec 1995	26 Nov 1996	
Malaysia <sup>2</sup> .....	[27 Dec 1995		24 Dec 1996]
Netherlands <sup>4</sup> .....	22 Dec 1995		4 Dec 1996 A
Nigeria.....	31 Jul 1996	31 Jul 1996	
Spain.....	21 Dec 1995	21 Dec 1995	15 Jan 1997
Sri Lanka <sup>2</sup> .....	[ 8 Dec 1995		14 Jun 1996]
Sweden.....	22 Dec 1995		24 Jul 1996
Thailand <sup>2</sup> .....	[28 Dec 1995		1 Apr 1996]
United Kingdom of Great Britain and Northern Ireland <sup>3</sup> .....	22 Dec 1995	6 Dec 1996	23 Dec 1998
United States of America.....	23 Apr 1996		27 Dec 1996

### *Notes:*

<sup>1</sup> At a meeting convened on 6 February 1997, of the Governments and Organisation which had deposited instruments of ratification, acceptance or approval or a notification of provisional application of the Agreement, it was decided, in accordance with article 61 paragraph 3,

that the Agreement should enter into force provisionally and in whole among them as of 6 February 1997 up to a period of 12 months.

<sup>2</sup> Notifications of withdrawal from the Agreement were received from the following States on the dates indicated hereinafter:

**States:**

Malaysia  
Thailand  
Sri Lanka

**Notification received on:**

15 Oct 1998  
26 Mar 1999  
16 Jul 1999

<sup>3</sup> On 2 June 1997, the Secretary-General received from the Government of the Federal Republic of Germany, a notification to the effect that the Government of the Federal Republic of Germany will provisionally fully apply the International Natural Rubber Agreement, 1995, in accordance with its article 60, para 1.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> In respect of the United Kingdom of Great Britain and Northern Ireland.





**CHAPTER XX**  
**MAINTENANCE OBLIGATIONS**

**I. CONVENTION ON THE RECOVERY ABROAD OF MAINTENANCE**

*New York, 20 June 1956*

**ENTRY INTO FORCE:** 25 May 1957, in accordance with article 14.  
**REGISTRATION:** 25 May 1957, No. 3850.  
**STATUS:** Signatories: 25. Parties: 57.  
**TEXT:** United Nations, *Treaty Series*, vol. 268, p. 3, and vol. 649, p. 330 (process-verbal of rectification of authentic Spanish text).

*Note:* The Convention was adopted and opened for signature by the United Nations Conference on Maintenance Obligations convened pursuant to resolution 572 (XIX)<sup>1</sup> of the Economic and Social Council of the United Nations, adopted on 17 May 1955. The Conference met at the Headquarters of the United Nations in New York from 29 May to 20 June 1956. For the text of the Final Act of the Conference, see United Nations, *Treaty Series*, vol. 268, p. 3.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Algeria <sup>1</sup> .....		10 Sep 1969 a	Hungary .....		23 Jul 1957 a
Argentina .....		29 Nov 1972 a	Ireland .....		26 Oct 1995 a
Australia .....		12 Feb 1985 a	Israel .....	20 Jun 1956	4 Apr 1957
Austria .....	21 Dec 1956	16 Jul 1969	Italy .....	1 Aug 1956	28 Jul 1958
Barbados .....		18 Jun 1970 a	Luxembourg .....		1 Nov 1971 a
Belarus .....		14 Nov 1996 a	Mexico .....	20 Jun 1956	23 Jul 1992
Belgium .....		1 Jul 1966 a	Monaco .....	20 Jun 1956	28 Jun 1961
Bolivia .....	20 Jun 1956		Morocco .....		18 Mar 1957 a
Bosnia and Herzegovi- na .....		1 Sep 1993 d	Netherlands .....	20 Jun 1956	31 Jul 1962
Brazil .....	31 Dec 1956	14 Nov 1960	New Zealand <sup>7</sup> .....		26 Feb 1986 a
Burkina Faso .....		27 Aug 1962 a	Niger .....		15 Feb 1965 a
Cambodia .....	20 Jun 1956		Norway .....		25 Oct 1957 a
Cape Verde .....		13 Sep 1985 a	Pakistan .....		14 Jul 1959 a
Central African Repub- lic .....		15 Oct 1962 a	Philippines .....	20 Jun 1956	21 Mar 1968
Chile .....		9 Jan 1961 a	Poland .....		13 Oct 1960 a
China <sup>2</sup> .....			Portugal .....		25 Jan 1965 a
Colombia .....	16 Jul 1956	10 Nov 1999	Romania .....		10 Apr 1991 a
Croatia .....		20 Sep 1993 d	Slovakia <sup>3</sup> .....		28 May 1993 d
Cuba .....	20 Jun 1956		Slovenia .....		6 Jul 1992 d
Cyprus .....		8 May 1986 a	Spain .....		6 Oct 1966 a
Czech Republic <sup>3</sup> .....		30 Sep 1993 d	Sri Lanka .....	20 Jun 1956	7 Aug 1958
Denmark .....	28 Dec 1956	22 Jun 1959	Suriname .....		12 Oct 1979 a
Dominican Republic .....	20 Jun 1956		Sweden .....	4 Dec 1956	1 Oct 1958
Ecuador .....	20 Jun 1956	4 Jun 1974	Switzerland .....		5 Oct 1977 a
El Salvador .....	20 Jun 1956		the former Yugoslav Republic of Mace- donia .....		10 Mar 1994 d
Estonia .....		8 Jan 1997 a	Tunisia .....		16 Oct 1968 a
Finland .....		13 Sep 1962 a	Turkey .....		2 Jun 1971 a
France <sup>4</sup> .....	5 Sep 1956	24 Jun 1960	United Kingdom of Great Britain and Northern Ireland <sup>8</sup> .....		13 Mar 1975 a
Germany <sup>5,6</sup> .....	20 Jun 1956	20 Jul 1959	Uruguay .....		18 Sep 1995 a
Greece .....	20 Jun 1956	1 Nov 1965	Yugoslavia .....	31 Dec 1956	29 May 1959
Guatemala .....	26 Dec 1956	25 Apr 1957			
Haiti .....	21 Dec 1956	12 Feb 1958			
Holy See .....	20 Jun 1956	5 Oct 1964			

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto, see hereinafter.)*

The Democratic and Popular Republic of Algeria does not consider itself bound by the provisions of article 16 of the Convention concerning the competence of the International Court of Justice and affirms that the agreement of all the parties concerned is required in each case before a dispute can be brought before the International Court of Justice.

(a) The Argentine Republic reserves the right, with respect to article 10 of the Convention, to restrict the application of the expression "highest priority" in the light of the provisions governing exchange controls in Argentina.

(b) In the event that another Contracting Party extends the application of the Convention to territories over which the Argentine Republic exercises sovereignty, such extension shall in no way affect the latter's rights (the reference is to article 12 of the Convention).

(c) The Argentine Government reserves the right not to apply the procedure provided for in article 16 of the Convention in any dispute directly or indirectly related to the territories referred to in its declaration concerning article 12.

**AUSTRALIA**

*Declaration:*

"Australia wishes to declare, in accordance with Article 12, that with the exception of the Territory of Norfolk Island, the Convention shall not be applicable to the territories for the international relations of which Australia is responsible."

**ISRAEL**

"Article 5: The Transmitting Agency shall transmit under paragraph 1 any order, final or provisional, and any other judicial act, obtained by the claimant for the payment of maintenance in a competent tribunal of Israel, and, where necessary and possible, the record of the proceedings in which such order was made.

"Article 10: Israel reserves the right:

"a) to take the necessary measures to prevent transfers of funds under this Article for purposes other than the bona fide payment of existing maintenance obligations;

"b) to limit the amounts transferable pursuant to this Article, to amounts necessary for subsistence."

**NETHERLANDS**

The Government of the Kingdom makes the following reservation with regard to article 1 of the Convention: the recovery of maintenance shall not be facilitated by virtue of this article if, the claimant and the respondent being both in the Netherlands, or, respectively, in Surinam, the Netherlands Antilles or Netherlands New Guinea, and assistance having been granted or similar arrangements made under the Assistance to the Needy Act (*Loi sur l'Assistance des Pauvres*), no recovery was in general obtained for such assistance from the respondent, having regard to the circumstances of the case in question.

"The Convention has for the time being been ratified for the Kingdom of the Netherlands in Europe only. If, in accordance with article 12, the application of the Convention will at any time be extended to the parts of the Kingdom outside Europe, the Secretary-General will be duly notified thereof. In that event the notification will contain such reservation as may be made on behalf of any of these parts of the Kingdom."

**SWEDEN<sup>9</sup>**

*Article 1:* Sweden reserves the right to reject, where the circumstances of the case under consideration appear to make this necessary, any application for legal support aimed at the recovery of maintenance from a person who entered Sweden as a political refugee.

11 November 1988

*Article 9:* "Where the proceedings are pending in Sweden, the exemptions in the payment of costs and the facilities provided in paragraph 1 shall be granted only to persons resident in a State Party to the Convention or to any person who would otherwise enjoy such advantages under an agreement concluded with the State of which he is a national."

**TUNISIA**

(1) Persons living abroad may only claim the advantages provided for in the Convention when considered non-residents under the exchange regulations in force in Tunisia.

(2) A dispute may only be referred to the International Court of Justice with the agreement of all the parties to the dispute.

**Objections**

*(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)*

**CZECH REPUBLIC<sup>3</sup>**

**POLAND**

5 February 1969

The Government of the Polish People's Republic wishes to express its objection, in accordance with article 17, paragraph 1, of the said Convention, to the first two reservations made by the Government of Tunisia in its instrument of accession.

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

13 March 1975

"With reference to article 17 (1) of the Convention . . . the Government of the United Kingdom [objects] to reservations (b) and (c) made by Argentina in respect of articles 12 and 16 upon accession to the Convention."

**SLOVAKIA<sup>3</sup>**

**Territorial Application**

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	12 Feb 1985	Norfolk Island

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
France	24 Jun 1960	Comoro Archipelago, French Polynesia, French Somaliland, New Caledonia and Dependencies, St. Pierre and Miquelon
Netherlands <sup>10</sup>	12 Aug 1969	Netherlands Antilles

**Notes:**

<sup>1</sup> *Official Records of the Economic and Social Council, Nineteenth Session, Supplement No. 1A (E/2730/Add.1)*, p. 5.

<sup>2</sup> Signed and ratified on behalf of the Republic of China on 4 December 1956 and 25 June 1957 respectively. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

With reference to the above-mentioned accession, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Poland on the one hand, and of China on the other hand. The objection made on that occasion by the Government of Poland and the communication from the Government of the Republic of China are identical in essence, *mutatis mutandis*, to the corresponding communications referred to in note 3 in chapter VI.14.

<sup>3</sup> Czechoslovakia had acceded to the Convention on 3 October 1958. Subsequently, on 21 April 1973, Czechoslovakia notified an objection with regard to the reservation made by the Government of Argentina to article 10 of the Convention. For the text of the objection see United Nations, *Treaty Series*, vol. 867, p. 214. See also note 11 in chapter I.2.

<sup>4</sup> The instrument of ratification by France contains the following declaration:

(a) That the Convention shall apply to the territories of the French Republic, namely: the metropolitan departments, the departments of Algeria, the departments of the Oases and of Jaoura, the departments of Guadeloupe, Guiana, Martinique and Réunion and the Overseas Territories (St. Pierre and Miquelon, French Somaliland, the Comoro Archipelago, New Caledonia and Dependencies and French Polynesia);

(b) That its application may be extended, by subsequent notification, to the other States of the Community or to one or more such States.

<sup>5</sup> See note 14 in chapter I.2.

<sup>6</sup> In a note accompanying the instrument of ratification the Government of the Federal Republic of Germany declared that the Convention also applies to *Land Berlin*.

With reference to the above-mentioned declaration, communications have been addressed to the Secretary-General by the Government of the Union of Soviet Socialist Republics on the one hand and by the Government of the Federal Republic of Germany on the other hand. The said communications are identical in essence, *mutatis mutandis*, to those referred to in note 4 in chapter III.3.

See also note 5 above.

<sup>7</sup> The Convention shall not extend to the Cook Islands nor to Niue or Tokelau.

<sup>8</sup> "In accordance with article 12 of the Convention, the United Kingdom of Great Britain and Northern Ireland hereby gives notice that the provisions of the Convention shall not apply to any of the territories for the international relations of which the United Kingdom is responsible."

<sup>9</sup> In a communication received on 11 November 1988, the Government of Sweden notified the Secretary-General that it withdraws, with effect from that date, the reservation made upon ratification in respect of article 9, paragraph 2 of the Convention and makes limited reservations in respect of paragraph 1 of the same article (see under *Reservations and Declarations*). The text of the reservation so withdrawn reads as follows:

Article 9: Where the proceedings are pending in Sweden, the exemptions in the payment of costs and the facilities provided in article 9, paragraphs 1 and 2, shall be granted only to nationals of or stateless persons resident in another State Party to this Convention or to any person who would in any case enjoy such advantages under an agreement concluded with the State of which he is a national.

It should be noted that the reservation of 11 November 1988 in respect of paragraph 1 of Article 9 constitutes in substance a partial withdrawal of the original reservation to paragraph 1, since it differs from it only in that the facilities and exemptions concerned are now granted to all residents, and not only as previously the case, to nationals and stateless residents.

<sup>10</sup> Subject to the reservation with regard to article 1 which was made by the Netherlands upon ratification of the Convention. See also note 8 in chapter I.1.



**CHAPTER XXI**  
**LAW OF THE SEA**

**1. CONVENTION ON THE TERRITORIAL SEA AND THE CONTIGUOUS ZONE**

*Geneva, 29 April 1958*

**ENTRY INTO FORCE:** 10 September 1964, in accordance with article 29.  
**REGISTRATION:** 22 November 1964, No. 7477.  
**STATUS:** Signatories: 42. Parties: 51.  
**TEXT:** United Nations, Treaty Series, vol. 516, p. 205.

*Note:* The four Conventions and the Optional Protocol of Signature listed in this Chapter were prepared and opened for signature by the United Nations Conference on the Law of the Sea. The Conference was convened pursuant to resolution 1105 (XI)<sup>1</sup>, adopted by the General Assembly of the United Nations on 21 February 1957, and met at the European Office of the United Nations at Geneva from 24 February to 27 April 1958. The Conference also adopted the Final Act and nine resolutions for the text of which, see United Nations, *Treaty Series*, vol. 450, p. 11. For the *travaux préparatoires* and the proceedings of the Conference, see *Official Records of the United Nations Conference on the Law of the Sea*, vols. I to VII, United Nations publication, Sales No.: 58.V.4, vols. I to VII.

<i>Participant</i> <sup>2</sup>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i> <sup>2</sup>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan	30 Oct 1958		Latvia		17 Nov 1992 a
Argentina	29 Apr 1958		Lesotho		23 Oct 1973 d
Australia	30 Oct 1958	14 May 1963	Liberia	27 May 1958	
Austria	27 Oct 1958		Lithuania		31 Jan 1992 a
Belarus	30 Oct 1958	27 Feb 1961	Madagascar		31 Jul 1962 a
Belgium		6 Jan 1972 a	Malawi		3 Nov 1965 a
Bolivia	17 Oct 1958		Malaysia		21 Dec 1960 a
Bosnia and Herzegovi- na		1 Sep 1993 d	Malta		19 May 1966 d
Bulgaria	31 Oct 1958	31 Aug 1962	Mauritius		5 Oct 1970 d
Cambodia		18 Mar 1960 a	Mexico		2 Aug 1966 a
Canada	29 Apr 1958		Nepal	29 Apr 1958	
China <sup>3</sup>			Netherlands	31 Oct 1958	18 Feb 1966
Colombia	29 Apr 1958		New Zealand	29 Oct 1958	
Costa Rica	29 Apr 1958		Nigeria		26 Jun 1961 d
Croatia		3 Aug 1992 d	Pakistan	31 Oct 1958	
Cuba	29 Apr 1958		Panama	2 May 1958	
Czech Republic <sup>4</sup>		22 Feb 1993 d	Portugal	28 Oct 1958	8 Jan 1963
Denmark	29 Apr 1958	26 Sep 1968	Romania	31 Oct 1958	12 Dec 1961
Dominican Republic	29 Apr 1958	11 Aug 1964	Russian Federation	30 Oct 1958	22 Nov 1960
Fiji		25 Mar 1971 d	Senegal <sup>5</sup>		25 Apr 1961 a
Finland	27 Oct 1958	16 Feb 1965	Sierra Leone		13 Mar 1962 d
Ghana	29 Apr 1958		Slovakia <sup>4</sup>		28 May 1993 d
Guatemala	29 Apr 1958		Slovenia		6 Jul 1992 d
Haiti	29 Apr 1958	29 Mar 1960	Solomon Islands		3 Sep 1981 d
Holy See	30 Apr 1958		South Africa		9 Apr 1963 a
Hungary	31 Oct 1958	6 Dec 1961	Spain		25 Feb 1971 a
Iceland	29 Apr 1958		Sri Lanka	30 Oct 1958	
Iran (Islamic Republic of)	28 May 1958		Swaziland		16 Oct 1970 a
Ireland	2 Oct 1958		Switzerland	22 Oct 1958	18 May 1966
Israel	29 Apr 1958	6 Sep 1961	Thailand	29 Apr 1958	2 Jul 1968
Italy		17 Dec 1964 a	Tonga		29 Jun 1971 d
Jamaica		8 Oct 1965 d	Trinidad and Tobago		11 Apr 1966 d
Japan		10 Jun 1968 a	Tunisia	30 Oct 1958	
Kenya		20 Jun 1969 a	Uganda		14 Sep 1964 a
			Ukraine	30 Oct 1958	12 Jan 1961

<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>2</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
United Kingdom of Great Britain and Northern Ireland . .	9 Sep 1958	14 Mar 1960	Uruguay . . . . .	29 Apr 1958	
United States of Amer- ica . . . . .	15 Sep 1958	12 Apr 1961	Venezuela . . . . .	30 Oct 1958	15 Aug 1961
			Yugoslavia . . . . .	29 Apr 1958	28 Jan 1966

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto, see hereinafter.)

**BELARUS**

*Article 20:* The Government of the Byelorussian Soviet Socialist Republic considers that government ships in foreign territorial waters have immunity and that the measures mentioned in this article may therefore be applied to them only with the consent of the flag State.

*Article 23 (Sub-section D. Rules applicable to warships):* The Government of the Byelorussian Soviet Socialist Republic considers that the coastal State has the right to establish procedures for the authorization of the passage of foreign warships through its territorial waters.

**BULGARIA**

*Article 20:* The Government of the People's Republic of Bulgaria considers that government ships in foreign waters have immunity and that the measures set forth in this article may therefore apply to such ships only with the consent of the flag state.

*Article 23 (Sub-section D. Rules applicable to warships):* The Government of the People's Republic of Bulgaria considers that the coastal State has the right to establish procedures for the authorization of the passage of foreign warships through its territorial waters.

*Upon ratification:*

*Reservations:*

*Article 20:* The Government of the People's Republic of Bulgaria considers that government ships in the territorial sea of another State have immunity and that the measures set forth in this article may therefore apply to such ships only with the consent of the flag State.

*Article 23 (Sub-section D. Rules applicable to warships):* The Government of the People's Republic of Bulgaria considers that the coastal State has the right to establish procedures for the authorization of the passage of foreign warships through its territorial sea.

**COLOMBIA**

With respect to the Convention on the Territorial Sea and the Contiguous Zone, the delegation of Colombia declares that, under article 98 of the Colombian Constitution, authorization by the Senate is required for the passage of foreign troops through Colombian territory and that, by analogy, such authorization is accordingly also required for the passage of foreign warships through Colombian territorial waters.

**CZECH REPUBLIC<sup>4</sup>**

**HUNGARY**

*Articles 14 and 23:* "The Government of the Hungarian People's Republic is of the opinion that the coastal State is entitled to make the passage of warships through its territorial waters subject to previous authorization.

*Article 21:* "The Government of the Hungarian People's Republic is of the opinion that the rules contained in Sub-Section B of Section III of Part I of the Convention are generally inapplicable to government ships operated for commercial purposes so far as they encroach on the immunities enjoyed under international law by all government ships, whether commercial or non-commercial, on foreign territorial waters. Consequently, the provisions of Sub-Section B restricting the immunities of government ships operated for commercial purposes are applicable only upon consent of the State whose flag the ship flies."

**IRAN (ISLAMIC REPUBLIC OF)**

*Upon signature:*

*Reservation:*

*Article 14:* The Iranian Government maintains the objection on the ground of excess of competence, expressed by its delegation at the twelfth plenary meeting of the Conference on the Law of the Sea on 24 April 1958, to the articles recommended by the Fifth Committee of the Conference and incorporated in part in article 14 of this Convention. The Iranian Government accordingly reserves all rights regarding the contents of this article in so far as it relates to countries having no sea coast.

**ITALY**

The Government of the Republic of Italy, beside exercising control for the purposes of article 24, paragraph 1 in the zone of the high seas contiguous to the territorial sea, reserves the right to exercise surveillance within the belt of sea extending twelve nautical miles from the coast for the purpose of preventing and punishing infringements of the customs regulations in whatever point of this belt such infringements may be committed.

**LITHUANIA**

*Upon ratification:*

*Declaration:*

"... The Republic of Lithuania declares the establishing of the procedure for the authorization of the passage of foreign warships through its territorial waters for the warships of those States which have established the procedure for the authorization of the passage of foreign warships through its territorial waters."

## MEXICO

The Government of Mexico considers that government ships, irrespective of the use to which they are put, enjoy immunity, and it therefore enters an express reservation with regard to article 21 of Sub-Section C (Rules applicable to government ships other than warships) in so far as it applies to article 19, paragraphs 1, 2 and 3, and article 20, paragraphs 2 and 3, of Sub-Section B (Rules applicable to merchant ships).

## ROMANIA

*Article 20:* The Government of the Romanian People's Republic considers that government ships have immunity in foreign territorial waters and that the measures envisaged in this article may not be applied to such ships except with the consent of the flag State.

*Article 23:* The Government of the Romanian People's Republic considers that the coastal State has the right to provide that the passage of foreign warships through its territorial waters shall be subject to previous approval.

## RUSSIAN FEDERATION

*Article 20:* The Government of the Union of Soviet Socialist Republics considers that government ships in foreign territorial waters have immunity and that the measures mentioned in this article may therefore be applied to them only with the consent of the flag State.

*Article 23 (Sub-Section D. Rule applicable to warships):* The Government of the Union of Soviet Socialist Republics considers that the coastal State has the right to establish procedures for the authorization of the passage of foreign warships through its territorial waters.

## SLOVAKIA<sup>4</sup>

### SOLOMON ISLANDS

"The succession of Solomon Islands to the said Treaty shall be without prejudice to the right of Solomon Islands

(1) to employ straight base lines drawn between its islands as the basis for the delimitation of its territorial sea and contiguous zone, and

(2) to designate all waters enclosed by the said straight base lines as internal or archipelagic water."

## AUSTRALIA

*Objections to the following reservations:*

"(a) The declaration made with reference to article 12 by Venezuela on signature and the reservation made to that article by Venezuela on ratification.

"(b) The reservation made to article 14 by Iran on signature.

"(c) The reservations made to articles 14 and 23 by Czechoslovakia and Hungary on signature and confirmed on ratification.

"(d) The reservation made to paragraph 4 of article 16 by Tunisia on signature.

"(e) The reservation made with regard to the application of articles 19 and 20 to government ships operated for commercial

## SPAIN

Spain's accession is not to be interpreted as recognition of any rights or situations in connexion with the waters of Gibraltar other than those referred to in article 10 of the Treaty of Utrecht, of 13 July 1713, between the Crowns of Spain and Great Britain.

## TUNISIA

*Reservation:*

The Government of the Tunisian Republic does not consider itself bound by the provisions of article 16, paragraph 4 of this Convention.

## UKRAINE

*Article 20:* The Government of the Ukrainian Soviet Socialist Republic considers that government ships in foreign territorial waters have immunity and that the measures mentioned in this article may therefore be applied to them only with the consent of the flag State.

*Article 23 (Sub-Section D. Rule applicable to warships):* The Government of the Ukrainian Soviet Socialist Republic considers that the coastal State has the right to establish procedures for the authorization of the passage of foreign warships through its territorial waters.

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Save as may be stated in any further and separate notices that may hereafter be given, ratification of this Convention on behalf of the United Kingdom does not extend to the States in the Persian Gulf enjoying British protection. Multilateral conventions to which the United Kingdom becomes a party are not extended to these States until such times as an extension is requested by the Ruler of the State concerned."

## VENEZUELA

With reference to article 12 that there are special circumstances to be taken into consideration in the following areas: The Gulf of Paria and zones adjacent thereto; the area between the coast of Venezuela and the island of Aruba; and the Gulf of Venezuela.

*Reservation made upon ratification:*

With express reservation in respect of article 12 and paragraphs 2 and 3 of article 24 of the said Convention.

### *Objections*

*(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)*

purposes by Czechoslovakia on signature and confirmed on ratification.

"(f) The reservations made to article 20 by Bulgaria on signature and on ratification.

"(g) The reservations made to article 20 by the Byelorussian Soviet Socialist Republic, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics on signature and confirmed on ratification.

"(h) The reservation made to article 21 by Hungary on signature and confirmed on ratification.

"(i) The reservations made to article 23 by Bulgaria on signature and on ratification.

"(j) the reservations made to article 23 by the Byelorussian Soviet Socialist Republic, Romania, the Ukrainian Soviet So-

cialist Republic and the Union of Soviet Socialist Republics on signature and confirmed on ratification.

"(k) The reservation made to paragraphs 2 and 3 of article 24 by Venezuela on ratification.

If the statements referred to above with regard to article 23 are juridically in the nature of declarations rather than of reservations strictly so-called, the objections recorded by [the Government of Australia] will serve to record disagreement with the opinions so declared."

31 January 1968

"The Government of Australia places on record the formal objection to the reservation made by the Government of Mexico."

29 September 1976

"Objection to the reservation by the German Democratic Republic concerning article 20 of the Convention on the Territorial Sea and the Contiguous Zone, 1958, and contained in the instrument of accession of the German Democratic Republic to the said Convention on the Territorial Sea and the Contiguous Zone."

#### DENMARK

"The Government of Denmark declares that it does not find acceptable:

"The reservations made by the Governments of Czechoslovakia and Hungary to article 14;

"The reservations made by the Government of Tunisia to article 16, paragraph 4;

"The reservations made by the Government of Czechoslovakia to article 19;

"The reservations made by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics to article 20 and the reservations made by the Governments of Czechoslovakia, Hungary and Mexico to article 21.

"The above-mentioned objections shall not affect the coming into force of the Convention, according to article 29, as between Denmark and the Contracting Parties concerned."

31 October 1974

"The Government of Denmark does not find acceptable the reservations made by the German Democratic Republic on December 27, 1973 to article 20 of the Convention on the Territorial Sea and the Contiguous Zone.

"The Government of Denmark also finds unacceptable the reservation made by the German Democratic Republic on the same date to article 9 of the Convention on the High Seas.

"The above-mentioned objections shall not affect the coming into force of the Conventions as between Denmark and the German Democratic Republic."

#### FIJI

"The Government of Fiji maintains all other objections communicated to the Secretary-General by the United Kingdom Government to the reservations or declarations made by certain States with respect to this Convention, reserving only its position on that Government's observation bearing on the application of the Optional Protocol of Signature pending final disposition of the question of the succession by the Government of Fiji to the said Protocol."

#### ISRAEL

"Objection to all reservations and declarations made in connection with the signing or ratification of or accession to the Convention on the Territorial Sea and the Contiguous Zone and the Convention on the High Seas which are incompatible with

the purposes and objects of these Conventions. This objection applies in particular to the declaration or reservation made by Tunisia to article 16, paragraph 4, of the first of the above-mentioned Conventions on the occasion of signature."

#### JAPAN

"1. The Government of Japan wishes to state that it does not consider acceptable any unilateral statement in whatever form, made by a State upon signing, ratifying or acceding to the Convention on the Territorial Sea and the Contiguous Zone, which is intended to exclude or modify for such State legal effects of the provisions of the Convention.

"2. In particular, the Government of Japan finds unacceptable the following reservations:

"(a) The reservations made by the Government of Czechoslovakia to article 19, by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics to article 20, and by the Government of Hungary to article 21.

"(b) The reservation made by the Government of Tunisia to article 16, paragraph 4.

"The reservation made by the Government of Italy to article 24 in its instrument of accession.

"The reservation made by the Government of Mexico to article 21 in its instrument of accession."

#### MADAGASCAR

The Malagasy Republic formally expresses its objection to all reservations and statements made in connexion with signature or ratification of the Convention on the Territorial Sea and the Contiguous Zone or in connexion with accession to the said Convention which are inconsistent with the aims and purposes of this Convention.

This objection applies in particular to the statements or reservations made with regard to the Convention on the Territorial Sea and the Contiguous Zone by Bulgaria, the Byelorussian Soviet Socialist Republic, Colombia, Czechoslovakia, Hungary, Romania, Tunisia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics.

#### NETHERLANDS

"The Government of the Kingdom of the Netherlands declare that they do not find acceptable:

--"the reservations made by the Government of Czechoslovakia to article 19, by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics to article 20, and by the Governments of Hungary and Czechoslovakia to article 21;

--"the reservations made by the Iranian Government to article 14;

--"the declaration by the Government of Colombia as far as it amounts to a reservation on article 14;

--"the reservation made by the Government of the Tunisian Republic to article 16, paragraph 4;

--"the declarations made by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics on article 23, and the declarations made by the Governments of Czechoslovakia and Hungary on the articles 14 and 23 as far as these declarations amount to a reservation to the said articles;

--"the reservation made by the Government of the Republic of Italy to article 24, paragraph 1.



"The Government of the Kingdom of the Netherlands reserve all rights regarding the reservations made by the Government of Venezuela on ratifying the present Convention in respect of article 12 and article 24, paragraphs 2 and 3."

17 March 1967

"The Government of the Kingdom of the Netherlands do not find acceptable the reservation made by the Government of Mexico."

#### PORTUGAL

27 December 1966

"The Government of Portugal cannot accept the reservation proposed by the Mexican Government requiring the exemption of government ships from the dispositions laid down in the Convention, irrespective of the use to which these ships are put."

#### THAILAND

*Objections to the following reservations:*

"1. the reservations to article 20 made by the Governments of Bulgaria, the Byelorussian SSR, Romania, the Ukrainian SSR and the USSR;

"2. the reservations to article 21 made by the Governments of Czechoslovakia, Mexico and Hungary;

"3. the reservations to article 23 made by the Governments of Bulgaria, the Byelorussian SSR, Colombia, Czechoslovakia, Hungary, Romania, the Ukrainian SSR and the USSR."

#### TONGA

"The Government of Tonga affirms that in the absence of any other statement expressing a contrary intention, it wishes to maintain all objections communicated to the Secretary-General by the United Kingdom to the reservations or declarations made by States with respect to any conventions of which the Secretary-General is the depositary."

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

6 November 1959

"Her Majesty's Government desire to place on record their formal objections to the following reservations and declarations:

"(a) The reservations made by the Government of Czechoslovakia to article 19, by the Governments of Bulgaria, the Byelorussian SSR, Czechoslovakia, Romania, the Ukrainian SSR, and the USSR to article 20, and by Hungary to article 21.

"(b) The reservation made by the Government of Iran to article 14.

"(c) The reservation made by the Government of the Tunisian Republic to article 16, paragraph 4."

5 April 1962

"The reservations made by the Government of Venezuela to article 12 and paragraphs 2 and 3 of article 24."

2 November 1966

"The reservation to article 21 of Sub-section C contained in the Mexican instrument of accession."

13 May 1975

"Her Majesty's Government desire to place on record their formal objection to the reservations by the German Democratic Republic concerning article 20 of the Convention on the Territorial Sea and the Contiguous Zone". (*In this connexion, the Government of the United Kingdom indicated that they had not received the circular letter reproducing the text of the reservations made by the Government of the German Democratic Republic until early in August 1974.*)

#### UNITED STATES OF AMERICA<sup>6</sup>

19 September 1962

"The United States does not find the following reservations acceptable:

"1. The reservations made by the Government of Czechoslovakia to article 19, by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics to article 20, and by Hungary to article 21.

"2. The reservations made by the Government of the Tunisian Republic to article 16, paragraph 4.

"3. The reservation made by the Government of Venezuela to article 12 and to article 24, paragraphs 2 and 3."

17 June 1965

"Objection to the reservation made by the Government of Italy in its instrument of accession."

28 September 1966

"Objection to the reservation made by the Government of Mexico in its instrument of accession."

11 July 1974

"The Government of the United States does not find acceptable the reservations made by the German Democratic Republic to article 20 of the Convention on the Territorial Sea and the Contiguous Zone and to article 9 of the Convention on the High Seas. The Government of the United States, however, considers those Conventions as continuing in force between it and the German Democratic Republic except that provisions to which the above-mentioned reservations are addressed shall apply only to the extent that they are not affected by those reservations."

#### Notes:

<sup>1</sup> *Official Records of the General Assembly, Eleventh Session, Supplement No. 17 (A/3572)*, p. 54.

<sup>2</sup> The German Democratic Republic had acceded to the Convention on 27 December 1973 with a reservation and a declaration. For the text of the reservation and the declaration, see United Nations, *Treaty Series*, vol. 905, p. 84. See also note 14 in chapter I.2.

<sup>3</sup> Signed on behalf of the Republic of China on 29 April 1958. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>4</sup> Czechoslovakia had signed and ratified the Convention on 30 October 1958 and 31 August 1961, respectively, with reservations. For the text of the reservations, see United Nations, *Treaty Series*, vol. 516, p. 256. See also note 11 in chapter I.2.

<sup>5</sup> The Secretary-General received, on 9 June 1971, a communication from the Government of Senegal denouncing this Convention as

well as the Convention on the Living Resources of the High Seas, and specifying that the denunciation would take effect on the thirtieth day from its receipt. The said communication, as well as the related exchange of correspondence between the Secretariat and the Government of Senegal, was circulated by the Secretary-General to all States entitled to become parties to the Conventions concerned under their respective clauses.

The notification of denunciation was registered by the Government of Senegal as at 9 June 1971, under Nos. 7477 and 8164. (See United Nations, *Treaty Series*, vol. 781, p. 332.)

In this connection, a communication from the Government of the United Kingdom was received by the Secretary-General on 2 January 1973, stating *inter alia*:

"... As regards the notification by the Government of Senegal purporting to denounce the two Conventions of 1958, the Government

of the United Kingdom wish to place on record that in their view those Conventions are not susceptible to unilateral denunciation by a State which is a party to them and they therefore cannot accept the validity or effectiveness of the purported denunciation by the Government of Senegal. Accordingly, the Government of the United Kingdom regard the Government of Senegal as still bound by the obligations which they assumed when they became a party to those Conventions and the Government of the United Kingdom fully reserve all their rights under them as well as their rights and the rights of their nationals in respect of any action which the Government of Senegal have taken or may take as a consequence of the said purported denunciation.

"As regards the various arguments that are set out in the correspondence referred to above with reference to certain other questions relating to the law of treaties, including in particular the question of the functions of the Secretary-General as a depositary of the Conventions of 1958 and the question of the duties of the Secretariat in relation to the registration of treaties and in relation to acts, notifications and communications, relating to treaties, the Government of the United Kingdom do not consider it necessary at this stage to express any view on those matters but they fully reserve their position in relation thereto and expressly reserve their right formally to make their views known at a later date.

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations requests that copies of this Note should be transmitted by the Secretariat to all States concerned, that is to say, all States Members of the United Nations or Members of any of the Specialised Agencies, and, since the notification by the Government of Senegal was registered by Senegal, further requests that the statement of the position of the Government of

the United Kingdom in relation to that notification, as set out in the second paragraph of the present Note, should similarly be registered."

The said communication was registered in the name of the Government of the United Kingdom on 2 January 1973 under Nos. 7477 and 8164 (see United Nations, *Treaty Series*, vol. 854, pp. 214 and 220).

<sup>6</sup> On 27 October 1967, the Government of the United States of America transmitted to the Secretary-General the following communication with reference to its previous communications regarding ratifications and accessions to the Law of the Sea Conventions with reservations which were unacceptable to the United States of America:

"The Government of the United States of America has received an inquiry regarding the applicability of several of the Geneva Law of the Sea Conventions of 1958 between the United States and States which ratified or acceded to those Conventions with reservations which the United States found to be unacceptable. The Government of the United States wishes to state that it has considered and will continue to consider all the Geneva Law of the Sea Conventions of 1958 as being in force between it and all other States that have ratified or acceded thereto, including States that have ratified or acceded with reservations unacceptable to the United States. With respect to States which ratified or acceded with reservations unacceptable to the United States, the Conventions are considered by the United States to be in force between it and each of those States except that provisions to which such reservations are addressed shall apply only to the extent that they are not affected by those reservations. The United States considers that such application of the Convention does not in any manner constitute any concurrence by the United States in the substance of any of the reservations involved."

## 2. CONVENTION ON THE HIGH SEAS

*Geneva, 29 April 1958*

**ENTRY INTO FORCE:** 30 September 1962, in accordance with article 34.  
**REGISTRATION:** 3 January 1963, No. 6465.  
**STATUS:** Signatories: 47. Parties: 62.  
**TEXT:** United Nations, Treaty Series, vol. 450, p. 11.

*Note:* See "Note:" in same place in chapter XXI.1.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan.....	30 Oct 1958	28 Apr 1959	Lebanon.....	29 May 1958	
Albania.....		7 Dec 1964 a	Lesotho.....		23 Oct 1973 d
Argentina.....	29 Apr 1958		Liberia.....	27 May 1958	
Australia.....	30 Oct 1958	14 May 1963	Madagascar.....		31 Jul 1962 a
Austria.....	27 Oct 1958	10 Jan 1974	Malawi.....		3 Nov 1965 a
Belarus.....	30 Oct 1958	27 Feb 1961	Malaysia.....		21 Dec 1960 a
Belgium.....		6 Jan 1972 a	Mauritius.....		5 Oct 1970 d
Bolivia.....	17 Oct 1958		Mexico.....		2 Aug 1966 a
Bosnia and Herzegovi- na.....		1 Sep 1993 d	Mongolia.....		15 Oct 1976 a
Bulgaria.....	31 Oct 1958	31 Aug 1962	Nepal.....	29 Apr 1958	28 Dec 1962
Burkina Faso.....		4 Oct 1965 a	Netherlands.....	31 Oct 1958	18 Feb 1966
Cambodia.....		18 Mar 1960 a	New Zealand.....	29 Oct 1958	
Canada.....	29 Apr 1958		Nigeria.....		26 Jun 1961 d
Central African Repub- lic.....		15 Oct 1962 a	Pakistan.....	31 Oct 1958	
China <sup>1</sup> .....			Panama.....	2 May 1958	
Colombia.....	29 Apr 1958		Poland.....	31 Oct 1958	29 Jun 1962
Costa Rica.....	29 Apr 1958	16 Feb 1972	Portugal.....	28 Oct 1958	8 Jan 1963
Croatia.....		3 Aug 1992 d	Romania.....	31 Oct 1958	12 Dec 1961
Cuba.....	29 Apr 1958		Russian Federation ..	30 Oct 1958	22 Nov 1960
Cyprus.....		23 May 1988 a	Senegal.....		25 Apr 1961 a
Czech Republic <sup>2</sup> ....		22 Feb 1993 d	Sierra Leone.....		13 Mar 1962 d
Denmark.....	29 Apr 1958	26 Sep 1968	Slovakia <sup>2</sup> .....		28 May 1993 d
Dominican Republic ..	29 Apr 1958	11 Aug 1964	Slovenia.....		6 Jul 1992 d
Fiji.....		25 Mar 1971 d	Solomon Islands ....		3 Sep 1981 d
Finland.....	27 Oct 1958	16 Feb 1965	South Africa.....		9 Apr 1963 a
France.....	30 Oct 1958		Spain.....		25 Feb 1971 a
Germany <sup>3,4</sup> .....	30 Oct 1958	26 Jul 1973	Sri Lanka.....	30 Oct 1958	
Ghana.....	29 Apr 1958		Swaziland.....		16 Oct 1970 a
Guatemala.....	29 Apr 1958	27 Nov 1961	Switzerland.....	24 May 1958	18 May 1966
Haiti.....	29 Apr 1958	29 Mar 1960	Thailand.....	29 Apr 1958	2 Jul 1968
Holy See.....	30 Apr 1958		Tonga.....		29 Jun 1971 d
Hungary.....	31 Oct 1958	6 Dec 1961	Trinidad and Tobago ..		11 Apr 1966 d
Iceland.....	29 Apr 1958		Tunisia.....	30 Oct 1958	
Indonesia.....	8 May 1958	10 Aug 1961	Uganda.....		14 Sep 1964 a
Iran (Islamic Republic of).....	28 May 1958		Ukraine.....	30 Oct 1958	12 Jan 1961
Ireland.....	2 Oct 1958		United Kingdom of Great Britain and Northern Ireland ..	9 Sep 1958	14 Mar 1960
Israel.....	29 Apr 1958	6 Sep 1961	United States of Amer- ica.....	15 Sep 1958	12 Apr 1961
Italy.....		17 Dec 1964 a	Uruguay.....	29 Apr 1958	
Jamaica.....		8 Oct 1965 d	Venezuela.....	30 Oct 1958	15 Aug 1961
Japan.....		10 Jun 1968 a	Yugoslavia.....	29 Apr 1958	28 Jan 1966
Kenya.....		20 Jun 1969 a			
Latvia.....		17 Nov 1992 a			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto, see hereinafter.)

**ALBANIA**

*Article 9:* The Government of the People's Republic of Albania considers that, in virtue of well-known principles of international law, all Government ships owned or operated by a State, without exception, irrespective of the purpose for which they are used, are subject to the jurisdiction only of the State under whose flag they sail.

*Declaration:*

The Government of the People's Republic of Albania declares that the definition of piracy as given in the Convention is not consistent with present international law and does not serve to ensure freedom of navigation on the high seas.

**BELARUS**

*Article 9:* The Government of the Byelorussian Soviet Socialist Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

*Declaration:*

The Government of the Byelorussian Soviet Socialist Republic considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

**BULGARIA**

*Reservation made upon signature and confirmed upon ratification:*

*Article 9:* The Government of the People's Republic of Bulgaria considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

*Declaration made upon signature:*

The Government of the People's Republic of Bulgaria considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

*Declaration made upon ratification:*

The Government of the People's Republic of Bulgaria considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

**CZECH REPUBLIC<sup>2</sup>**

**HUNGARY**

*Article 9:* "The Government of the Hungarian People's Republic is of the opinion that, according to the general rules of international law, ships owned or operated by a State and used on government service whether commercial or non-commercial, enjoy on the high seas the same immunity as warships."

*Declaration:*

"The Government of the Hungarian People's Republic declares that the definition of piracy as given in the Convention is

not consistent with present international law and does not serve the general interests of the freedom of navigation on the high seas."

**INDONESIA**

*Reservation:*

"The terms 'territorial sea' and 'internal waters' mentioned in the Convention, as far as the Republic of Indonesia is concerned, are interpreted in accordance with Article 1 of the Government Regulation in Lieu of an Act No. 4 of the Year 1960 (State Gazette 1960, No. 22) concerning Indonesian Waters, which, in accordance with Article 1 of the Act No. 1 of the Year 1961 (State Gazette 1961, No. 3) concerning the Enactment of All Emergency Acts and All Government Regulations in Lieu of an Act which were promulgated before January 1, 1961, has become Act, which Article word by word is as follows:

*"Article 1:*

"1. The Indonesian Waters consist of the territorial sea and the internal waters of Indonesia.

"2. The Indonesian territorial sea is a maritime belt of a width of twelve nautical miles, the outer limit of which is measured perpendicular to the baselines or points on the baselines which consist of straight lines connecting the outermost point on the low water mark of the outermost islands or part of such islands comprising Indonesian territory with the provision that in case of straits of a width of not more than twenty-four nautical miles and Indonesia is not the only coastal state the outer limit of the Indonesian territorial sea shall be drawn at the middle of the strait.

"3. The Indonesian internal waters are all waters lying within the baselines mentioned in paragraph 2.

"4. One nautical mile is sixty to one degree of latitude."

**IRAN (ISLAMIC REPUBLIC OF)**

*Upon signature:*

*Reservations:*

*Article 2:* With respect to the words "no State may validly purport to subject any part of them to its sovereignty", it shall be understood that this prohibition does not apply to the continental shelf, which is governed by article 2 of the Convention on the Continental Shelf.

*Articles 2, 3 and 4:* The Iranian Government maintains the objection on the ground of excess of competence, expressed by its delegation at the twelfth plenary meeting of the Conference on the Law of the Sea on 24 April 1958, to the articles recommended by the Fifth Committee of the Conference and incorporated in the afore-mentioned articles of the Convention on the High Seas. The Iranian Government accordingly reserves all rights regarding the contents of these articles in so far as they relate to countries having no sea coast.

*Article 2(3)-article 26, paragraphs 1 and 2:* Application of the provisions of these articles relating to the laying of submarine cables and pipelines shall be subject to the authorization of the coastal State, in so far as the continental shelf is concerned.

**MEXICO**

*Article 9:* The Government of Mexico enters an express reservation with regard to article 9, since it considers that government ships, irrespective of the use to which they are put, enjoy immunity; it therefore does not accept the limitation imposed in the article in question, which provides that only ships owned or

operated by a State and used only on government non-commercial service shall have immunity from the jurisdiction of other States on the high seas.

#### MONGOLIA<sup>5</sup>

a) . . .

b) Subject to the following declaration in respect of article 15:

The Government of the Mongolian People's Republic considers that the definition of piracy given in article 15 of the Convention does not cover acts which under contemporary international law should be regarded as acts of piracy and thus does not adequately reflect the requirements that must be fulfilled in order to fully ensure freedom of navigation on international waterways.

#### POLAND

*Article 9:* "The Government of the Polish People's Republic considers that the rule expressed in article 9 applies to all ships owned or operated by a State."

*Declaration:*

"The Government of the Polish People's Republic considers that the definition of piracy as contained in the Convention does not fully correspond with the present state of international law in this respect."

#### ROMANIA

*Article 9:* The Government of the Romanian People's Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies to all government ships regardless of the purpose for which they are used.

*Declaration:*

The Government of the Romanian People's Republic considers that the definition of piracy as given in article 15 of the Convention on the High Seas does not cover certain acts which under contemporary international law should be considered as acts of piracy.

#### RUSSIAN FEDERATION

*Article 9:* The Government of the Union of Soviet Socialist Republics considers that the principle of international law according to which a ship on the high seas is not subject to any ju-

risdiction except that of the flag State applies without restriction to all government ships.

*Declaration:*

The Government of the Union of Soviet Socialist Republics considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

#### SLOVAKIA<sup>2</sup>

#### SPAIN

Spain's accession is not to be interpreted as recognition of any rights or situations in connexion with the waters of Gibraltar other than those referred to in article 10 of the Treaty of Utrecht, of 13 July 1713, between the Crowns of Spain and Great Britain.

#### UKRAINE

*Article 9:* The Government of the Ukrainian Soviet Socialist Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

*Declaration:*

The Government of the Ukrainian Soviet Socialist Republic considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"In depositing their instrument of ratification Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland declare that, save as may be stated in any further and separate notices that may hereafter be given, ratification of this Convention on behalf of the United Kingdom does not extend to the States in the Persian Gulf enjoying British protection. Multilateral conventions to which the United Kingdom becomes a party are not extended to these States until such time as an extension is requested by the Ruler of the State concerned."

#### Objections

*(Unless otherwise indicated, the objections were received upon ratification, accession or succession.)*

#### AUSTRALIA

*"Objections to the reservations hereunder:*

(a) The reservation made to articles 2, 3 and 4 by Iran on signature.

(b) The reservation made to paragraph 3 of article 2 and to paragraphs 1 and 2 of article 26 by Iran on signature.

(c) The reservation made to article 9 by Bulgaria on signature and on ratification.

(d) The reservations made to article 9 by the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Un-

ion of Soviet Socialist Republics on signature and confirmed on ratification.

(e) The reservation made by Indonesia on ratification.

In relation to the reservation made by Indonesia [...] the Australian Government has previously informed the Indonesian Government that it does not recognize the validity in international law of the Regulation referred to in the reservation and that it does not consider itself bound by it."

1 February 1965

"Objection of the Government of Australia to the reservation contained in the instrument of accession by Albania to the

Convention on the High Seas done at Geneva on 29 April 1958."

31 January 1968

"The Government of Australia places on record the formal objection to the reservation made by the Government of Mexico."

29 September 1976

"Objection of the Australian Government to the reservation by the German Democratic Republic concerning article 9 of the Convention on the High Seas, 1958, and contained in the instrument of accession of the German Democratic Republic to that Convention."

#### DENMARK

"The Government of Denmark declares that it does not find acceptable:

"The reservations made by the Governments of Albania, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mexico, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics to article 9;

"The reservation made by the Government of Iran to article 26, paragraphs 1 and 2;

"The reservation made by the Government of Indonesia regarding the interpretation of the terms 'territorial sea' and 'internal waters';

"The above-mentioned objections shall not affect the coming into force of the Convention, according to article 34, as between Denmark and the Contracting Parties concerned."

31 October 1974

"The Government of Denmark does not find acceptable the reservation made by the German Democratic Republic on December 27, 1973 to article 20 of the Convention on the Territorial Sea and the Contiguous Zone.

"The Government of Denmark also finds unacceptable the reservation made by the German Democratic Republic on the same date to article 9 of the Convention on the High Seas.

"The above-mentioned objections shall not affect the coming into force of the Conventions as between Denmark and the German Democratic Republic."

#### FII

"The Government of Fiji declares that it withdraws the observations made by the United Kingdom with respect to the reservation made on ratification of the Convention by the Government of Indonesia and substitutes therefore the following observation:

"With respect to the reservation made by the Government of Indonesia on ratification of the above-mentioned Convention on the High Seas, the Government of Fiji states that it considers that the extent of Indonesian national waters referred to therein is subject to the rule of international law that, where the establishment of a straight baseline has the effect of enclosing as internal waters areas which previously had been considered as part of the high seas, a right of innocent passage shall exist in those waters, subject to the regulations of the national authorities respecting police, customs, quarantine and control of pollution, and without prejudice to the exclusive right of such authorities in respect of the exploration and exploitation of the natural resources of such waters and of the subjacent seabed and subsoil.

"Furthermore, the Government of Fiji maintains all other objections communicated to the Secretary-General by the United Kingdom Government to the reservations or declarations made by certain States with respect to this Convention, reserving only its position on that Government's observations bearing on the application of the Optional Protocol of Signature pending

final disposition of the question of the succession by the Government of Fiji to the said Protocol."

#### GERMANY3

15 July 1974

"The Government of the Federal Republic of Germany considers the following reservations to be inconsistent with the aims and purposes of the Convention of 29 April 1958 on the High Seas and therefore to be unacceptable:

"1. The reservation made to the Convention by the Government of Indonesia;

"2. The reservation declared at signature of the Convention by the Government of Iran to articles 2, 3 and 4 and to article 2, item 3, in conjunction with article 26, paragraphs 1 and 2, of the Convention, the latter in so far as that reservation is to open up the possibility of refusing permission to lay submarine cables and pipelines even where certain conditions have been fulfilled;

"3. The reservations and the declarations to be qualified in substance as reservations made to article 9 of the Convention by the Governments of Albania, Bulgaria, Mexico, Poland, Romania, the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, Czechoslovakia and Hungary;

"4. The declarations made by the Governments of Albania, Bulgaria, Poland, Romania, the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, Czechoslovakia and Hungary to the definition of piracy as given in the Convention in so far as the said declarations are to be qualified as reservations.

"The Government of the Federal Republic of Germany furthermore considers the reservation made on 27 December 1973 by the German Democratic Republic to article 9 of the Convention to be inconsistent with the aims and purposes of the Convention and therefore to be unacceptable.

"This also applies to the declaration made by the Government of the German Democratic Republic on the same date to the definition of piracy as given in the Convention in so far as that declaration is to be qualified as a reservation. "The present declaration does not affect the applicability, in all other respects, of the Convention under international law as between the Federal Republic of Germany and the Parties to the Convention having made the reservations and declarations referred to above."

2 March 1977

"The Government of the Federal Republic of Germany considers the reservation made by the Government of the Mongolian People's Republic to article 9 of the Convention of 29 April 1958 on the High Seas as well as the declaration made by the Government of the Mongolian People's Republic to article 15 of that Convention, in so far as the latter is in substance to be qualified as a reservation, to be inconsistent with the aims and purposes of the Convention and therefore unacceptable.

"The present declaration does not affect the applicability, in all other respects, of the Convention under international law as between the Federal Republic of Germany and the Mongolian People's Republic."

#### ISRAEL

"Objection to all reservations and declarations made in connection with the signing or ratification of or accession to the Convention on the Territorial Sea and the Contiguous Zone and the Convention on the High Seas which are incompatible with the purpose and objects of these Conventions. This objection applies in particular to the declaration or reservation made by Tunisia to article 16, paragraph 4, of the first of the above-mentioned Conventions on the occasion of signature."

## JAPAN

"1. The Government of Japan wishes to state that it does not consider acceptable any unilateral statement in whatever form, made by a State upon signing, ratifying or acceding to the Convention on the High Seas, which is intended to exclude or modify for such State legal effects of the provisions of the Convention.

"2. In particular, the Government of Japan finds unacceptable the following reservations:

"(a) The reservations made by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics to article 9.

"(b) The reservations made by the Government of Iran to article 2 and article 26, paragraphs 1 and 2.

"The reservations made by the Government of Indonesia.

"The reservation made by the Government of Albania to article 9 in its instrument of accession.

"The reservation made by the Government of Mexico to article 9 in its instrument of accession."

## MADAGASCAR

The Malagasy Republic formally expresses its objection to all reservations and statements made in connexion with signature or ratification of the Convention on the High Seas or in connexion with accession to the said Convention which are inconsistent with the aims and purposes of this Convention.

This objection applies in particular to the statements or reservations made with regard to the Convention on the High Seas by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Indonesia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics.

## NETHERLANDS

"The Government of the Kingdom of the Netherlands declare that they do not find acceptable

"the reservations to article 9 made by the Governments of Albania, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics;

"the declarations made by the Governments of Albania, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics on the definition of piracy given in the Convention, as far as these declarations amount to a reservation;

"the reservations made by the Iranian Government to articles 2, 3 and 4, and

"to articles 2, paragraph 3, and 26, paragraphs 1 and 2;

"the declaration made by the Government of Iran on article 2 as far as it amounts to a reservation to the said article;

"the reservation made by the Government of Indonesia."

17 March 1967

"The Government of the Kingdom of the Netherlands do not find acceptable the reservation made by the Government of Mexico."

## PORTUGAL

27 December 1966

"The Government of Portugal cannot accept the reservation proposed by the Mexican Government requiring the exemption of government ships from the dispositions laid down in the Convention, irrespective of the use to which these ships are put."

## THAILAND

Objection to the following reservations and declarations:

"Reservations to article 9 made by the Governments of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Mexico, Poland, Romania, the Ukrainian SSR and the USSR;

"Declarations to article 15 made by the Governments of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR and the USSR;

"Reservation made by the Government of Indonesia."

## TONGA

"The Government of the Kingdom of Tonga withdraws the observations made by the United Kingdom with respect to the reservation made on ratification of the Convention by the Government of Indonesia and substitute therefore the following observation:

"With respect to the reservation made by the Government of Indonesia on ratification of the above-mentioned Convention on the High Seas, the Government of Tonga states that it considers that the extent of Indonesian national waters referred to therein is subject to the rule of international law that, where the establishment of a straight baseline has the effect of enclosing as internal waters areas which previously had been considered as part of the high seas, a right of innocent passage shall exist in those waters, subject to the regulations of the national authorities respecting police, customs, quarantine and control of pollution, and without prejudice to the exclusive right of such authorities in respect of the exploration and exploitation of the natural resources of such waters and of the subjacent seabed and subsoil."

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

6 November 1959

"Her Majesty's Government desire to place on record their formal objections to the following reservations and declarations:

"The reservations to article 9, made by the Governments of Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR, and the USSR.

"The reservations to articles 2, 3 and 4, and article 2(3) made by the Iranian Government."

5 April 1962

"Objection to the reservation made on ratification by the Government of Indonesia.

Her Majesty's Government have already stated to the Indonesian Government that they cannot regard as valid under international law the provisions of 'Government Regulation No. 4, 1960, in lieu of an Act concerning Indonesian Waters' to the extent that these provisions embody a claim to territorial waters extending to 12 miles or purport to demarcate territorial waters by the drawing of straight base lines between the outermost islands, or points, of a group of islands or purport to treat as internal waters all waters enclosed by those lines."

17 June 1965

"Objection to the reservation to article 9 contained in the Albanian instrument of accession to the Convention."

2 November 1966

"Objection to the reservation to article 9 contained in the Mexican instrument of accession."

13 May 1975

"Her Majesty's Government desire to place on record their formal objection to the reservations by the German Democratic Republic concerning article 9 of the Convention on the High Seas." (*In this connection, the Government of the United King-*

dom indicated that they had not received the depositary notification reproducing the text of the reservations made by the Government of the German Democratic Republic until early in August 1974.)

10 January 1977

"The views of the United Kingdom Government regarding reservations and declarations made in connection with this Convention were set out in the letter of the 5th of November 1959 from the Permanent Representative of the United Kingdom to the Secretary-General of the United Nations.

"The United Kingdom Government now desire to place on record their formal objection to the reservation by the Government of Mongolia concerning article 9 of this Convention."

#### UNITED STATES OF AMERICA<sup>6</sup>

19 September 1962

"The United States does not find the following reservations acceptable:

"1. The reservations to article 9 made by the Governments of Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Po-

land, Romania, the Ukrainian SSR and the Union of Soviet Socialist Republics.

"2. The reservations made by the Iranian Government to articles 2, 3, and 4 and article 26, paragraphs 1 and 2.

"3. The reservation made by the Government of Indonesia."  
19 August 1965

"The reservation to article 9 made by the Government of Albania in its instrument of accession."

28 September 1966

"The reservation made by the Government of Mexico in its instrument of accession."

11 July 1974

"The Government of the United States does not find acceptable the reservations made by the German Democratic Republic to article 20 of the Convention on the Territorial Sea and the Contiguous Zone and to article 9 of the Convention on the High Seas. The Government of the United States, however, considers those Conventions as continuing in force between it and the German Democratic Republic except that provisions to which the above-mentioned reservations are addressed shall apply only to the extent that they are not affected by those reservations."

#### Notes:

<sup>1</sup> Signed on behalf of the Republic of China, on 29 April 1958. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>2</sup> Czechoslovakia had signed and ratified on 30 October 1958 and 31 August 1961, respectively, with reservations. For the text of the reservations, see United Nations, *Treaty Series*, vol. 450, p. 142. See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had acceded to the Convention on 27 December 1973 with a reservation and declarations. For the text of the reservation and declarations, see United Nations, *Treaty Series*, vol. 905, p. 80. See also note 14 in chapter I.2.

<sup>4</sup> With the following statement:

"... The said Convention ... shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany."

In this connection, the Secretary-General received on 5 November 1973, the following communication from the Government of the Union of Soviet Socialist Republics:

The Soviet Union can take note of the declaration by the Federal Republic of Germany concerning application to Berlin (West) of the Convention on the High Seas ... only on the understanding that such application conforms to the Quadripartite Agreement of 3 September 1971 and is subject to observance of the established procedures.

Communications identical in essence, *mutatis mutandis*, were received from the Government of Czechoslovakia (on 6 December 1973) and from the Government of the Byelorussian SSR (on 13 February 1974). Furthermore, on 27 December 1973, the following communication was received on the same subject from the Government of the German Democratic Republic:

In respect of the application of the Convention on the High Seas to Berlin (West), the German Democratic Republic takes note of the Declaration on this matter made by the Federal Republic of Germany, with the reservation that the provisions of this Convention are to be applied to Berlin (West) in accordance with the Quadripartite Agreement of 3 September 1971 between the Governments of the

Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic according to which Berlin (West) is not a part of the Federal Republic of Germany and may not be governed by it.

With regard to the aforesaid declaration, the Secretary-General received on 8 July 1975, from the Governments of the United States of America, France and the United Kingdom the following declaration:

"The Governments of France, the United Kingdom and the United States wish to point out that the German Democratic Republic is not a party to the Quadripartite Agreement of 3 September 1971, which was concluded in Berlin by the Governments of the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and is not therefore competent to comment authoritatively on its provisions.

"The above referred to communication contains an incomplete and therefore misleading reference to the Quadripartite Agreement. In this connection the Governments of France, the United Kingdom and the United States wish to draw attention to the fact that the provision of the Quadripartite Agreement referred to in the communication states that "the ties between the Western Sectors of Berlin and the Federal Republic of Germany will be maintained and developed, taking into account that these Sectors continue not to be a constituent part of the Federal Republic of Germany and not to be governed by it.

"The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications containing incomplete and misleading references to provisions of the Quadripartite Agreement from States which are not signatories to that Agreement. This should not be taken to imply any change in the position of those Governments in this matter."

See also note 3 above.

<sup>5</sup> In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation made upon accession concerning article 9. For the text of the reservation, see United Nations, *Treaty Series*, vol. 1025, p. 370.

<sup>6</sup> See note 6 in chapter XXI.1.



**3. CONVENTION ON FISHING AND CONSERVATION OF THE LIVING RESOURCES OF  
THE HIGH SEAS**

*Geneva, 29 April 1958*

**ENTRY INTO FORCE:** 20 March 1956, in accordance with article 18.  
**REGISTRATION:** 20 March 1966, No. 8164.  
**STATUS:** Signatories: 36. Parties: 37.  
**TEXT:** United Nations, Treaty Series, vol. 559, p. 285.

*Note:* See "Note:" in the same place in chapter XXI.1.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan . . . . .	30 Oct 1958		Malawi . . . . .		3 Nov 1965 a
Argentina . . . . .	29 Apr 1958		Malaysia . . . . .		21 Dec 1960 a
Australia . . . . .	30 Oct 1958	14 May 1963	Mauritius . . . . .		5 Oct 1970 d
Belgium . . . . .		6 Jan 1972 a	Mexico . . . . .		2 Aug 1966 a
Bolivia . . . . .	17 Oct 1958		Nepal . . . . .	29 Apr 1958	
Bosnia and Herzegovina . . . . .		12 Jan 1994 d	Netherlands . . . . .	31 Oct 1958	18 Feb 1966
Burkina Faso . . . . .		4 Oct 1965 a	New Zealand . . . . .	29 Oct 1958	
Cambodia . . . . .		18 Mar 1960 a	Nigeria . . . . .		26 Jun 1961 d
Canada . . . . .	29 Apr 1958		Pakistan . . . . .	31 Oct 1958	
China <sup>1</sup> . . . . .			Panama . . . . .	2 May 1958	
Colombia . . . . .	29 Apr 1958	3 Jan 1963	Portugal . . . . .	28 Oct 1958	8 Jan 1963
Costa Rica . . . . .	29 Apr 1958		Senegal <sup>2</sup> . . . . .		25 Apr 1961 a
Cuba . . . . .	29 Apr 1958		Sierra Leone . . . . .		13 Mar 1962 d
Denmark . . . . .	29 Apr 1958	26 Sep 1968	Solomon Islands . . . . .		3 Sep 1981 d
Dominican Republic . . . . .	29 Apr 1958	11 Aug 1964	South Africa . . . . .		9 Apr 1963 a
Fiji . . . . .		25 Mar 1971 d	Spain . . . . .		25 Feb 1971 a
Finland . . . . .	27 Oct 1958	16 Feb 5	Sri Lanka . . . . .	30 Oct 1958	
France . . . . .	30 Oct 1958	18 Sep 1970	Switzerland . . . . .	22 Oct 1958	18 May 1966
Ghana . . . . .	29 Apr 1958		Thailand . . . . .	29 Apr 1958	2 Jul 1968
Haiti . . . . .	29 Apr 1958	29 Mar 1960	Tonga . . . . .		29 Jun 1971 d
Iceland . . . . .	29 Apr 1958		Trinidad and Tobago . . . . .		11 Apr 1966 d
Indonesia . . . . .	8 May 1958		Tunisia . . . . .	30 Oct 1958	
Iran (Islamic Republic of) . . . . .	28 May 1958		Uganda . . . . .		14 Sep 1964 a
Ireland . . . . .	2 Oct 1958		United Kingdom of Great Britain and Northern Ireland . . . . .	9 Sep 1958	14 Mar 1960
Israel . . . . .	29 Apr 1958		United States of America . . . . .	15 Sep 1958	12 Apr 1961
Jamaica . . . . .		16 Apr 1964 d	Uruguay . . . . .	29 Apr 1958	
Kenya . . . . .		20 Jun 1969 a	Venezuela . . . . .	30 Oct 1958	10 Jul 1963
Lebanon . . . . .	29 May 1958		Yugoslavia . . . . .	29 Apr 1958	28 Jan 1966
Lesotho . . . . .		23 Oct 1973 d			
Liberia . . . . .	27 May 1958				
Madagascar . . . . .		31 Jul 1962 a			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**DENMARK**

Denmark does not consider itself bound by the last sentence of article 2 of the Convention.

**SPAIN**

Spain's accession is not to be interpreted as recognition of any rights or situations in connexion with the waters of Gibraltar other than those referred to in article 10 of the Treaty of

Utrecht, of 13 July 1713, between the Crowns of Spain and Great Britain.

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

"In depositing their instrument of ratification . . . Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland declare that, save as may be stated in any fur-

ther and separate notices that may hereafter be given, ratification of this Convention on behalf of the United Kingdom does not extend to the States in the Persian Gulf enjoying British protection. Multilateral conventions to which the United Kingdom becomes a party are not extended to these States until such time as an extension is requested by the Ruler of the State concerned."

#### UNITED STATES OF AMERICA

"Subject to the understanding that such ratification shall not be construed to impair the applicability of the principle of 'abstention', as defined in paragraph A.1 of the documents of record in the proceedings of the Conference [on the Law of the Sea, held at Geneva from 24 February to 27 April 1958], identified as A/CONF.13/C.3/L.69, 8 April 1958."

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#### *Notes:*

<sup>1</sup> Signed on behalf of the Republic of China on 29 April 1958. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 3 in chapter I.1).

<sup>2</sup> See note 5 in chapter XXI.1.

#### 4. CONVENTION ON THE CONTINENTAL SHELF

*Geneva, 29 April 1958*

**ENTRY INTO FORCE:** 10 June 1964, in accordance with article 11.  
**REGISTRATION:** 10 June 1964, No. 7302.  
**STATUS:** Signatories: 44. Parties: 57.  
**TEXT:** United Nations, Treaty Series, vol. 499, p. 311.  
*Note:* See "Note:" in the same place in chapter XXI.1.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan	30 Oct 1958		Malawi		3 Nov 1965 a
Albania		7 Dec 1964 a	Malaysia		21 Dec 1960 a
Argentina	29 Apr 1958		Malta		19 May 1966 d
Australia	30 Oct 1958	14 May 1963	Mauritius		5 Oct 1970 d
Belarus	31 Oct 1958	27 Feb 1961	Mexico		2 Aug 1966 a
Bolivia	17 Oct 1958		Nepal	29 Apr 1958	
Bosnia and Herzegovina		12 Jan 1994 d	Netherlands	31 Oct 1958	18 Feb 1966
Bulgaria		31 Aug 1962 a	New Zealand	29 Oct 1958	18 Jan 1965
Cambodia		18 Mar 1960 a	Nigeria		28 Apr 1971 a
Canada	29 Apr 1958	6 Feb 1970	Norway		9 Sep 1971 a
Chile	31 Oct 1958		Pakistan	31 Oct 1958	
China <sup>1</sup>			Panama	2 May 1958	
Colombia	29 Apr 1958	8 Jan 1962	Peru	31 Oct 1958	
Costa Rica	29 Apr 1958	16 Feb 1972	Poland	31 Oct 1958	29 Jun 1962
Croatia		3 Aug 1992 d	Portugal	28 Oct 1958	8 Jan 1963
Cuba	29 Apr 1958		Romania		12 Dec 1961 a
Cyprus		11 Apr 1974 a	Russian Federation	31 Oct 1958	22 Nov 1960
Czech Republic <sup>2</sup>		22 Feb 1993 d	Senegal <sup>4</sup>		25 Apr 1961 a
Denmark	29 Apr 1958	12 Jun 1963	Sierra Leone		25 Nov 1966 a
Dominican Republic	29 Apr 1958	11 Aug 1964	Slovakia <sup>2</sup>		28 May 1993 d
Ecuador	31 Oct 1958		Solomon Islands		3 Sep 1981 d
Fiji		25 Mar 1971 d	South Africa		9 Apr 1963 a
Finland	27 Oct 1958	16 Feb 1965	Spain		25 Feb 1971 a
France		14 Jun 1965 a	Sri Lanka	30 Oct 1958	
Germany <sup>3</sup>	30 Oct 1958		Swaziland		16 Oct 1970 a
Ghana	29 Apr 1958		Sweden		1 Jun 1966 a
Greece		6 Nov 1972 a	Switzerland	22 Oct 1958	18 May 1966
Guatemala	29 Apr 1958	27 Nov 1961	Thailand	29 Apr 1958	2 Jul 1968
Haiti	29 Apr 1958	29 Mar 1960	Tonga		29 Jun 1971 d
Iceland	29 Apr 1958		Trinidad and Tobago		11 Jul 1968 a
Indonesia	8 May 1958		Tunisia	30 Oct 1958	
Iran (Islamic Republic of)	28 May 1958		Uganda		14 Sep 1964 a
Ireland	2 Oct 1958		Ukraine	31 Oct 1958	12 Jan 1961
Israel	29 Apr 1958	6 Sep 1961	United Kingdom of Great Britain and Northern Ireland	9 Sep 1958	11 May 1964
Jamaica		8 Oct 1965 a	United States of America	15 Sep 1958	12 Apr 1961
Kenya		20 Jun 1969 a	Uruguay	29 Apr 1958	
Latvia		2 Dec 1992 a	Venezuela	30 Oct 1958	15 Aug 1961
Lebanon	29 May 1958		Yugoslavia	29 Apr 1958	28 Jan 1966
Lesotho		23 Oct 1973 d			
Liberia	27 May 1958				
Madagascar		31 Jul 1962 a			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto, see hereinafter.)*

**CANADA**

"The Government of Canada wishes to make the following declaration with respect to article 1 of the Convention:

"In the view of the Canadian Government the presence of an accidental feature such as a depression or a channel in a submerged area should not be regarded as constituting an interruption in the natural prolongation of the land territory of the coastal state into and under the sea."

**CHINA**

"With regard to the determination of the boundary of the continental shelf as provided in paragraphs 1 and 2 of article 6 of the Convention, the Government of the Republic of China considers:

(1) that the boundary of the continental shelf appertaining to two or more States whose coasts are adjacent to and/or opposite each other shall be determined in accordance with the principle of the natural prolongation of their land territories; and

(2) that in determining the boundary of the continental shelf of the Republic of China, exposed rocks and islets shall not be taken into account."

**FRANCE**

In depositing this instrument of accession, the Government of the French Republic declares:

*Article 1*

In the view of the Government of the French Republic, the expression "adjacent" areas implies a notion of geophysical, geological and geographical dependence which *ipso facto* rules out an unlimited extension of the continental shelf.

*Article 2 (paragraph 4)*

The Government of the French Republic considers that the expression "living organisms belonging to sedentary species" must be interpreted as excluding crustaceans, with the exception of the species of crab termed "barnacle"; and it makes the following reservations:

*Article 4*

The Government of the French Republic accepts this article only on condition that the coastal State claiming that the measures it intends to take are "reasonable" agrees that if their reasonableness is contested it shall be determined by arbitration.

*Article 5 (paragraph 1)*

The Government of the French Republic accepts the provisions of article 5, paragraph 1, with the following reservations:

(a) An essential element which should serve as the basis for appreciating any "interference" with the conservation of the living resources of the sea, resulting from the exploitation of the continental shelf, particularly in breeding areas for maintenance of stocks, shall be the technical report of the international scientific bodies responsible for the conservation of the living resources of the sea in the areas specified respectively in article 1 of the Convention for the Northwest Atlantic Fisheries of 8 February 1949 and article 1 of the Convention for the Northeast Atlantic Fisheries of 24 January 1959.

(b) Any restrictions placed on the exercise of acquired fishing rights in waters above the continental shelf shall give rise to a right to compensation.

(c) It must be possible to establish by means of arbitration, if the matter is contested, whether the exploration of the continental shelf and the exploitation of its natural resources result in an interference with the other activities protected by article 5, paragraph 1, which is "unjustifiable".

*Article 6 (paragraphs 1 and 2)*

In the absence of a specific agreement, the Government of the French Republic will not accept that any boundary of the continental shelf determined by application of the principle of equidistance shall be invoked against it:

-- if such boundary is calculated from baselines established after 29 April 1958;

-- if it extends beyond the 200-metre isobath;

-- if it lies in areas where, in the Government's opinion, there are "special circumstances" within the meaning of article 6, paragraphs 1 and 2, that is to say: the Bay of Biscay, the Bay of Granville, and the sea areas of the Straits of Dover and of the North Sea off the French coast.

**GERMANY<sup>3</sup>**

"In signing the Convention on the Continental Shelf of 29 April 1958, the Federal Republic of Germany declares with reference to article 5, paragraph 1 of the Convention on the Continental Shelf that in the opinion of the Federal Government article 5, paragraph 1 guarantees the exercise of fishing rights (*Fischerei*) in the waters above the continental shelf in the manner hitherto generally in practice."

**GREECE**

... Pursuant to article 12 of the Convention, the Kingdom of Greece makes a reservation with respect to the system of delimiting the boundaries of the continental shelf appertaining to States whose coasts are adjacent or opposite each other, provided for in article 6, paragraphs 1 and 2, of the Convention. In such cases, the Kingdom of Greece will apply, in the absence of international agreement, the normal baseline system for the purpose of measuring the breadth of the territorial sea.

**IRAN (ISLAMIC REPUBLIC OF)**

*Upon signature*

*Reservations:*

(a) *Article 4:* With respect to the phrase "the Coastal State may not impede the laying or maintenance of submarine cables or pipe-lines on the continental shelf", the Iranian Government reserves its right to allow or not to allow the laying or maintenance of submarine cables or pipe-lines on its continental shelf.

(b) *Article 6:* With respect to the phrase "and unless another boundary line is justified by special circumstances" included in paragraphs 1 and 2 of this article, the Iranian Government accepts this phrase on the understanding that one method of determining the boundary line in special circumstances would be that of measurement from the high water mark."

**SPAIN**

Spain's accession is not to be interpreted as recognition of any rights or situations in connexion with the waters of Gibraltar other than those referred to in article 10 of the Treaty of Utrecht, of 13 July 1713, between the Crowns of Spain and Great Britain.

Spain also declares, in connexion with article 1 of the Convention, that the existence of any accident of the surface, such as a depression or a channel, in a submerged zone shall not be deemed to constitute an interruption of the natural extension of the coastal territory into or under the sea.

## VENEZUELA

In signing the present Convention, the Republic of Venezuela declares with reference to article 6 that there are special circumstances to be taken into consideration in the following areas: the Gulf of Paria, in so far as the boundary is not determined by existing agreements, and in zones adjacent thereto; the area between the coast of Venezuela and the island of Aruba; and the Gulf of Venezuela.

### Objections

*(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)*

## CANADA

"The Government of Canada wishes to declare as follows:

"(i) That it does not find acceptable the declaration made by the Federal Republic of Germany with respect to article 5, paragraph 1.

"(ii) That it reserves its position concerning the declaration of the Government of the French Republic with respect to article 1 and article 2, paragraph 4; and further that it does not find acceptable the reservations made by the Government of the French Republic to articles 4, and 5, paragraph 1.

"(iii) That it does not find acceptable the reservation made by the Government of the French Republic to article 6, paragraphs 1 and 2, insofar as that reservation relates to a boundary calculated from baselines established after 29 April 1958 or to a boundary extending beyond the 200 metre isobath.

"(iv) That it reserves its position concerning the reservation made by the Government of the French Republic to article 6, paragraphs 1 and 2, insofar as that reservation relates to a boundary in areas where there are 'special circumstances' within the meaning of article 6, paragraphs 1 and 2.

"(v) That it does not find acceptable the reservation made by the Iranian Government to article 4."

## FIJI

*[As under the Convention on the Territorial Sea and the Contiguous Zone, see chapter XXI.1.]*

## FRANCE

The Government of the French Republic does not accept the reservations made by the Government of Iran with respect to article 4 of the Convention.

## NETHERLANDS

### Objections to:

"the reservations made by the Iranian Government to article 4;

"the reservations made by the Government of the French Republic to articles 5, paragraph 1, and 6, paragraphs 1 and 2.

"The Government of the Kingdom of the Netherlands reserve all rights regarding the reservations in respect of article 6 made by the Government of Venezuela when ratifying the present Convention."

## NORWAY

"In depositing their instrument of accession regarding the said Convention, the Government of Norway declare that they do not find acceptable the reservations made by the Government of the French Republic to article 5, paragraph 1, and to article 6, paragraphs 1 and 2."

*Reservation made upon ratification:* . . . with express reservation in respect of article 6 of the said Convention.

## YUGOSLAVIA

### Reservation in respect of article 6 of the Convention:

In determining its continental shelf, Yugoslavia recognizes no "special circumstances" which should influence that delimitation.

## SPAIN

Spain declares the following:

1. That it reserves its position with respect to the declaration made by the Government of the French Republic in connexion with article 1;

2. That it deems unacceptable the reservation made by the Government of the French Republic to article 6, paragraph 2, especially as concerns the Bay of Biscay.

## THAILAND

On depositing the instrument of ratification, the Government of Thailand made objections to "the reservations to articles 1, 4, 5 (paragraph 1) and 6 (paragraphs 1 and 2) made by the Government of France."

## TONGA<sup>5</sup>

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

14 January 1966

"Article 1: The Government of the United Kingdom take note of the declaration made by the Government of the French Republic and reserve their position concerning it.

"Article 2 (paragraph 4): This declaration does not call for any observations on the part of the Government of the United Kingdom.

"Article 4: The Government of the United Kingdom and the Government of the French Republic are both parties to the Optional Protocol of Signature concerning the Compulsory Settlement of Disputes done at Geneva on the 29th of April, 1958. The Government of the United Kingdom assume that the declaration made by the Government of the French Republic is not intended to derogate from the rights and obligations of the parties to the Optional Protocol.

"Article 5 (paragraph 1): Reservation (a) does not call for any observations on the part of the Government of the United Kingdom.

"The Government of the United Kingdom are unable to accept reservation (b).

"The Government of the United Kingdom are prepared to accept reservation (c) on the understanding that it is not intended to derogate from the rights and obligations of parties to the Optional Protocol of Signature concerning the Compulsory Settlement of Disputes.

"Article 6 (paragraphs 1 and 2): The Government of the United Kingdom are unable to accept the reservations made by the Government of the French Republic."

## UNITED STATES OF AMERICA<sup>6</sup>

19 September 1962

"The United States does not find the following reservations acceptable:

"1. The reservation made by the Iranian Government to article 4.

"2. The reservation made by the Federal Republic of Germany to article 5, paragraph 1."

9 September 1965

"The reservations [made by France] to articles 4, 5 and 6. The declarations by France with respect to articles 1 and 2 are noted without prejudice."

16 July 1970

"The Government of the United States does not find acceptable the declaration made by the Government of Canada with

respect to article 1 of the Convention on the Continental Shelf. The United States considers that Convention to be in force and applicable between it and Canada, but that such application does not in any manner constitute any concurrence by the United States in the substance of the declaration made by Canada with respect to article 1 of that Convention."

## YUGOSLAVIA

29 September 1965

"The Government of Yugoslavia does not accept the reservation made by the Government of the French Republic with respect to article 6 of the Convention on the Continental Shelf."

### Notes:

<sup>1</sup> Signed and ratified on behalf of the Republic of China on 29 April 1958 and 12 October 1970, respectively. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

In communications addressed to the Secretary-General with reference to the above-mentioned ratification, the Permanent Missions to the United Nations of Bulgaria, Poland, Romania, the Ukrainian SSR and the Union of Soviet Socialist Republics stated that the said ratification was illegal since the so-called "Government of China" represented no one and did not have the right to speak on behalf of China, there being only one Chinese State in the world, the People's Republic of China, and one Government entitled to represent it, the Government of the People's Republic of China.

In letters addressed to the Secretary-General concerning the above-mentioned communications, the Permanent Representative of China to the United Nations stated the following:

"The Republic of China, a sovereign state and member of the United Nations, attended the first United Nations Conference on the Law of the Sea in 1958, contributed to the formulation of the Convention on the Continental Shelf, signed the said Convention on 29 April 1958 and duly deposited its instrument of ratification with the Secretary-General of the United Nations on 12 October 1970. Any statement relating to the said Convention that is incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China under the said Convention."

<sup>2</sup> Czechoslovakia had signed and ratified the Convention on 31 October 1958 and 31 August 1961, respectively. See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had acceded to the Convention with a declaration on 27 December 1973. For the text of the declaration, see United Nations, *Treaty Series*, vol. 905, p. 82. See also note 14 in chapter I.2.

<sup>4</sup> The Secretary-General received on 1 March 1976, a communication from the Government of Senegal denouncing this Convention and specifying that the denunciation would take effect on the thirtieth day from its receipt, i.e., on 30 March 1976. The said communication was circulated by the Secretary-General to all States entitled to become parties to the Convention under its respective clauses.

The notification of denunciation was registered by the Government of Senegal on 1 March 1976 under No. 7302. (See United Nations, *Treaty Series*, vol. 997, p. 486).

In this connection, a communication from the Government of the United Kingdom was received by the Secretary-General on 1 September 1976 and registered on that same date under No. 7302.

(See United Nations, *Treaty Series*, vol. 1021, p. 433). The content of this communication is, in essence, *mutatis mutandis*, identical to the first paragraph of the communication by the Government of the United Kingdom reproduced in note 4 in chapter XXI.1.

<sup>5</sup> The Secretary-General received on 22 October 1971, a communication from the Government of Tonga to the effect that the latter wishes to maintain all objections made by the United Kingdom to the reservations or declarations made by States with respect to this Convention.

<sup>6</sup> See note 6 in chapter XXI.1.

**5. OPTIONAL PROTOCOL OF SIGNATURE CONCERNING THE COMPULSORY  
SETTLEMENT OF DISPUTES**

*Geneva, 29 April 1958*

**ENTRY INTO FORCE:** 30 September 1962.  
**REGISTRATION:** 3 January 1963, No. 6466.  
**STATUS:** Signatories: 15. Parties: 37.<sup>1</sup>  
**TEXTE:** United Nations, Treaty Series, vol. 450, p. 169.

*Note:* See Note" in the same place in chapter XXI.1.

<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Definitive signature (s), Succession (d)</i>	<i>Participant<sup>1</sup></i>	<i>Signature</i>	<i>Ratification, Definitive signature (s), Succession (d)</i>
Australia .....		14 May 1963 s	Malawi.....		17 Dec 1965 s
Austria.....	27 Oct 1958		Malaysia.....		1 May 1961 s
Belgium.....		6 Jan 1972 s	Malta.....		19 May 1966 d
Bolivia.....		17 Oct 1958 s	Mauritius.....		5 Oct 1970 d
Bosnia and Herzegovi- na.....		12 Jan 1994 d	Nepal.....		29 Apr 1958 s
Cambodia.....	22 Jan 1970		Netherlands.....	31 Oct 1958	18 Feb 1966
Canada.....	29 Apr 1958		New Zealand.....		29 Oct 1958 s
China <sup>2</sup> .....			Pakistan.....		6 Nov 1958 s
Colombia <sup>3</sup> .....		29 Apr 1958 s	Panama.....		2 May 1958 s
Costa Rica.....		29 Apr 1958 s	Portugal.....	28 Oct 1958	8 Jan 1963
Cuba.....		29 Apr 1958 s	Sierra Leone.....		14 Feb 1963 s
Denmark.....	29 Apr 1958	26 Sep 1968	Solomon Islands....		3 Sep 1981 d
Dominican Republic..		29 Apr 1958 s	Sri Lanka.....		30 Oct 1958 s
Finland.....	27 Oct 1958	16 Feb 1965	Sweden.....	1 Jun 1966	28 Jun 1966
France.....		30 Oct 1958 s	Switzerland.....	24 May 1958	18 May 1966
Germany <sup>4,5</sup> .....	30 Oct 1958	26 Jul 1973	Uganda.....		15 Sep 1964 s
Ghana.....		29 Apr 1958 s	United Kingdom of Great Britain and Northern Ireland..		9 Sep 1958 s
Haiti.....	29 Apr 1958	29 Mar 1960	United States of America <sup>7</sup> .....	15 Sep 1958	
Holy See.....		30 Apr 1958 s	Uruguay.....		29 Apr 1958 s
Hungary.....		8 Dec 1989 s	Yugoslavia.....	29 Apr 1958	28 Jan 1966
Indonesia <sup>6</sup> .....	8 May 1958				
Israel.....	29 Apr 1958				
Liberia.....		27 May 1958 s			
Madagascar.....		10 Aug 1962 s			

**Notes:**

<sup>1</sup> Article V of the Protocol provides that the latter "shall remain open for signature by all States who become Parties to any Convention on the Law of the Sea and is subject to ratification, where necessary, according to the constitutional requirements of the signatory States". Consequently, the signatures listed above appear in the second or third column according to whether they have been affixed subject or not to ratification.

The States listed herein are bound by this Protocol to the extent that they have signed it definitively, ratified it or succeeded to it, and that they are bound by one at least of the four Law of the Sea Conventions.

<sup>2</sup> Signature affixed without reservation as to ratification on behalf of the Republic of China on 29 April 1958. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>3</sup> In signing the Optional Protocol, the delegation of Colombia reserved the obligations of Colombia arising out of conventions concerning the peaceful settlement of disputes which Colombia has ratified and out of any previous conventions concerning the same subject which Colombia may ratify.

<sup>4</sup> See note 14 in chapter I.2.

<sup>5</sup> With the following declaration:

"The Optional Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany."

In this connection, the Secretary-General received on 5 November 1973 the following communication from the Government of the Union of Soviet Socialist Republics:

The Soviet Union can take note of the declaration by the Federal Republic of Germany concerning application to Berlin (West) of . . . the Optional Protocol of signature concerning the Compulsory Settlement of Disputes only on the understanding that such application conforms to the Quadripartite Agreement of 3 September 1971 and is subject to observance of the established procedures.

Communications, identical in essence, were received from the Government of Czechoslovakia (on 6 December 1973. See also note 11 in chapter I.2.) and the Byelorussian SSR (on 13 February 1974).

See also note 4 above.

<sup>6</sup> In a communication received on 24 December 1958, the Government of Indonesia informed the Secretary-General that according to the constitutional requirements of Indonesia, the signature affixed on its behalf to this Protocol is subject to ratification.

<sup>7</sup> In a communication received on 10 June 1963, the Government of the United States of America informed the Secretary-General that the Protocol "will not enter into force with respect to the United States until the Protocol has been ratified on the part of the United States and instrument of ratification has been deposited".



## 6. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

*Montego Bay, 10 December 1982*

**ENTRY INTO FORCE:** 16 November 1994, in accordance with article 308 (1).  
**REGISTRATION:** 16 November 1994, No. 31363.  
**STATUS:** Signatories: 158. Parties: 132.  
**TEXT:** United Nations, Treaty Series, vol. 1833, p. 3; depositary notifications C.N.236.1984.TREATIES-7 of 5 October 1984 (procès-verbal of rectification of the English and Spanish authentic texts); C.N.202.1985.TREATIES-17 of 23 August 1985 (procès-verbal of rectification of the original English text); C.N.17.1986.TREATIES-1 of 7 April 1986 C.N.166.1993.TREATIES-4 of 9 August 1993 (procès-verbal of rectification of the original Arabic, Chinese, English, French and Spanish texts of the Final Act); and C.N.28.1996.TREATIES-2 of 18 March 1996 (procès-verbal of rectification of the original French text).

*Note:* The Convention was adopted by the Third United Nations Conference on the Law of the Sea and opened for signature, together with the Final Act of the Conference, at Montego Bay, Jamaica, on 10 December 1982. The Conference was convened pursuant to resolution 3067 (XXVIII)<sup>1</sup> adopted by the General Assembly on 16 November 1973. The Conference held eleven sessions, from 1973 to 1982, as follows:

- First session: United Nations Headquarters, New York, 3 to 15 December 1973;
- Second session: Parque Central, Caracas, 20 June to 29 August 1974;
- Third session: United Nations Office at Geneva, 17 March to 9 May 1975;
- Fourth session: United Nations Headquarters, New York, 15 March to 7 May 1976;
- Fifth session: United Nations Headquarters, New York, 2 August to 17 September 1976;
- Sixth session: United Nations Headquarters, New York, 23 May to 15 July 1977;
- Seventh session: United Nations Office at Geneva, 28 March to 19 May 1978;
- Resumed seventh session: United Nations Headquarters, New York, 21 August to 15 September 1978;
- Eighth session: United Nations Office at Geneva, 19 March to 27 April 1979;
- Resumed eighth session: United Nations Headquarters, New York, 19 July to 24 August 1979;
- Ninth session: United Nations Headquarters, New York, 3 March to 4 April 1980;
- Resumed ninth session: United Nations Office at Geneva, 28 July to 29 August 1980;
- Tenth session: United Nations Headquarters, New York, 9 March to 24 April 1981;
- Resumed tenth session: United Nations Office at Geneva, 3 to 28 August 1981;
- Eleventh session: United Nations Headquarters, New York, 8 March to 30 April 1982;
- Resumed eleventh session: United Nations Headquarters, New York, 22 to 24 September 1982;
- Final Part of the eleventh session: Montego Bay, Jamaica, 6 to 10 December 1982.

The Conference also adopted a Final Act<sup>2</sup> with, annexed thereto, nine resolutions and a statement of understanding. The text of the Final Act has been reproduced as document A/CONF.62/121 and Corr. 1 to 8.

<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>	<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>
Afghanistan . . . . .	18 Mar 1983		Bosnia and Herzegovina . . . . .		12 Jan 1994 d
Algeria . . . . .	10 Dec 1982	11 Jun 1996	Botswana . . . . .	5 Dec 1984	2 May 1990
Angola . . . . .	10 Dec 1982	5 Dec 1990	Brazil . . . . .	10 Dec 1982	22 Dec 1988
Antigua and Barbuda . . . . .	7 Feb 1983	2 Feb 1989	Brunei Darussalam . . . . .	5 Dec 1984	5 Nov 1996
Argentina . . . . .	5 Oct 1984	1 Dec 1995	Bulgaria . . . . .	10 Dec 1982	15 May 1996
Australia . . . . .	10 Dec 1982	5 Oct 1994	Burkina Faso . . . . .	10 Dec 1982	
Austria . . . . .	10 Dec 1982	14 Jul 1995	Burundi . . . . .	10 Dec 1982	
Bahamas . . . . .	10 Dec 1982	29 Jul 1983	Cambodia . . . . .	1 Jul 1983	
Bahrain . . . . .	10 Dec 1982	30 May 1985	Cameroon . . . . .	10 Dec 1982	19 Nov 1985
Bangladesh . . . . .	10 Dec 1982		Canada . . . . .	10 Dec 1982	
Barbados . . . . .	10 Dec 1982	12 Oct 1993	Cape Verde . . . . .	10 Dec 1982	10 Aug 1987
Belarus . . . . .	10 Dec 1982		Central African Republic . . . . .	4 Dec 1984	
Belgium . . . . .	5 Dec 1984	13 Nov 1998	Chad . . . . .	10 Dec 1982	
Belize . . . . .	10 Dec 1982	13 Aug 1983	Chile . . . . .	10 Dec 1982	25 Aug 1997
Benin . . . . .	30 Aug 1983	16 Oct 1997	China . . . . .	10 Dec 1982	7 Jun 1996
Bhutan . . . . .	10 Dec 1982				
Bolivia . . . . .	27 Nov 1984	28 Apr 1995			

<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>	<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>
Colombia	10 Dec 1982		Malawi	7 Dec 1984	
Comoros	6 Dec 1984	21 Jun 1994	Malaysia	10 Dec 1982	14 Oct 1996
Congo	10 Dec 1982		Maldives	10 Dec 1982	
Cook Islands	10 Dec 1982	15 Feb 1995	Mali	19 Oct 1983	16 Jul 1985
Costa Rica	10 Dec 1982	21 Sep 1992	Malta	10 Dec 1982	20 May 1993
Côte d'Ivoire	10 Dec 1982	26 Mar 1984	Marshall Islands		9 Aug 1991 a
Croatia		5 Apr 1995 d	Mauritania	10 Dec 1982	17 Jul 1996
Cuba	10 Dec 1982	15 Aug 1984	Mauritius	10 Dec 1982	4 Nov 1994
Cyprus	10 Dec 1982	12 Dec 1988	Mexico	10 Dec 1982	18 Mar 1983
Czech Republic <sup>4</sup>	22 Feb 1993 d	21 Jun 1996	Micronesia (Federated States of)		29 Apr 1991 a
Democratic People's Republic of Korea	10 Dec 1982		Monaco	10 Dec 1982	20 Mar 1996
Democratic Republic of the Congo	22 Aug 1983	17 Feb 1989	Mongolia	10 Dec 1982	13 Aug 1996
Denmark	10 Dec 1982		Morocco	10 Dec 1982	
Djibouti	10 Dec 1982	8 Oct 1991	Mozambique	10 Dec 1982	13 Mar 1997
Dominica	28 Mar 1983	24 Oct 1991	Myanmar	10 Dec 1982	21 May 1996
Dominican Republic	10 Dec 1982		Namibia <sup>5</sup>	10 Dec 1982	18 Apr 1983
Egypt	10 Dec 1982	26 Aug 1983	Nauru	10 Dec 1982	23 Jan 1996
El Salvador	5 Dec 1984		Nepal	10 Dec 1982	2 Nov 1998
Equatorial Guinea	30 Jan 1984	21 Jul 1997	Netherlands <sup>6</sup>	10 Dec 1982	28 Jun 1996
Ethiopia	10 Dec 1982		New Zealand	10 Dec 1982	19 Jul 1996
European Community	7 Dec 1984	1 Apr 1998 c	Nicaragua	9 Dec 1984	
Fiji	10 Dec 1982	10 Dec 1982	Niger	10 Dec 1982	
Finland	10 Dec 1982	21 Jun 1996	Nigeria	10 Dec 1982	14 Aug 1986
France	10 Dec 1982	11 Apr 1996	Niue	5 Dec 1984	
Gabon	10 Dec 1982	11 Mar 1998	Norway	10 Dec 1982	24 Jun 1996
Gambia	10 Dec 1982	22 May 1984	Oman	1 Jul 1983	17 Aug 1989
Georgia		21 Mar 1996 a	Pakistan	10 Dec 1982	26 Feb 1997
Germany		14 Oct 1994 a	Palau		30 Sep 1996 a
Ghana	10 Dec 1982	7 Jun 1983	Panama	10 Dec 1982	1 Jul 1996
Greece	10 Dec 1982	21 Jul 1995	Papua New Guinea	10 Dec 1982	14 Jan 1997
Grenada	10 Dec 1982	25 Apr 1991	Paraguay	10 Dec 1982	26 Sep 1986
Guatemala	8 Jul 1983	11 Feb 1997	Philippines	10 Dec 1982	8 May 1984
Guinea	4 Oct 1984	6 Sep 1985	Poland	10 Dec 1982	13 Nov 1998
Guinea-Bissau	10 Dec 1982	25 Aug 1986	Portugal	10 Dec 1982	3 Nov 1997
Guyana	10 Dec 1982	16 Nov 1993	Qatar	27 Nov 1984	
Haiti	10 Dec 1982	31 Jul 1996	Republic of Korea	14 Mar 1983	29 Jan 1996
Honduras	10 Dec 1982	5 Oct 1993	Romania	10 Dec 1982	17 Dec 1996
Hungary	10 Dec 1982		Russian Federation	10 Dec 1982	12 Mar 1997
Iceland	10 Dec 1982	21 Jun 1985	Rwanda	10 Dec 1982	
India	10 Dec 1982	29 Jun 1995	Saint Kitts and Nevis	7 Dec 1984	7 Jan 1993
Indonesia	10 Dec 1982	3 Feb 1986	Saint Lucia	10 Dec 1982	27 Mar 1985
Iran (Islamic Republic of)	10 Dec 1982		Saint Vincent and the Grenadines	10 Dec 1982	1 Oct 1993
Iraq	10 Dec 1982	30 Jul 1985	Samoa	28 Sep 1984	14 Aug 1995
Ireland	10 Dec 1982	21 Jun 1996	Sao Tome and Principe	13 Jul 1983	3 Nov 1987
Italy	7 Dec 1984	13 Jan 1995	Saudi Arabia	7 Dec 1984	24 Apr 1996
Jamaica	10 Dec 1982	21 Mar 1983	Senegal	10 Dec 1982	25 Oct 1984
Japan	7 Feb 1983	20 Jun 1996	Seychelles	10 Dec 1982	16 Sep 1991
Jordan		27 Nov 1995 a	Sierra Leone	10 Dec 1982	12 Dec 1994
Kenya	10 Dec 1982	2 Mar 1989	Singapore	10 Dec 1982	17 Nov 1994
Kuwait	10 Dec 1982	2 May 1986	Slovakia <sup>4</sup>	28 May 1993 d	8 May 1996
Lao People's Demo- cratic Republic	10 Dec 1982	5 Jun 1998	Slovenia		16 Jun 1995 d
Lebanon	7 Dec 1984	5 Jan 1995	Solomon Islands	10 Dec 1982	23 Jun 1997
Lesotho	10 Dec 1982		Somalia	10 Dec 1982	24 Jul 1989
Liberia	10 Dec 1982		South Africa	5 Dec 1984	23 Dec 1997
Libyan Arab Jamahir- iya	3 Dec 1984		Spain	4 Dec 1984	15 Jan 1997
Liechtenstein	30 Nov 1984		Sri Lanka	10 Dec 1982	19 Jul 1994
Luxembourg	5 Dec 1984		Sudan	10 Dec 1982	23 Jan 1985
Madagascar	25 Feb 1983		Suriname	10 Dec 1982	9 Jul 1998
			Swaziland	18 Jan 1984	
			Sweden	10 Dec 1982	25 Jun 1996
			Switzerland	17 Oct 1984	

<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>	<i>Participant<sup>3</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Succession (d)</i>
Thailand.....	10 Dec 1982		United Kingdom of Great Britain and Northern Ireland <sup>7</sup> .		25 Jul 1997 a
the former Yugoslav Republic of Mace- donia .....		19 Aug 1994 d	United Republic of Tanzania .....	10 Dec 1982	30 Sep 1985
Togo .....	10 Dec 1982	16 Apr 1985	Uruguay.....	10 Dec 1982	10 Dec 1992
Tonga.....		2 Aug 1995 a	Vanuatu.....	10 Dec 1982	10 Aug 1999
Trinidad and Tobago.	10 Dec 1982	25 Apr 1986	Viet Nam.....	10 Dec 1982	25 Jul 1994
Tunisia.....	10 Dec 1982	24 Apr 1985	Yemen.....	10 Dec 1982	21 Jul 1987
Tuvalu.....	10 Dec 1982		Yugoslavia.....	10 Dec 1982	5 May 1986
Uganda.....	10 Dec 1982	9 Nov 1990	Zambia.....	10 Dec 1982	7 Mar 1983
Ukraine.....	10 Dec 1982	26 Jul 1999	Zimbabwe.....	10 Dec 1982	24 Feb 1993
United Arab Emirates	10 Dec 1982				

### Declarations

*(Unless otherwise indicated, the declarations were made upon ratification, formal confirmation, accession or succession. For objections thereto, see hereinafter.)*

#### ALGERIA

##### *Upon signature:*

It is the view of the Government of Algeria that its signing the Final Act and the United Nations Convention on the Law of the Sea does not entail any change in its position on the non-recognition of certain other signatories, nor any obligation to cooperate in any field whatsoever with those signatories.

##### *Upon ratification:*

The People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 287, paragraph 1 (b), of the [said Convention] dealing with the submission of disputes to the International Court of Justice.

The People's Democratic Republic of Algeria declares that, in order to submit a dispute to the International Court of Justice, prior agreement between all the Parties concerned is necessary in each case.

The Algerian Government declares that, in conformity with the provisions of Part II, Section 3, Subsections A and C of the Convention, the passage of warships in the territorial sea of Algeria is subject to an authorization fifteen (15) days in advance, except in cases of *force majeure* as provided for in the Convention.

#### ANGOLA

##### *Upon signature:*

"The Government of the People's Republic of Angola reserves the right to interpret any and all articles of the Convention in the context of and with due regard to Angolan Sovereignty and territorial integrity as it applies to land, space and sea. Details of these interpretations will be placed on record at the time of ratification of the Convention.

The present signature is without prejudice to the position taken by the Government of Angola or to be taken by it on the Convention at the time of ratification."

#### ARGENTINA

##### *Upon signature:*

The signing of the Convention by the Argentine Government does not imply acceptance of the Final Act of the Third

United Nations Conference on the Law of the Sea. In that regard, the Argentine Republic, as in its written statement of 8 December 1982 (A/CONF.62/WS/35), places on record its reservation to the effect that resolution III, in annex I to the final Act, in no way affects the "Question of the Falkland Islands (Malvinas)", which is governed by the following specific resolutions of the General Assembly: 2065 (XX), 3160 (XXVIII), 31/49, 37/9 and 38/12, adopted within the framework of the decolonization process.

In this connection, and bearing in mind that the Malvinas and the South Sandwich and South Georgia Islands form an integral part of Argentine territory, the Argentine Government declares that it neither recognizes nor will it recognize the title of any other State, community or entity or the exercise by it of any right of maritime jurisdiction which is claimed to be protected under any interpretation of resolution III that violates the rights of Argentina over the Malvinas and the South Sandwich and South Georgia Islands and their respective maritime zones. Consequently, it likewise neither recognizes nor will recognize and will consider null and void any activity or measure that may be carried out or adopted without its consent with regard to this question, which the Argentine Government considers to be of major importance.

The Argentine Government will accordingly interpret the occurrence of acts of the kind referred to above as contrary to the aforementioned resolutions adopted by the United Nations, the patent objective of which is the peaceful settlement of the sovereignty dispute concerning the islands by means of bilateral negotiations and through the good offices of the Secretary-General of the United Nations.

Furthermore, it is the understanding of the Argentine Republic that, whereas the Final Act states in paragraph 42 that the Convention "together with resolutions I to IV, [forms] an integral whole", it is merely describing the procedure that was followed at the Conference to avoid a series of separate votes on the Convention and the resolutions. The Convention itself clearly establishes in article 318 that only the Annexes form an integral part of the Convention; thus, any other instrument or document, even one adopted by the Conference, does not form

an integral part of the United Nations Convention on the Law of the Sea.

*Upon ratification:*

(a) With regard to those provisions of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of the Argentine Republic to continue to apply the regime currently in force to the passage of foreign warships through the Argentine territorial sea, since that regime is totally compatible with the provisions of the Convention.

(b) With regard to Part III of the Convention, the Argentine Government declares that in the Treaty of Peace and Friendship signed with the Republic of Chile on 29 November 1984, which entered into force on 2 May 1985 and was registered with the United Nations Secretariat in accordance with Article 102 of the Charter of the United Nations, both States reaffirmed the validity of article V of the Boundary Treaty of 1881 whereby the Strait of Magellan (Estrecho de Magallanes) is neutralized forever with free navigation assured for the flags of all nations. The aforementioned Treaty of Peace and Friendship includes regulations for vessels flying the flags of third countries in the Beagle Channel and other straits and channels of the Tierra del Fuego archipelago.

(c) The Argentine Republic accepts the provisions of the conservation and management of the living resources of the high seas, but considers that they are insufficient, particularly the provisions relating to straddling fish stocks or highly migratory fish stocks, and that they should be supplemented by an effective and binding multilateral regime which, *inter alia*, would facilitate cooperation to prevent and avoid over-fishing, and would permit the monitoring of the activities of fishing vessels on the high seas and of the use of fishing methods and gear.

The Argentine Government, bearing in mind its priority interest in conserving the resources of its exclusive economic zone and the area of the high seas adjacent thereto, considers that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in the area of the high seas adjacent thereto, the Argentine Republic, as the coastal State, and other States fishing for such stocks in the area adjacent to its exclusive economic zone should agree upon the measures necessary for the conservation of those stocks or stocks of associated species in the high seas.

Independently of this, it is the understanding of the Argentine Government, that in order to comply with the obligation laid down in the Convention concerning the conservation of the living resources in its exclusive economic zone and the area adjacent thereto, it is authorized to adopt, in accordance with international law, all the measures it may deem necessary for the purpose.

(d) The ratification of the Convention by the Argentine Republic does not imply acceptance of the Final Act of the Third United Nations Conference on the Law of the Sea. In that regard, the Argentine Republic, as in its written statement of 8 December 1982 (A/CONF.62/WS/35), places on record its reservation to the effect that resolution III, in annex I to the Final Act, in no way affects the "Question of the Falkland Islands (Malvinas)", which is governed by the following specific resolutions of the General Assembly: 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19, 43/25, 44/406, 45/424, 46/406, 47/408 and 48/408, adopted within the framework of the decolonization process. [See paragraphs 2, 3 and 4 of the declaration made upon signature above.]

The Argentine Republic reaffirms its legitimate and inalienable sovereignty over the Malvinas and the South Sandwich Islands and their respective maritime and island zones, which form an integral part of its national territory. The recovery of those territories and the full exercise of sovereignty, respecting

the way of life of the inhabitants of the territories and in accordance with the principles of international law, constitute a permanent objective of the Argentine people that cannot be renounced.

Furthermore, it is the understanding of the Argentine Republic that the Final Act, in referring in paragraph 42 to the Convention together with resolutions I to IV as forming an integral whole, is merely describing the procedure that was followed at the Conference to avoid a series of separate votes on the Convention and the resolutions. The Convention itself clearly establishes in article 318 that only the Annexes form an integral part of the Convention; thus, any other instrument or document, even one adopted by the Conference, does not form an integral part of the United Nations Convention on the Law of the Sea.

(e) The Argentine Republic fully respects the right of free navigation as embodied in the Convention, however, it considers that the transit by sea of vessels carrying highly radioactive substances must be duly regulated.

The Argentine Government accepts the provisions on prevention of pollution of the marine environment contained in Part XII of the Convention, but considers that, in the light of events subsequent to the adoption of that international instrument, the measures to prevent, control and minimize the effects of the pollution of the sea by noxious and potentially dangerous substances and highly active radioactive substances must be supplemented and reinforced.

(f) In accordance with the provisions of article 287, the Argentine Government declares that it accepts, in order of preference, the following means for the settlement of disputes concerning the interpretation or application of the Convention: (a) the International Tribunal for the Law of the Sea; (b) an arbitral tribunal constituted in accordance with Annex VIII for questions relating to fisheries, protection and preservation of the marine environment, marine scientific research, and navigation, in accordance with Annex VIII, article 1. The Argentine Government also declares that it does not accept the procedures provided for in Part XV, section 2, with respect to the disputes specified in article 298, paragraph 1 (a), (b) and (c).

#### AUSTRIA

*Declarations:*

"In the absence of any other peaceful means to which it would give preference the Government of the Republic of Austria hereby chooses one of the following means for the settlement of disputes concerning the interpretation or application of the two Conventions in accordance with article 287 of the [said Convention], in the following order:

1. The international Tribunal for the Law of the Sea established in accordance with Annex VI;
2. A special arbitral tribunal constituted in accordance with Annex VIII;
3. The International Court of Justice.

Also in the absence of any other peaceful means, the Government of the Republic of Austria hereby recognizes as of today the validity of special arbitration for any dispute concerning the interpretation or application of the Convention on the Law of the Sea relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping."

#### BELARUS

*Upon signature:*

1. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it accepts, as the basic means for the settlement of disputes concerning the interpretation or appli-

cation of the Convention, an arbitral tribunal constituted in accordance with Annex VII. For the consideration of questions relating to fisheries, the protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Byelorussian Soviet Socialist Republic chooses a special arbitral tribunal constituted in accordance with Annex VIII. The Byelorussian Soviet Socialist Republic recognizes the competence of the International Tribunal for the Law of the Sea in relation to questions of the prompt release of detained vessels or their crews, as envisaged in article 292.

2. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 298 of the Convention, it does not accept compulsory procedures entailing binding decisions in the consideration of disputes concerned with the delimitation of marine limits, disputes relating to military activity and disputes in relation to which the United Nations Security Council performs functions entrusted to it under the United Nations Charter.

## BELGIUM

### *Upon signature:*

The Government of the Kingdom of Belgium has decided to sign the United Nations Convention on the Law of the Sea because the Convention has a very large number of positive features and achieves a compromise on them which is acceptable to most States. Nevertheless, with regard to the status of maritime space, it regrets that the concept of equity, adopted for the delimitation of the continental shelf and the exclusive economic zone, was not applied again in the provisions for delimiting the territorial sea. It welcomes, however, the distinctions established by the Convention between the nature of the rights which riparian States exercise over their territorial sea, on the one hand, and over the continental shelf and their exclusive economic zone, on the other.

It is common knowledge that the Belgian Government cannot declare itself also satisfied with certain provisions of the international régime of the sea-bed which, though based on a principle that it would not think of challenging, seems not to have chosen the most suitable way of achieving the desired result as quickly and surely as possible, at the risk of jeopardizing the success of a generous undertaking which Belgium consistently encourages and supports. Indeed, certain provisions of Part XI and of Annexes III and IV appear to it to be marred by serious defects and shortcomings which explain why consensus was not reached on this text at the last session of the Third United Nations Conference on the Law of the Sea, in New York, in April 1982. These shortcomings and defects concern in particular the restriction of access to the Area, the limitations on production and certain procedures for the transfer of technology, not to mention the vexatious implications of the cost and financing of the future International Sea-Bed Authority and the first mine site of the Enterprise. The Belgian Government sincerely hopes that these shortcomings and defects will in fact be rectified by the rules, regulations and procedures which the Preparatory Commission should draw up with the twofold intent of facilitating acceptance of the new régime by the whole international community and enabling the common heritage of mankind to be properly exploited for the benefit of all and, preferably, for the benefit of the least favoured countries. The Government of the Kingdom of Belgium is not alone in thinking that the success of this new régime, the effective establishment of the International Sea-Bed Authority and the economic viability of the Enterprise will depend to a large extent on the quality and seriousness of the Preparatory Commission's work; it therefore considers that all decisions of the Commission should be

adopted by consensus, that being the only way of protecting the legitimate interests of all.

As the representatives of France and the Netherlands pointed out two years ago, the Belgian Government wishes to make it abundantly clear that, notwithstanding its decision to sign the Convention today, the Kingdom of Belgium is not here and now determined to ratify it. It will take a separate decision on this point at a later date, which will take account of what the Preparatory Commission has accomplished to make the international régime of the sea-bed acceptable to all, focusing mainly on the questions to which attention has been drawn above.

The Belgian Government also wishes to recall that Belgium is a member of the European Economic Community, to which it has transferred powers in certain areas covered by the Convention; detailed declarations on the nature and extent of the powers transferred will be made in due course, in accordance with the provisions of Annex IX of the Convention.

It also wishes to draw attention formally to several points which it considers particularly crucial. For example, it attaches great importance to the conditions to which Articles 21 and 23 of the Convention subject the right of innocent passage through the territorial sea, and it intends to ensure that the criteria prescribed by the relevant international agreements are strictly applied, whether the flag States are parties thereto or not. The limitation of the breadth of the territorial sea, as established by Article 3 of the Convention, confirms and codifies a widely observed customary practice which it is incumbent on every State to respect, as it is the only one admitted by international law: the Government of the Kingdom of Belgium will not therefore recognize, as territorial sea, waters which are, or may be, claimed to be such beyond 12 nautical miles measured from baselines determined by the riparian State in accordance with the Convention. Having underlined the close linkage which it perceives between Article 33, paragraph 1 (a), and Article 27, paragraph 2, of the Convention, the Government of the Kingdom of Belgium intends to reserve the right, in emergencies and especially in cases of blatant violation, to exercise the powers accorded to the riparian State by the latter text, without notifying beforehand a diplomatic agent or consular officer of the flag State, on the understanding that such notification shall be given as soon as it is physically possible. Finally, everyone will understand that the Government of the Kingdom of Belgium chooses to emphasize those provisions of the Convention which entitle it to protect itself, beyond the limit of the territorial sea, against any threat of pollution and, *a fortiori*, against any existing pollution resulting from an accident at sea, as well as those provisions which recognize the validity of rights and obligations deriving from specific conventions and agreements concluded previously or which may be concluded subsequently in furtherance of the general principles set forth in the Convention.

In the absence of any other peaceful means to which it obviously gives priority, the Government of the Kingdom of Belgium deems it expedient to choose alternatively, and in order of preference, as Article 287 of the Convention leaves it free to do, the following means of settling disputes concerning the interpretation or application of the Convention:

1. an arbitral tribunal constituted in accordance with Annex VIII;
2. the International Tribunal for the Law of the Sea established in accordance with Annex VI;
3. the International Court of Justice.

Still in the absence of any other peaceful means, the Government of the Kingdom of Belgium wishes here and now to recognize the validity of the special arbitration procedure for any dispute concerning the interpretation or application of the provisions of the Convention in respect of fisheries, protection and preservation of the marine environment, marine scientific re-

search or navigation, including pollution from vessels and by dumping.

For the time being, the Belgian Government does not wish to make any declaration in accordance with Article 298, confining itself to the one made above in accordance with Article 287. Finally, the Government of the Kingdom of Belgium does not consider itself bound by any of the declarations which other States have made, or may make, upon signing or ratifying the Convention, reserving the right, as necessary, to determine its position with regard to each of them at the appropriate time.

*Upon ratification:*

*Declaration:*

The Kingdom of Belgium notes that, as a State member of the European Community, it has transferred competence to the Community for some matters provided for in the Convention, which are listed in the declaration made by the European Community upon formal confirmation of the Convention by the European Community on 1st April 1998.

In accordance with article 287 of the Convention, the Kingdom of Belgium hereby declares that it chooses, as a means for the settlement of disputes concerning the interpretation or application of the Convention, in view of its preference for pre-established jurisdictions, either the International Tribunal for the Law of the Sea established in accordance with Annex VI (art. 287.1 (a)) or the International Court of Justice (art. 287.1(b)), in the absence of any other means of peaceful settlement of disputes that it might prefer.

## BOLIVIA

*Upon signature:*

On signing the United Nations Convention on the Law of the Sea, the Government of Bolivia hereby makes the following declaration before the International community:

I. The Convention on the Law of the Sea is a perfectible instrument and, according to its own provisions, is subject to revision. As a party to it, Bolivia will, when the time comes, put forward proposals and revisions which are in keeping with its national interests.

2. Bolivia is confident that the Convention will ensure, in the near future, the joint development of the resources of the sea-bed, with equal opportunities and rights for all nations, especially developing countries.

3. Freedom of access to and from the sea, which the Convention grants to land-locked nations, is a right that Bolivia has been exercising by virtue of bilateral treaties and will continue to exercise by virtue of the norms of positive international law contained in the Convention.

4. Bolivia wishes to place on record that it is a country that has no maritime sovereignty as a result of a war and not as a result of its natural geographic position and that it will assert all the rights of coastal States under the Convention once it recovers the legal status in question as a consequence of negotiations on the restoration to Bolivia of its own sovereign outlet to the Pacific Ocean.

## BRAZIL

*Upon signature:*

"I. Signature by Brazil is *ad referendum*, subject to ratification of the Convention in conformity with Brazilian constitutional procedures, which include approval by the National Congress.

II. The Brazilian Government understands that the régime which is applied in practice in maritime areas adjacent to the coast of Brazil is compatible with the provisions of the Convention.

III. The Brazilian Government understands that the provision of article 301, which prohibits "any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations", apply, in particular, to the maritime areas under the sovereignty or the jurisdiction of the coastal State.

IV. The Brazilian Government understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone military exercises or manoeuvres, in particular those that imply the use of weapons or explosives, without the consent of the coastal State.

V. The Brazilian Government understands that, in accordance with the provisions of the Convention, the coastal State has, in the exclusive economic zone and on the continental shelf, the exclusive right to construct and to authorize and regulate the construction, operation and use of all types of installations and structures, without exception, whatever their nature or purpose.

VI. Brazil exercises sovereignty rights over the continental shelf, beyond the distance of two hundred nautical miles from the baselines, up to the outer edge of the continental margin, as defined in article 76.

VII. The Brazilian Government reserves the right to make at the appropriate time the declarations provided for in articles 287 and 298, concerning the settlement of disputes."

*Upon ratification:*

"I. The Brazilian Government understands that the provisions of article 301 prohibiting "any threat or use of force against the territorial integrity of any State, or in other manner inconsistent with the principles of international law embodied in the Charter of the United Nations apply in particular to the maritime areas under the sovereignty or jurisdiction of the coastal State.

"II. The Brazilian Government understands that the provisions of the Convention do not authorize other States to carry out military exercises or manoeuvres, in particular those involving the use of weapons or explosives, in the Exclusive Economic Zone without the consent of the coastal State.

"III. The Brazilian Government understands that in accordance with the provisions of the Convention the coastal State has, in the Exclusive Economic Zone and on the continental shelf, the exclusive right to construct and to authorize and to regulate the construction, operation and use of all kinds of installations and structures, without exception, whatever their nature or purpose".

## CAPE VERDE

*Declaration made upon signature and confirmed upon ratification:*

"The Government of the Republic of Cape Verde signs the United Nations Convention on the Law of the Sea with the following understandings:

I. This Convention recognizes the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt laws and regulations relating to the innocent passage of foreign warships through their territorial sea or archipelagic waters. This right is in full conformity with articles 19 and 25 of the Convention, as it was clearly stated in the Declaration made by the President of the Third United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on April 26, 1982.

II. The provisions of the Convention relating to the archipelagic waters, territorial sea, exclusive economic zone and continental shelf are compatible with the fundamental objectives and aims that inspire the legislation of the Republic of Cape Verde concerning its sovereignty and jurisdiction over the sea adjacent

to and within its coasts and over the seabed and subsoil thereof up to the limit of 200 miles.

III. The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights recognized therein to the coastal state leave no doubt as to its character of a *sui generis* zone of national jurisdiction different from the territorial sea and which is not a part of the high seas.

IV. The regulations of the uses or activities which are not expressly provided for in the Convention but are related to the sovereign rights and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of the said State, provided that such regulation does not hinder the enjoyment of the freedoms of international communication which are recognized to other States.

V. In the exclusive economic zone, the enjoyment of the freedoms of international communication, in conformity with its definition and with other relevant provisions of the Convention, excludes any non-peaceful use without the consent of the coastal State, such as exercises with weapons or other activities which may affect the rights or interests of the said state; and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State.

VI. This Convention does not entitle any State to construct, operate or use installations or structures in the exclusive economic zone of another State, either those provided for in the Convention or those of any other nature, without the consent of the coastal State.

VII. In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to enter into arrangements with the coastal State upon the measures necessary for the conservation of these stock or stocks of associated species."

#### *Upon ratification:*

I. [...]

II. The Republic of Cape Verde declares, without prejudice of article 303 of the United Nations Convention on the Law of the Sea, that any objects of an archaeological and historical nature found within the maritime areas over which it exerts sovereignty or jurisdiction, shall not be removed without its prior notification and consent.

III. The Republic of Cape Verde declares that, in the absence of or failing any other peaceful means, it chooses, in order of preference and in accordance with article 287 of the United Nations Convention on the Law of the Sea, the following procedures for the settlement of disputes regarding the interpretation or application of the said Convention:

- a) the International Tribunal for the Law of the Sea;
- b) the International Court of Justice.

IV. The Republic of Cape Verde, in accordance with article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in Part XV, Section 2, of the said Convention for the settlement of disputes concerning military activities, including military activities by government operated vessels and aircraft engaged in non-commercial service, as well as disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3 of the aforementioned Convention."

#### CHILE

*Statement made upon signature and confirmed upon*

#### *ratification:*

In exercise of the right conferred by article 310 of the Convention, the delegation of Chile wishes first of all to reiterate in its entirety the statement it made at last April's meeting when the Convention was adopted. That statement is reproduced in document A/CONF.62/SR.164. . . . in particular to the Convention's pivotal legal concept, that of the 200 mile exclusive economic zone to the elaboration of which [the Government of Chile] country made an important contribution, having been the first to declare such a concept, 35 years ago in 1947, and having subsequently helped to define and earn it international acceptance. The exclusive economic zone has a *sui generis* legal character distinct from that of the territorial sea and the high seas. It is a zone under national jurisdiction, over which the coastal State exercises economic sovereignty and in which third States enjoy freedom of navigation and overflight and the freedoms inherent in international communication. The Convention defines it as a maritime space under the jurisdiction of the coastal State, bound to the latter's territorial sovereignty and actual territory, on terms similar to those governing other maritime spaces, namely the territorial sea and the continental shelf. With regard to straits used for international navigation, the delegation of Chile wishes to reaffirm and reiterate in full the statement made last April, as reproduced in document A/CONF.62/SR.164 referred to above, as well as the content of the supplementary written statement dated 7 April 1982 contained in document A/CONF.62/WS/19.

With regard to the international sea-bed régime, [the Government of Chile wishes] to reiterate the statement made by the Group of 77 at last April's meeting regarding the legal concept of the common heritage of mankind, the existence of which was solemnly confirmed by consensus by the General Assembly in 1970 and which the present Convention defines as a part of *jus cogens*. Any action taken in contravention of this principle and outside the framework of the sea-bed régime would, as last April's debate showed, be totally invalid and illegal.

#### *Upon ratification:*

2. The Republic of Chile declares that the Treaty of Peace and Friendship signed with the Argentine Republic on 29 November 1984, which entered into force on 2 May 1985, shall define the boundaries between the respective sovereignties over the sea, seabed and subsoil of the Argentine Republic and the Republic of Chile in the sea of the southern zone in the terms laid down in articles 7 to 9.

3. With regard to part II of the Convention:

(a) In accordance with article 13 of the Treaty of Peace and Friendship of 1984, the Republic of Chile, in exercise of its sovereign rights, grants to the Argentine Republic the navigation facilities through Chilean internal waters described in that Treaty, which are specified in annex 2, articles 1 to 9.

In addition, the Republic of Chile declares that by virtue of this Treaty, ships flying the flag of third countries may navigate without obstacles through the internal waters along the routes specified in annex 2, articles 1 and 8, subject to the relevant Chilean regulations.

In the Treaty of Peace and Friendship of 1984, the two Parties agreed on the system of navigation and pilotage in the Beagle Channel defined in annex 2, articles 11 to 16. The provisions on navigation set forth in that annex replace any previous agreement on the subject that might exist between the Parties.

We reiterate that the navigation systems and facilities referred to in this paragraph were established in the 1984 Treaty of Peace and Friendship for the sole purpose of facilitating maritime communication between specific maritime points and areas, along the specific routes indicated, so that they do not apply to other routes existing in the zone which have not been specifically agreed on.

b) The Republic of Chile reaffirms the full validity and force of Supreme Decree No. 416 of 1977, of the Ministry of Foreign Affairs, which, in accordance with the principles of article 7 of the Convention -- which have been fully recognized by Chile -- established the straight baselines which were confirmed in article 11 of the 1984 Treaty of Peace and Friendship.

c) In cases in which the State places restrictions on the right of innocent passage for foreign warships, the Republic of Chile reserves the right to apply similar restrictive measures.

4. With regard to part III of the Convention, it should be noted that in accordance with article 35 (c), the provisions of this part do not affect the legal regime of the Strait of Magellan, since passage through that strait is "regulated by long-standing international conventions in force specifically relating to such straits" such as the 1881 Boundary Treaty, a regime which is reaffirmed in the Treaty of Peace and Friendship of 1984.

In article 10 of the latter Treaty, Chile and Argentina agreed on the boundary at the eastern end of the Strait of Magellan and agreed that this boundary in no way alters the provisions of the 1881 Boundary Treaty, whereby, as Chile declared unilaterally in 1873, the Strait of Magellan is neutralized forever with free navigation assured for the flags of all nations under the terms laid down in article V. For its part, the Argentine Republic undertook to maintain, at any time and in whatever circumstances, the right of ships of all flags to navigate expeditiously and without obstacles through its jurisdictional waters to and from the Strait of Magellan.

Furthermore, we reiterate that Chilean maritime traffic to and from the north through the Estrecho de Le Maire shall enjoy the facilities laid down in annex 2, article 10 of the 1984 Treaty of Peace and Friendship.

5. Having regard for its interest in the conservation of the resources in its exclusive economic zone and the adjacent area of the high seas, the Republic of Chile believes that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in the adjacent area of the high seas, the Republic of Chile, as the coastal State, and the States fishing for such stocks in the area adjacent to its exclusive economic zone must agree upon the measures necessary for the conservation in the high seas of these stocks or associated species. In the absence of such agreement, Chile reserves the right to exercise its rights under article 116 and other provisions of the [said Convention], and the other rights accorded to it under international law.

6. With reference to part XI of the Convention and its supplementary Agreement, it is Chile's understanding that, in respect of the prevention of pollution in exploration and exploitation activities, the Authority must apply the general criterion that underwater mining shall be subject to standards which are at least as stringent as comparable standards on land.

7. With regard to part XV of the Convention, the Republic of Chile declares that:

(a) In accordance with article 287 of the Convention, it accepts, in order of preference, the following means for the settlement of disputes concerning the interpretation or application of the Convention:

i) The International Tribunal for the Law of the Sea established in accordance with annex VI;

ii) A special arbitral tribunal, established in accordance with annex VIII, for the categories of disputes specified therein relating to fisheries, protection and preservation of the marine environment, and marine scientific research and navigation, including pollution from vessels and by dumping.

(b) In accordance with articles 280 to 282 of the Convention, the choice of means for the settlement of disputes indicated in the preceding paragraph shall in no way affect the obligations

deriving from the general, regional or bilateral agreements to which the Republic of Chile is a party concerning the peaceful settlement of disputes.

(c) In accordance with article 298 of the Convention, Chile declares that it does not accept any of the procedures provided for in part XV, section 2 with respect to the disputes referred to in article 298, paragraphs 1(a), (b) and (c) of the Convention.

## CHINA<sup>9</sup>

### *Declaration:*

1. In accordance with the provisions of the United Nations Convention on the Law of the Sea, the People's Republic of China shall enjoy sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles and the continental shelf.

2. The People's Republic of China will effect, through consultations, the delimitation of boundary of the maritime jurisdiction with the states with coasts opposite or adjacent to China respectively on the basis of international law and in accordance with the equitable principle.

3. The People's Republic of China reaffirms its sovereignty over all its archipelagoes and islands as listed in article 2 of the Law of the People's Republic of China on the Territorial Sea and Contiguous Zone which was promulgated on 25 February 1992.

4. The People's Republic of China reaffirms that the provisions of the United Nations Convention on the Law of the Sea concerning innocent passage through the territorial sea shall not prejudice the right of a coastal state to request, in accordance with its laws and regulations, a foreign state to obtain advance approval from or give prior notification to the coastal state for the passage of its warships through the territorial sea of the coastal state.

## COSTA RICA

### *Upon signature:*

The Government of Costa Rica declares that the provisions of Costa Rican law under which foreign vessels must pay for licences to fish in its exclusive economic zone, shall apply also to fishing for highly migratory species, pursuant to the provisions of articles 62 and 64, paragraph 2, of the Convention.

## CROATIA

### *Declaration:*

"The Republic of Croatia considers that, in accordance with article 53 the Vienna Convention on the Law of Treaties of 29 May 1969, there is no peremptory norm of general international law, which would forbid a coastal state to request by its laws and regulations foreign warships to notify their intention of innocent passage through its territorial waters, and to limit the number of warships allowed to exercise the right of innocent passage at the same time (articles 17-32 of the Convention)."

4 November 1999

### *Declaration under article 287:*

In implementation of article 287 of the [Convention], the Government of Croatia [declares] that, for the settlement of disputes concerning the application or interpretation of the Convention and of the Agreement adopted on 28 July 1994 relating to the Implementation of Part XI, it chooses, in order of preference, the following means:

i) The International Tribunal for the Law of the Sea established in accordance with annex VI;

ii) The International Court of Justice."



## CUBA

### *Upon signature:*

"At the time of signing the Convention on the Law of the Sea, the Cuban Delegation declares that, having gained possession of the definitive text of the Convention just a few hours ago, it will leave for the time of the ratification of the Convention the issuing of any statement it deems pertinent with respect to articles:

287 --on the election of the procedure for the settlement of controversies pertaining to the interpretation or implementation of the Convention;

292 --on the prompt release of ships and their crews;

298 --on the optional exceptions to the applicability of Section 2;

as well as whatever statement or declaration it might deem appropriate to make in conformity with article 310 of the Convention."

### *Upon ratification:*

With regard to article 287 on the choice of procedure for the settlement of disputes concerning the interpretation or application of the Convention, the Government of the Republic of Cuba declares that it does not accept the jurisdiction of the International Court of Justice and, consequently, will not accept either the jurisdiction of the Court with respect to the provisions of either article 297 or 298.

With regard to article 292, the Government of the Republic of Cuba considers that once financial security has been posted, the detaining State should proceed promptly and without delay to release the vessel and its crew and declares that where this procedure is not followed with respect to its vessels or members of their crew it will not agree to submit the matter to the International Court of Justice.

## EGYPT

1. The Arab Republic of Egypt establishes the breadth of its territorial sea at 12 nautical miles, pursuant to article 5 of the Ordinance of 18 January 1951 as amended by the Decree of 17 February 1958, in line with the provisions of article 3 of the Convention.

2. The Arab Republic of Egypt will publish, at the earliest opportunity, charts showing the baselines from which the breadth of its territorial sea in the Mediterranean Sea and in the Red Sea is measured, as well as the lines marking the outer limit of the territorial sea, in accordance with usual practice.

### *Declaration concerning the contiguous zone*

The Arab Republic of Egypt has decided that its contiguous zone (as defined in the Ordinance of 18 January 1951 as amended by the Presidential Decree of 17 February 1958) extends to 24 nautical miles from the baselines from which the breadth of the territorial sea is measured, as provided for in article 33 of the Convention.

### *Declaration concerning the passage of nuclear-powered and similar ships through the territorial sea of Egypt*

Pursuant to the provisions of the Convention relating to the right of the coastal State to regulate the passage of ships through its territorial sea and whereas the passage of foreign nuclear-powered ships and ships carrying nuclear or other inherently dangerous and noxious substances poses a number of hazards,

Whereas article 23 of the Convention stipulates that the ships in question shall, when exercising the right of innocent passage through the territorial sea, carry documents and observe special precautionary measures established for such ships by international agreements, the Government of the Arab Republic of Egypt declares that it will require the aforementioned ships to obtain authorization before entering the territorial sea of

Egypt, until such international agreements are concluded and Egypt becomes a party to them.

### *Declaration concerning the passage of warships through the territorial sea of Egypt*

[With reference to the provisions of the Convention relating to the right of the coastal State to regulate the passage of ships through its territorial sea] Warships shall be ensured innocent passage through the territorial sea of Egypt, subject to prior notification.

### *Declaration concerning passage through the Strait of Tiran and the Gulf of Aqaba*

The provisions of the 1979 Peace Treaty between Egypt and Israel concerning passage through the Strait of Tiran and the Gulf of Aqaba come within the framework of the general régime of waters forming straits referred to in part III of the Convention, wherein it is stipulated that the general régime shall not affect the legal status of waters forming straits and shall include certain obligations with regard to security and the maintenance of order in the State bordering the strait.

### *Declaration concerning the exercise by Egypt of its rights in the exclusive economic zone*

The Arab Republic of Egypt will exercise as from this day the rights attributed to it by the provisions of parts V and VI of the United Nations Convention on the Law of the Sea in the exclusive economic zone situated beyond and adjacent to its territorial sea in the Mediterranean Sea and in the Red Sea.

The Arab Republic of Egypt will also exercise its sovereign rights in this zone for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the sea-bed and subsoil and the super-adjacent waters, and with regard to all other activities for the economic exploration and exploitation of the zone, such as the production of energy from the water, currents and winds.

The Arab Republic of Egypt will exercise its jurisdiction over the exclusive economic zone according to the modalities laid down in the Convention with regard to the establishment and use of artificial islands, installations and structures, marine scientific research, the protection and preservation of the marine environment and the other rights and duties provided for in the Convention.

The Arab Republic of Egypt proclaims that, in exercising its rights and performing its duties under the Convention in the exclusive economic zone, it will have due regard for the rights and duties of other States and will act in a manner compatible with the provisions of the Convention.

The Arab Republic of Egypt undertakes to establish the outer limits of its exclusive economic zone in accordance with the rules, criteria and modalities laid down in the Convention.

[The Arab Republic of] Egypt declares that it will take the necessary action and make the necessary arrangements to regulate all matters relating to its exclusive economic zone.

### *Declaration concerning the procedures chosen for the settlement of disputes in conformity with the Convention*

[With reference to the provisions of article 287 of the Convention] the Arab Republic of Egypt declares that it accepts the arbitral procedure, the modalities of which are defined in annex VII to the Convention, as the procedure for the settlement of any dispute which might arise between Egypt and any other State relating to the interpretation or application of the Convention.

The Arab Republic of Egypt further declares that it excludes from the scope of application of this procedure those disputes contemplated in article 297 of the Convention.

### *Statement concerning the Arabic version of the text of the Convention*

The Government of the Arab Republic of Egypt is gratified that the Third United Nations Conference on the Law of the Sea

adopted the new Convention in six languages, including Arabic, with all the texts being equally authentic, thus establishing absolute equality between all the versions and preventing any one from prevailing over another.

However, when the official Arabic version of the Convention is compared with the other official versions, it becomes clear that, in some cases, the official Arabic text does not exactly correspond to the other versions, in that it fails to reflect precisely the content of certain provisions of the Convention which were found acceptable and adopted by the States in establishing a legal régime governing the seas.

For these reasons, the Government of the Arab Republic of Egypt takes the opportunity afforded by the deposit of the instrument of ratification of the United Nations Convention on the Law of the Sea to declare that it will adopt the interpretation which is best corroborated by the various official texts of the Convention.

## EUROPEAN COMMUNITY

### *Upon signature:*

"On signing the United Nations Convention on the Law of the Sea, the European Economic Community declares that it considers that the Convention constitutes, within the framework of the Law of the Sea, a major effort in the codification and progressive development of international law in the fields to which its declaration pursuant to Article 2 of Annex IX of the Convention refers. The Community would like to express the hope that this development will become a useful means for promoting co-operation and stable relations between all countries in these fields.

The Community, however, considers that significant provisions of Part XI of the Convention are not conducive to the development of the activities to which that Part refers in view of the fact that several Member States of the Community have already expressed their position that this Part contains considerable deficiencies and flaws which require rectification. The Community recognises the importance of the work which remains to be done and hopes that conditions for the implementation of a sea bed mining regime, which are generally acceptable and which are therefore likely to promote activities in the international sea bed area, can be agreed. The Community, within the limits of its competence, will play a full part in contributing to the task of finding satisfactory solutions.

A separate decision on formal confirmation(\*) will have to be taken at a later stage. It will be taken in the light of the results of the efforts made to attain a universally acceptable Convention."

Competence of the European Communities with regard to matters governed by the Convention on the Law of the Sea (Declaration made pursuant to article 2 of Annex IX to the Convention)

Article 2 of Annex IX to the Convention on the Law of the Sea stipulates that the participation of an international organisation shall be subject to a declaration specifying the matters governed by the Convention in respect of which competence has been transferred to the organisation by its member states.

The European Communities were established by the Treaties of Paris and of Rome, signed on 18 April 1951 and 25 1957, respectively. After being ratified by the Signatory States the Treaties entered into force on 25 July 1952 and 1 January 1958(\*\*).

In accordance with the provisions referred to above this declaration indicates the competence of the European Economic Community in matters governed by the Convention.

The Community points out that its Member States have transferred competence to it with regard to the conservation and management of sea fishing resources. Hence, in the field of sea

fishing it is for the Community to adopt the relevant rules and regulations (which are enforced by the Member States) and to enter into external undertakings with third states or competent international organisations.

(\*) Formal confirmation is the term used in the Convention for ratification by international organisations (see Article 306 and Annex IX, Article 3).

(\*\*) The Treaty of Paris establishing the European Coal and Steel Community was registered at the Secretariat of the United Nations on 15.3.1957 under No. 3729; the Treaties of Rome establishing the European Economic Community and the European Atomic Energy Community (Euratom) were registered on 21 April and 24 April 1958, respectively under Nos 4300 and 4301. The current members of the Communities are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland. The United Nations Convention on the Law of the Sea shall apply, with regard to matters transferred to the European Economic Community, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty.

Furthermore, with regard to rules and regulations for the protection and preservation of the marine environment, the Member States have transferred to the Community competences as formulated in provisions adopted by the Community and as reflected by its participation in certain international agreements (see Annex).

With regard to the provisions of Part X, the Community has certain powers as its purpose is to bring about an economic union based on a customs union.

With regard to the provisions of Part XI, the Community enjoys competence in matters of commercial policy, including the control of unfair economic practices.

The exercise of the competence that the Member States have transferred to the Community under the Treaties is, by its very nature, subject to continuous development. As a result the Community reserves the right to make new declarations at a later date.

### Annex

Community texts applicable in the sector of the protection and preservation of the marine environment and relating directly to subjects covered by the Convention

Council Decision of 3 December 1981 establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea (81/971/EEC) (OJ No L 355, 10.12.1981, p. 52).

Council Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (76/464/EEC) (OJ No L 129, 18.5.1976, p. 23).

Council Directive of 16 June 1975 on the disposal of waste oils (75/439/EEC) (OJ No L 194, 25.7.1975, p. 23).

Council Directive of 20 February 1978 on waste from the titanium dioxide industry (78/176/EEC) (OJ No L 54, 25.2.1978, p. 19).

Council Directive of 30 October 1979 on the quality required of shellfish waters (79/923/EEC) (OJ No L 281, 10.11.1979, p. 47).

Council Directive of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry (82/176/EEC) (OJ No L 81, 27.3.1982, p. 29).

Council Directive of 26 September 1983 on limit values and quality objectives for cadmium discharges (83/513/EEC) (OJ No L 291, 24.10.1983, p. 1 *et seq.*).

Council Directive of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry (84/156/EEC) (OJ No L 74, 17.3.1984, p. 49 *et seq.*).

#### Annex

The Community has also concluded the following Conventions:

Convention for the prevention of marine pollution from land-based sources (Council Decision 75/437/EEC of 3 March 1975 published in OJ No L 194, 25.7.1975, p. 5).

Convention on long-range transboundary air pollution (Council Decision of 11 June 1981 published in OJ No L 171, 27.6.1981, p. 11).

Convention for the protection of the Mediterranean Sea against pollution and the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft (Council Decision 77/585/EEC of 25 July 1977 published in OJ No L 240, 19.9.1977, p. 1).

Protocol concerning co-operation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency (Council Decision 81/420/EEC of 19 May 1981 published in OJ No L 162, 19.6.1981, p. 4).

Protocol of 2 and 3 April 1983 concerning Mediterranean specially protected areas (OJ No L 68/36, 10.3.1984)."

*Upon formal confirmation:*

"By depositing [the instrument of formal confirmation], the Community has the honour of declaring its acceptance, in respect of matters for which competence has been transferred to it by those of its Member States which are parties to the Convention, of the rights and obligations laid down for States in the Convention and the Agreement. The declaration concerning the competence provided for in Article 5(1) of Annex IX to the Convention [follows].

The Community also wishes to declare, in accordance with Article 310 of the Convention, its objection to any declaration or position excluding or amending the legal scope of the provisions of the [said Convention], and in particular those relating to fishing activities. The Community does not consider the Convention to recognize the rights or jurisdiction of coastal States regarding the exploitation, conservation and management of fishery resources other than sedentary species outside their exclusive economic zone.

The Community reserves the right to make subsequent declarations in respect of the Convention and the Agreement and in response to future declarations and positions.

*Declaration concerning the competence of the European Community with regard to matters governed by the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement of 28 July 1994 relating to the implementation of Part XI of the Convention (Declaration made pursuant to article 5(1) of annex IX to the Convention and to article 4(4) of the Agreement):*

Article 5 (1) of Annex IX of [the said] Convention provides that the instrument of formal confirmation of an international organization shall contain a declaration specifying the matters governed by the Convention in respect of which competence has been transferred to the organization by its member States which are Parties to the Convention.

Article 4 (4) of [said Agreement] provides that formal confirmation by an international organization shall be in accordance with Annex IX of the Convention.

The European Communities were established by the Treaties of Paris (ECSC) and of Rome (EEC and Euratom), signed on 18 April 1951 and 25 March 1957 respectively. After being ratified by the Signatory States, the Treaties entered into force on 25 July 1952 and 1 January 1958. They have been amended by the Treaty on European Union, which was signed in Maas-

tricht on 7 February 1992, and most recently by the Accession Treaty signed in Corfu on 24 June 1994, which entered into force on 1 January 1995.

The current Members of the Communities are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

The [said Convention and Agreement] shall apply, with regard to the competences transferred to the European Community, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, in particular Article 227 thereof.

The declaration is not applicable to the territories of Member States in which the said Treaty does not apply and is without prejudice to such acts or positions as may be adopted under the Convention and the Agreement by the Member States concerned on behalf of and in the interests of those territories.

In accordance with the provisions referred to above, this declaration indicates the competence that the Member States have transferred to the Community under the Treaties in matters governed by the Convention and the Agreement.

The scope and the exercise of such Community competence are, by their nature, subject to continuous development, and the Community will complete or amend this declaration, if necessary, in accordance with article 5(4) of Annex IX to the Convention.

The Community has exclusive competence for certain matters and shares competence with its Member States for certain other matters.

*1. Matters for which the Community has exclusive competence:*

The Community points out that its Member States have transferred competence to it with regard to the conservation and management of sea fishing resources. Hence in this field it is for the Community to adopt the relevant rules and regulations (which are enforced by the Member States) and, within its competence, to enter into external undertakings with third States or competent international organizations. This competence applies to waters under national fisheries jurisdiction and to the high seas. Nevertheless, in respect of measures relating to the exercise of jurisdiction over vessels, flagging and registration of vessels and the enforcement of penal and administrative sanctions, competence rests with the Member States whilst respecting Community law. Community law also provides for administrative sanctions.

By virtue of its commercial and customs policy, the Community has competence in respect of those provisions of Parts X and XI of the Convention and of the Agreement of 28 July 1994 which are related to international trade.

*2. Matters for which the Community shares competence with its Member States:*

With regard to fisheries, for a certain number of matters that are not directly related to the conservation and management of sea fishing resources, for example research and technological development and development cooperation, there is shared competence.

With regard to the provisions on maritime transport, safety of shipping and the prevention of marine pollution contained *inter alia* in Parts II, III, V, VII and XII of the Convention, the Community has exclusive competence only to the extent that such provisions of the Convention or legal instruments adopted in implementation thereof affect common rules established by the Community. When Community rules exist but are not affected, in particular in cases of Community provisions estab-

lishing only minimum standards, the Member States have competence, without prejudice to the competence of the Community to act in this field.

A list of relevant Community acts appears in the Appendix. The extent of Community competence ensuing from these acts must be assessed by reference to the precise provisions of each measure, and in particular, the extent to which these provisions establish common rules.

With regard to the provisions of Parts XIII and XIV of the Convention, the Community's competence relates mainly to the promotion of cooperation on research and technological development with non-member countries and international organizations. The activities carried out by the Community here complement the activities of the Member States. Competence in this instance is implemented by the adoption of the programmes listed in the Appendix.

### 3. Possible impact of other Community policies:

Mention should also be made of the Community's policies and activities in the fields of control of unfair economic practices, government procurement and industrial competitiveness as well as in the area of development aid. These policies may also have some relevance to the Convention and the Agreement, in particular with regard to certain provisions of Parts VI and XI of the Convention."

## FINLAND

### *Upon signature:*

As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Finland to continue to apply the present régime to the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Finnish territorial sea, that régime being fully compatible with the Convention."

### *Declaration made upon signature and confirmed upon ratification:*

"It is the understanding of the Government of Finland that the exception from the transit passage régime in straits provided for in article 35 (c) of the Convention is applicable to the strait between Finland (the Åland Islands) and Sweden. Since in that strait the passage is regulated in part by a long-standing international convention in force, the present legal régime in that strait will remain unchanged after the entry into force of the Convention.

### *Declarations made upon ratification :*

"In accordance with article 287 of the Convention, Finland chooses the International Court of Justice and the International Tribunal for the Law of the Sea as means for settlement of disputes concerning the interpretation or application of the Convention as well as of the Agreement relating to the Implementation of its Part XI.

Finland recalls that, as a Member State of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention."

## FRANCE

### *Upon signature:*

1. The provisions of the Convention relating to the status of the different maritime spaces and to the legal régime of the uses and protection of the marine environment confirm and consolidate the general rules of the law of the sea and thus entitle the French Republic not to recognize as enforceable against it any

foreign laws or regulations that are not in conformity with those general rules.

2. The provisions of the Convention relating to the area of the sea-bed and ocean floor beyond the limits of national jurisdiction show considerable deficiencies and flaws with respect to the exploration and exploitation of the said area which will require rectification through the adoption by the Preparatory Commission of draft rules, regulations and procedures to ensure the establishment and effective functioning of the International Sea-Bed Authority.

To this end, all efforts must be made within the Preparatory Commission to reach general agreement on any matter of substance, in accordance with the procedure set out in rule 37 of the rules of procedure of the Third United Nations Conference on the Law of the Sea.

3. With reference to article 140, the signing of the Convention by France shall not be interpreted as implying any change in its position in respect of resolution 1514 (XV).

4. The provisions of article 230, paragraph 2, of the Convention shall not preclude interim or preventive measures against the parties responsible for the operation of foreign vessels, such as immobilization of the vessel. They shall also not preclude the imposition of penalties other than monetary penalties for any willful and serious act which causes pollution.

### *Upon ratification :*

1. France recalls that, as a Member State of the European Community, it has transferred competence to the Community in certain areas covered under the Convention. A detailed statement of the nature and scope of the areas of competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

2. France rejects declarations or reservations that are contrary to the provisions of the Convention. France also rejects unilateral measures or measures resulting from an agreement between States which would have effects contrary to the provisions of the Convention.

3. With reference to the provisions of article 298, paragraph 1, France does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;

Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;

Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

## GERMANY<sup>10</sup>

### *Statements :*

The Federal Republic of Germany recalls that, as a Member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

For the Federal Republic of Germany the link between Part IX of the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement of 28 July 1994 relating

to the implementation of Part XI of the United Nations Convention on the Law of the Sea as foreseen in article 2 (1) of that Agreement is fundamental.

In the absence of any other peaceful means, which would be given preference by the Government of the Federal Republic of Germany, that Government considers it useful to choose one of the following means for the settlement of disputes concerning the interpretation or application of the two Conventions, as it is free to do under article 287 of the Convention on the Law of the Sea, in the following order:

1. the International Tribunal for the Law of the Sea established in accordance with Annex VI;
2. An arbitral tribunal constituted in accordance with Annex VII;
3. the International Court of Justice.

Also in the absence of any other peaceful means, the Government of the Federal Republic of Germany hereby recognizes as of today the validity of special arbitration for any dispute concerning the interpretation or application of the Convention on the Law of the Sea relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping.

With reference to similar declarations made by the Government of the Federal Republic of Germany during the Third United Nations Conference on the Law of the Sea, the Government of the Federal Republic of Germany, in the light of declarations already made or yet to be made by States upon signature, ratification of or accession to the Convention on the Law of the Sea declares as follows:

#### Territorial Sea, Archipelagic Waters, Straits

The provisions on the territorial sea represent in general a set of rules reconciling the legitimate desire of coastal States to protect their sovereignty and that of the international community to exercise the right of passage. The right to extend the breadth of the territorial sea up to 12 nautical miles will significantly increase the importance of the right of innocent passage through the territorial sea for all ships including warships, merchant ships and fishing vessels; this is a fundamental right of the community of nations.

None of the provisions of the Convention, which in so far reflect existing international law, can be regarded as entitling the coastal State to make the innocent passage of any specific category of foreign ships dependent on prior consent or notification.

A prerequisite for the recognition of the coastal State's right to extend the territorial sea is the régime of transit passage through straits used for international navigation. Article 38 limits the right of transit passage only in cases where a route of similar convenience exists in respect of navigational and hydrographical characteristics, which include the economic aspect of shipping.

According to the provisions of the Convention, archipelagic sea-lane passage is not dependent on the designation by the archipelagic States of specific sea-lanes or air routes in so far as there are existing routes through the archipelago normally used for international navigation.

#### Exclusive Economic Zone

In the exclusive economic zone, which is a new concept of international law, coastal States will be granted precise resource-related rights and jurisdiction. All other States will continue to enjoy the high seas freedoms of navigation and overflight and of all other international lawful uses of the sea. These uses will be exercised in a peaceful manner, and that is, in accordance with the principles embodied in the Charter of the United Nations.

The exercise of these rights can therefore not be construed as affecting the security of the coastal State or affecting its rights and obligations under international law. Accordingly, the

notion of a 200-mile zone of general rights of sovereignty and jurisdiction of the coastal State cannot be sustained either in general international law or under the relevant provisions of the Convention.

In articles 56 and 58 a careful and delicate balance has been struck between the interests of the coastal State and the freedoms and rights of all other States. This balance includes the reference contained in article 58, paragraph 2, to articles 88 to 115 which apply to the exclusive economic zone in so far as they are not incompatible with Part V. Nothing in Part V is incompatible with article 89 which invalidates claims of sovereignty.

According to the Convention, the coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the coastal State in such zone do not include the rights to obtain notification of military exercises or manoeuvres or to authorize them.

Apart from artificial islands, the coastal State enjoys the right in the exclusive economic zone to authorize, construct, operate and use only those installations and structures which have economic purposes.

#### The High Seas

As geographically disadvantaged State with important interests in the traditional uses of the seas, the Federal Republic of Germany remains committed to the established principle of the freedom of the high seas. This principle, which has governed all uses of the sea for centuries, has been affirmed and in various fields, adapted to new requirements in the provisions of the Convention, which will therefore have to be interpreted to the furthest extent possible in accordance with that traditional principle.

#### Land-Locked States

As to the regulation of the freedom of transit enjoyed by land-locked States, transit through the territory of transit States must not interfere with the sovereignty of these States. In accordance with article 125, paragraph 3, the rights and facilities provided for in Part X in no way infringe upon the sovereignty and legitimate interests of transit States. The precise content of the freedom of transit has in each single case to be agreed upon by the transit State and the land-locked State concerned. In the absence of such agreement concerning the terms and modalities for exercising the right of access of persons and goods to transit through the territory of the Federal Republic of Germany is only regulated by national law, in particular with regard to means and ways of transport and the use of traffic infrastructure.

#### Marine Scientific Research

Although the traditional freedom of research suffered a considerable erosion by the Convention, this freedom will remain in force for States, international organizations and private entities in some maritime areas, e.g., the sea-bed beyond the continental shelf and the high seas. However, the exclusive economic zone and the continental shelf, which are of particular interest to marine scientific research, will be subject to a consent régime, a basic element of which is the obligation of the coastal State under article 246, paragraph 3, to grant its consent in normal circumstances. In this regard, promotion and creation of favourable conditions for scientific research, as postulated in the Convention, are general principles governing the application and interpretation of all relevant provisions of the Convention.

The marine scientific research régime on the continental shelf beyond 200 nautical miles denies the coastal State the discretion to withhold consent under article 246, paragraph 5 (a), outside areas it has publicly designated in accordance with the prerequisites stipulated in paragraph 6. Relating to the obligation, to disclose information about exploitation or exploratory operations in the process of designation is taken into account in

article 246, paragraph 6, which explicitly excluded details from the information to be provided.

## GREECE<sup>11</sup>

*Interpretative declaration on the subject of straits made upon signature and confirmed upon ratification:*

"The present declaration concerns the provisions of Part III 'on straits used for international navigation' and more especially the application in practice of articles 36, 38, 41 and 42 of the Convention on the Law of the Sea.

In areas where there are numerous spread out islands that form a great number of alternative straits which serve in fact one and the same route of international navigation, it is the understanding of Greece, that the coastal state concerned has the responsibility to designate the route or routes, in the said alternative straits, through which ships and aircrafts of third countries could pass under transit passage régime, in such a way as on the one hand the requirements of international navigation and overflight are satisfied, and on the other hand the minimum security requirements of both the ships and aircrafts in transit as well as those of the coastal state are fulfilled."

*Upon ratification:*

1. In ratifying the United Nations Convention on the Law of the Sea, Greece secures all the rights and assumes all the obligations deriving from the Convention.

Greece shall determine when and how it shall exercise these rights, according to its national strategy. This shall not imply that Greece renounces these rights in any way.

2. Greece wishes to reiterate the interpretative declaration on straits which it deposited at the time of the Convention's adoption and at the time of its signature. [See "*Interpretative declaration made upon signature on the subject of straits and confirmed upon ratification*" above.]

3. Pursuant to article 287 of the United Nations Convention on the Law of the Sea, the Government of the Hellenic Republic hereby choose, the International Tribunal for the Law of the Sea established in accordance with annex VI of the Convention as the means for the settlement of disputes concerning the interpretation or application of the Convention.

4. Greece, as a State member of the European Union, has given the latter jurisdiction with respect to certain issues relating to the Convention. Following the deposit by the European Union of its instrument of formal confirmation, Greece will make a special declaration specifying in detail the issues dealt with in the Convention for which it has transferred jurisdiction to the European Union.

5. Greece's ratification of the United Nations Convention on the Law of the Sea does not imply that it recognizes the former Yugoslav Republic of Macedonia and does not, therefore, constitute the establishment of treaty relations with the latter."

## GUATEMALA

*Declaration:*

[The Government of Guatemala] declares, that:

(a) approval of the Convention by the Congress of the Republic of Guatemala shall under no circumstances affect the rights of Guatemala over the territory of Belize, including the islands, cays and islets, or its historical rights over Bahía de Amatique, and (b) accordingly, the territorial sea and maritime zones cannot be delimited until such time as the existing dispute is resolved.

## GUINEA

*Upon signature:*

The Government of the Republic of Guinea reserves the right to interpret any article of the Convention in the context and taking due account of the sovereignty of Guinea and of its territorial integrity as it applies to the land, space and sea.

## GUINEA-BISSAU

As regards article 287 on the choice of a procedure for the settlement of disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea, [the Government of Guinea-Bissau] does not accept the jurisdiction of the International Court of Justice and consequently will not accept that jurisdiction with respect to articles 297 and 298.

## ICELAND

"Under article 298 of the Convention the right is reserved [by the Government of Iceland] that any interpretation of article 83 shall be submitted to conciliation under Annex V, Section 2 of the Convention."

## INDIA

*Declarations:*

"(a) The Government of the Republic of India reserves the right to make at the appropriate time the declarations provided for in articles 287 and 298, concerning the settlement of disputes.

(b) The Government of the Republic of India understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone and on the continental shelf military exercises or manoeuvres, in particular those involving the use of weapons or explosives without the consent of the coastal State."

## IRAN (ISLAMIC REPUBLIC OF)

*Upon signature:*

*Interpretative declaration on the subject of straits*

"In accordance with article 310 of the Convention on the Law of the Sea, the Government of the Islamic Republic of Iran seizes the opportunity at this solemn moment of signing the Convention, to place on the records its "understanding" in relation to certain provisions of the Convention. The main objective for submitting these declarations is the avoidance of eventual future interpretation of the following articles in a manner incompatible with the original intention and previous positions or in disharmony with national laws and regulations of the Islamic Republic of Iran. It is, . . . , the understanding of the Islamic Republic of Iran that:

1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of *quid pro quo* which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein.

The above considerations pertain specifically (but not exclusively) to the following:

-- The right of Transit passage through straits used for international navigation (Part II, Section 2, article 38).

-- The notion of "Exclusive Economic Zone" (Part V). -All matters regarding the International Seabed Area and the Concept of "Common Heritage of mankind" (Part XI).

2) In the light of customary international law, the provisions of article 21, read in association with article 19 (on the Meaning of Innocent Passage) and article 25 (on the Rights of Protection of the Coastal States), recognize (though implicitly) the rights of the Coastal States to take measures to safeguard their security interests including the adoption of laws and regulations regarding, *inter alia*, the requirements of prior authorization for warships willing to exercise the right of innocent passage through the territorial sea.

3) The right referred to in article 125 regarding access to and from the sea and freedom of transit of Land-locked States is one which is derived from mutual agreement of States concerned based on the principle of reciprocity.

4) The provisions of article 70, regarding "Right of States with Special Geographical Characteristics" are without prejudice to the *exclusive right* of the Coastal States of enclosed and semi-enclosed maritime regions (such as the Persian Gulf and the Sea of Oman) with large population predominantly dependent upon relatively poor stocks of living resources of the same regions.

5) Islets situated in enclosed and semi-enclosed seas which potentially can sustain human habitation or economic life of their own, but due to climatic conditions, resource restriction or other limitations, have not yet been put to development, fall within the provisions of paragraph 2 of article 121 concerning "Regime of Islands", and have, therefore, full effect in boundary delimitation of various maritime zones of the interested Coastal States.

Furthermore, with regard to "Compulsory Procedures Entailing Binding Decisions" the Government of the Islamic Republic of Iran, while fully endorsing the Concept of settlement of all international disputes by peaceful means, and recognizing the necessity and desirability of settling, in an atmosphere of mutual understanding and cooperation, issues relating to the interpretation and application of the Convention on the Law of the Sea, at this time will not pronounce on the choice of procedures pursuant to articles 287 and 298 and reserves its positions to be declared in due time."

## IRAQ<sup>12</sup>

### *Upon signature:*

Pursuant to article 310 of the present Convention and with a view to harmonizing Iraqi laws and regulations with the provisions of the Convention, the Republic of Iraq has decided to issue the following statement:

1. The present signature in no way signifies recognition of Israel and implies no relationship with it.

2. Iraq interprets the provisions applying to all types of straits set forth in Part III of the Convention as applying also to navigation between islands situated near those straits if the shipping lanes leaving or entering those straits and defined by the competent international organization lie near such islands.

## IRELAND

### *Declaration:*

"Ireland recalls that, as a member of the European Community, it has transferred competence to the Community in regard to certain matters which are governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention."

## ITALY

*Declarations made upon signature and confirmed upon*

### *ratification:*

"Upon signing the United Nations Convention on the Law of the Sea of 10 December 1982, Italy wishes to state that in its opinion part XI and annexes III and IV contain considerable flaws and deficiencies which require rectification through the adoption by the Preparatory Commission of the International Sea-Bed Authority and the International Tribunal for the Law of the Sea of appropriate draft rules, regulations and procedures.

Italy wishes also to confirm the following points made in its written statement dated 7 March 1983:

-- according to the Convention, the Coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the Coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them.

Moreover, the rights of the Coastal State to build and to authorize the construction operation and the use of installations and structures in the exclusive economic zone and on the continental shelf is limited only to the categories of such installations and structures as listed in art. 60 of the Convention.

-- None of the provisions of the Convention, which corresponds on this matter to customary International Law, can be regarded as entitling the Coastal State to make innocent passage of particular categories of foreign ships dependent on prior consent or notification."

### *Upon ratification:*

"Upon depositing its instrument of ratification Italy recalls that, as Member State of the European Community, it has transferred competence to the Community with respect to certain matters governed by the Convention. A detailed declaration on the nature and extension of the competence transferred to the European Community will be made in due course in accordance with the provisions in Annex IX of the Convention.

Italy has the honour to declare, under paragraph 1(a) of article 298 of the Convention, that it does not accept any of the procedures provided for in section 2 of Part XV with respect to disputes concerning the interpretation of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles.

In any case, the present declarations should not be interpreted as entailing acceptance or rejection by Italy of declarations concerning matters other than those considered in it, made by other States upon signature or ratification.

Italy reserves the right to make further declarations relating to the Convention and to the Agreement."

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In implementation of article 287 of the United Nations Convention on the Law of the Sea, the Government of Italy has the honour to declare that, for the settlement of disputes concerning the application or interpretation of the Convention and of the Agreement adopted on 28 July 1994 relating to the Implementation of Part XI, it chooses the International Tribunal for the Law of the Sea and the International Court of Justice, without specifying that one has precedence over the other.

In making this declaration under article 287 of the Convention on the Law of the Sea, the Government of Italy is reaffirming its confidence in the existing international judicial organs. In accordance with article 287, paragraph 4, Italy considers that it has chosen "the same procedure" as any other State Party that has chosen the International Tribunal for the Law of the Sea or the International Court of Justice.

## KUWAIT<sup>12</sup>

### *Understanding:*

The ratification by Kuwait of the said Convention does not mean in any way a recognition of Israel nor that treaty relations will arise with Israel.

## LUXEMBOURG

### *Upon signature:*

The Government of the Grand Duchy of Luxembourg has decided to sign the United Nations Convention on the Law of the Sea because it represents, in the context of the law of the sea, a major contribution to the codification and progressive development of international law.

Nevertheless, in the view of the Government of Luxembourg, certain provisions of Part XI and Annexes III and IV of the Convention are marred by serious shortcomings and defects which, moreover, explain why it was not possible to reach a consensus on the text at the last session of the Third Conference on the Law of the Sea, held in New York in April 1982.

These shortcomings and defects concern, in particular, the mandatory transfer of technology and the cost and financing of the future Sea-Bed Authority and the first mine site of the Enterprise. They will have to be rectified by the rules, regulations and procedures to be drawn up by the Preparatory Commission. The Government of Luxembourg recognizes that the work remaining to be done is of great importance and hopes that it will be possible to reach agreement on the modalities for operating a sea-bed mining régime that will be generally acceptable and therefore conducive to promoting the activities of the international zone of the sea-bed.

As the representatives of France and the Netherlands pointed out two years ago, [the Government of Luxembourg] wishes to make it abundantly clear that, notwithstanding its decision to sign the Convention today, the Grand Duchy of Luxembourg is not here and now determined to ratify it.

It will take a separate decision on this point, at a later date, which will take account of what the Preparatory Commission has accomplished to make the international régime of the sea-bed acceptable to all.

[The Government of Luxembourg] also wishes to recall that Luxembourg is a member of the European Economic Community and, by virtue thereof, has transferred to the Community powers in certain areas covered by the Convention. Detailed declarations on the nature and extent of the powers transferred will be made in due course, in accordance with the provisions of Annex IX of the Convention.

Like other members of the Community, the Grand Duchy of Luxembourg also reserves its position on all declarations made at the final session of the Third United Nations Conference on the Law of the Sea, at Montego Bay, that may contain elements of interpretation concerning the provisions of the United Nations Convention on the Law of the Sea.

## MALAYSIA

### *Declarations:*

"1. The Malaysian Government is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. Malaysia reserves the right to state its positions concerning all such legislations or declarations at the appropriate time, in particular the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the relevant principles of international law and the provisions of the Convention on the Law of the Sea and which are prejudicial to the sovereign rights and jurisdiction of Malaysia in its maritime areas.

2. The Malaysian Government understands that the provisions of article 301 prohibiting 'any threat or use of force against the territorial integrity of any State, or in other manner inconsistent with the principles of international law embodied in the Charter of the United Nations' apply in particular to the maritime areas under the sovereignty or jurisdiction of the coastal state.

3. The Malaysian Government also understands that the provisions of the Convention do not authorize other States to carry out military exercises or manoeuvres, in particular those involving the use of weapon or explosives in the exclusive economic zone without the consent of the coastal state.

4. In view of the inherent danger entailed in the passage of nuclear-powered vessels or vessels carrying nuclear material or other material of a similar nature and in view of the provision of article 22, paragraph 2, of the Convention on the Law of the Sea concerning the right of the coastal State to confine the passage of such vessels to sea lanes designated by the State within its territorial sea, as well as that of article 23 of the Convention, which requires such vessels to carry documents and observe special precautionary measures as specified by international agreements, the Malaysian Government, with all of the above in mind, requires the aforesaid vessels to obtain prior authorization of passage before entering the territorial sea of Malaysia until such time as the international agreements referred to in article 23 are concluded and Malaysia becomes a party thereto. Under all circumstances, the flag State of such vessels shall assume all responsibility for any loss or damage resulting from the passage of such vessels within the territorial sea of Malaysia.

5. The Malaysian Government also wishes to reiterate the statement relating to article 233 of the Convention in its application to the Straits of Malacca and Singapore which has been annexed to a letter dated 28th April 1982 transmitted to the President of UNCLOS III and as contained in Document A/CONF.62/L.145, UNCLOS III Off.Rec., vol. XVI, p. 250-251.

6. The ratification of the Convention by the Malaysian Government shall not in any manner affect its rights and obligations under any agreements and treaties on maritime matters entered into to which the Malaysian Government is a party.

7. The Malaysian Government interprets article 74 and article 83 to the effect that in the absence of agreement on the delimitation of the exclusive economic zone or continental shelf or other maritime zones, for an equitable solution to be achieved, the boundary shall be the median line, namely a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea of Malaysia and of such other States is measured.

Malaysia is also of the view that in accordance with the provisions of the Convention, namely article 56 and article 76, if the maritime area is less or to a distance of 200 nautical miles from the baselines, the boundary for continental shelf and exclusive economic zone shall be on the same line (identical).

8. The Malaysian Government declares, without prejudice to article 303 of the Convention of the Law of the Sea, that any objects of an archeological and historical nature found within the maritime areas over which it exerts sovereignty or jurisdiction shall not be removed, without its prior notification and consent."

## MALI

### *Upon signature:*

On signing the United Nations Convention on the Law of the Sea, the Republic of Mali remains convinced of the interdependence of the interests of all peoples and of the need to base international co-operation on, in particular, mutual respect, equality, solidarity at the international, regional and sub-regional levels, and positive good-neighbourliness between States.

It thus reiterates its statement of 30 April 1982, reaffirming that the United Nations Convention on the Law of the Sea, in the negotiation and adoption of which the Government of Mali participated in good faith, constitutes a perfectible international legal instrument.

Nevertheless, Mali's signature of the said Convention is without prejudice to any other instrument concluded or to be



concluded by the Republic of Mali with a view to improving its status as a geographically disadvantaged and land-locked State. It is likewise without prejudice to the elements of any position which the Government of Mali may deem it necessary to take with regard to any question of the Law of the Sea pursuant to article 310.

In any case, the present signature has no effect on the course of Mali's foreign policy or on the rights it derives from its sovereignty under its Constitution or the Charter of the United Nations and any other relevant rule of international law.

## MALTA<sup>13</sup>

### *Declaration:*

The ratification of the United Nations Convention on the Law of the Sea is a reflection of Malta's recognition of the many positive elements it contains, including its comprehensiveness, and its role in the application of the concept of the common heritage of mankind.

At the same time, it is realised that the effectiveness of the regime established by the Convention depends to a great extent on the attainment of its universal acceptance, not least by major maritime States and those with technology which are most affected by the regime.

The effectiveness of the provisions of Part IX on 'enclosed or semi-enclosed seas', which provide for cooperation of States bordering such seas, like the Mediterranean, depends on the acceptance of the Convention by the States concerned. To this end, the Government of Malta encourages and actively supports all efforts at achieving this universality.

The Government of Malta interprets articles 69 and 70 of the Convention as meaning that access to fishing in the exclusive economic zone of third States by vessels of developed land-locked and geographically disadvantaged States is dependent upon the prior granting of access by the coastal States in question to the nationals of other States which have habitually fished in the said zone.

The baselines as established by Maltese legislation for the delimitation of the territorial sea, and related areas, for the archipelago of the islands of Malta and which incorporate the island of Filfla as one of the points from which baselines are drawn, are fully in line with the relevant provisions of the Convention.

The Government of Malta interprets article 74 and article 83 to the effect that in the absence of agreement on the delimitation of the exclusive economic zone or the continental shelf or other maritime zones, for an equitable solution to be achieved, the boundary shall be the median line, namely a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial waters of Malta and of such other States is measured.

The exercise of the right of innocent passage of warships through the territorial sea of other States, should also be perceived to be a peaceful one. Effective and speedy means of communication are easily available, and make the prior notification of the exercise of the right of innocent passage of warships, reasonable and not incompatible with the Convention. Such notification is already required by some States. Malta reserves the right to legislate on this point.

Malta is also of the view that such a notification requirement is needed in respect of nuclear-powered ships or ships carrying nuclear or other inherently dangerous or noxious substances. Furthermore, no such ships shall be allowed within Maltese internal waters without the necessary authorisation.

Malta is of the view that the sovereign immunity contemplated in article 236, does not exonerate a State from such obligation, moral or otherwise, in accepting responsibility and liability for compensation and relief in respect of damage

caused by pollution of the marine environment by any warship, naval auxiliary, other vessels or aircraft owned or operated by the State and used on government non-commercial service.

Legislation and regulations concerning the passage of ships through Malta's territorial sea are compatible with the provisions of the Convention. At the same time, the right is reserved to develop further this legislation in conformity with the Convention as may be required.

Malta declares itself in favour of establishing sea-lanes and special regimes for foreign fishing vessels transversing its territorial sea.

Note is taken of the statement by the European Community made at the time of signature of the Convention regarding the fact that its Member States have transferred competence to it with regard to certain aspects of the Convention. In view of Malta's application to join the European Community, it is understood that this will also become applicable to Malta on membership.

The Government of Malta does not consider itself bound by any of the declarations which other States may have made, or will make, upon signing or ratifying the Convention, reserving the right, as necessary, to determine its position with regard to each of them at the appropriate time. In particular, ratification of the Convention does not imply automatic recognition of maritime or territorial claims by any signatory or ratifying State.

## NETHERLANDS

### *A. Declaration pursuant to article 287 of the Convention:*

"The Kingdom of the Netherlands hereby declares that, having regard to article 287 of the Convention, it accepts the jurisdiction of the International Court of Justice in the settlement of disputes concerning the interpretation and application of the Convention with State Parties to the Convention which have likewise accepted the said jurisdiction.

### *Objections:*

The Kingdom of the Netherlands objects to any declaration or statement excluding or modifying the legal effect of the provisions of the United Nations Convention on the Law of the Sea.

This is particularly the case with regard to the following matters:

#### *I. Innocent passage in the territorial sea*

The Convention permits innocent passage in the territorial sea for all ships, including foreign warships, nuclear-powered ships and ships carrying nuclear or hazardous waste, without any prior consent or notification, and with due observance of special precautionary measures established for such ships by international agreements.

#### *II. Exclusive economic zone*

##### *1. Passage through the Exclusive Economic Zone*

Nothing in the Convention restricts the freedom of navigation of nuclear-powered ships or ships carrying nuclear or hazardous waste in the Exclusive Economic Zone, provided such navigation is in accordance with the applicable rules of international law. In particular, the Convention does not authorize the coastal state to make the navigation of such ships in the EEZ dependent on prior consent or notification.

##### *2. Military exercises in the Exclusive Economic Zone*

The Convention does not authorize the coastal state to prohibit military exercises in its EEZ. The rights of the coastal state in its EEZ are listed in article 56 of the Convention, and no such authority is given to the coastal state. In the EEZ all states enjoy the freedoms of navigation and overflight, subject to the relevant provisions of the Convention.

##### *3. Installations in the Exclusive Economic Zone*

The coastal state enjoys the right to authorize, operate and use installations and structures in the EEZ for economic purposes. Jurisdiction over the establishment and use of installations

and structures is limited to the rules contained in article 56 paragraph 1, and is subject to the obligations contained in article 56 paragraph 2, article 58 and article 60 of the Convention.

#### 4. Residual rights

The coastal state does not enjoy residual rights in the EEZ. The rights of the coastal state in its EEZ are listed in article 56 of the Convention, and can not be extended unilaterally.

#### III. Passage through Straits

Routes and sea lanes through straits shall be established in accordance with the rules provided for in the Convention. Considerations with respect to domestic security and public order shall not affect navigation in straits used for international navigation. The application of other international instruments to straits is subject to the relevant articles of the Convention.

#### IV. Archipelagic States

The application of Part IV of the Convention is limited to a state constituted wholly by one or more archipelagos, and may include other islands. Claims to archipelagic status in contravention of article 46 are not acceptable.

The status of archipelagic state, and the rights and obligations deriving from such status can only be invoked under the conditions of Part IV of the Convention.

#### V. Fisheries

The Convention confers no jurisdiction on the coastal state with respect to the exploitation, conservation and management of living marine resources other than sedentary species beyond the Exclusive Economic Zone.

The Kingdom of the Netherlands considers that the conservation and management of straddling fish stocks and highly migratory species should, in accordance with articles 63 and 64 of the Convention, take place on the basis of international cooperation in appropriate sub-regional and regional organizations.

#### VI. Underwater cultural heritage

Jurisdiction over objects of an archaeological and historical nature found at sea is limited to articles 149 and 303 of the Convention.

The Kingdom of the Netherlands does however consider that there may be a need to further develop, in international cooperation, the international law on the protection of underwater cultural heritage.

#### VII. Baselines and delimitation

A claim that the drawing of baselines or the delimitation of maritime zones is in accordance with the Convention will only be acceptable if such lines and zones have been established in accordance with Convention.

#### VIII. National Legislation

As a general rule of international law, as stated in articles 27 and 46 of the Vienna Convention on the Law of Treaties, states may not rely on national legislation as a justification for a failure to implement the Convention.

#### IX. Territorial Claims

Ratification by the Kingdom of the Netherlands does not imply recognition or acceptance of any territorial claim made by a State Party to the Convention.

#### X. Article 301

Article 301 must be interpreted, in accordance with the Charter of the United Nations, as applying to the territory and the territorial sea of a coastal state.

#### XI. General Declaration

The Kingdom of the Netherlands reserves the right to make further declarations relative to the Convention and to the Agreement, in response to future declarations and statements.

#### C. Declaration in accordance with annex IX of the Convention

Upon depositing its instrument of ratification the Kingdom of the Netherlands recalls that, as Member State of the European Community, it has transferred competence to the Communi-

ty with respect to certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions in annex IX of the Convention."

### NICARAGUA

#### Upon signature:

In accordance with article 310, Nicaragua declares that such adjustments of its domestic law as may be required in order to harmonize it with the Convention will follow from the process of constitutional change initiated by the revolutionary State of Nicaragua, it being understood that the Convention and the Resolutions adopted on 10 December 1982 and the Annexes to the Convention constitute an inseparable whole.

For the purposes of articles 287 and 298 and of other articles concerning the interpretation and application of the Convention, the Government of Nicaragua shall, if and as the occasion demands, exercise the right conferred by the Convention to make further supplementary or clarificatory declarations.

### NORWAY

#### Declaration pursuant to article 310 of the Convention:

"According to article 309 of the Convention, no reservations or exceptions other than those expressly permitted by its provisions may be made. A declaration pursuant to its article 310 can not have the effect of an exception or reservation for the State making it. Consequently, the Government of the Kingdom of Norway declares that it does not consider itself bound by declarations pursuant to article 310 of the Convention that are or will be made by other States or international organizations. Passivity with respect to such declarations shall be interpreted neither as acceptance nor rejection of such declarations. The Government reserves Norway's right at any time to take a position on such declarations in the manner deemed appropriate."

#### Declaration pursuant to article 287 of the Convention:

"The Government of the Kingdom of Norway declares pursuant to article 287 of the Convention that it chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention."

#### Declaration pursuant to article 298 of the Convention:

"The Government of the Kingdom of Norway declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII of any of the categories of disputes mentioned in article 298."

### OMAN

#### Upon signature:

"It is the understanding of the Government of the Sultanate of Oman that the application of the provisions of articles 19, 25, 34, 38 and 45 of the Convention does not preclude a coastal State from taking such appropriate measures as are necessary to protect its interest of peace and security."

#### Declarations made upon ratification:

Pursuant to the provisions of article 310 of the Convention and further to the earlier declaration by the Sultanate of Oman dated 1 June 1982 concerning the establishment of straight baselines at any point on the coastline of the Sultanate of Oman and the lines enclosing waters within inlets and bays and waters between islands and the coast-line, in accordance with article 2(c) of Royal Decree No. 15/81 and in view of the desire of the Sultanate of Oman to bring its laws into line with the provisions of the Convention, the Sultanate of Oman issues the following declarations:

*Declaration No. 1, on the territorial sea*

1. The Sultanate of Oman determines that its territorial sea, in accordance with article 2 of Royal Decree No. 15/81 dated 10 February 1981, extends 12 nautical miles in a seaward direction, measured from the nearest point of the baselines.

2. The Sultanate of Oman exercises full sovereignty over its territorial sea, the space above the territorial sea and its bed and subsoil, pursuant to the relevant laws and regulations of the Sultanate and in conformity with the provisions of this Convention concerning the principle of innocent passage.

*Declaration No. 2, on the passage of warships throughout Omani territorial waters*

Innocent passage is guaranteed to warships through Omani territorial waters, subject to prior permission. This also applies to submarines, on condition that they navigate on the surface and fly the flag of their home state.

*Declaration No. 3, on the passage of nuclear-powered ships and the like through Omani territorial waters*

With regard to foreign nuclear-powered ships and ships carrying nuclear or other substances that are inherently dangerous or harmful to health or the environment, the right of innocent passage, subject to prior permission, is guaranteed to the types of vessel, whether or not warships, to which the descriptions apply. This right is also guaranteed to submarines to which the descriptions apply, on condition that they navigate on the surface and fly the flag of their home State.

*Declaration No. 4, on the contiguous zone*

The contiguous zone extends for a distance of 12 nautical miles measured from the outer limit of the territorial waters and the Sultanate of Oman exercises the same prerogatives over it as are established by the Convention.

*Declaration No. 5, on the exclusive economic zone*

1. The Sultanate of Oman determines that its exclusive economic zone, in accordance with article 5 of Royal Decree No. 15/81 dated 10 February 1981, extends 200 nautical miles in a seaward direction, measured from the baselines from which the territorial sea is measured.

2. The Sultanate of Oman possesses sovereign rights over its economic zone and also exercises jurisdiction over that zone as provided for in the Convention. It further declares that, in exercising its rights and performing its duties under the Convention in the exclusive economic zone, it will have due regard to the rights and duties of other States and will act in a manner compatible with the provisions of the Convention.

*Declaration No. 6, on the continental shelf*

The Sultanate of Oman exercises over its continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources, as permitted by geographical conditions and in accordance with this Convention.

*Declaration No. 7, on the procedure chosen for the settlement of disputes under the Convention*

Pursuant to article 287 of the Convention, the Sultanate of Oman declares its acceptance of the jurisdiction of the International Tribunal for the Law of the Sea, as set forth in annex VI to the Convention, and the jurisdiction of the International Court of Justice, with a view to the settlement of any dispute that may arise between it and another State concerning the interpretation or application of the Convention.

**PAKISTAN**

*Declarations:*

" i) The Government of the Islamic Republic of Pakistan shall, at an appropriate time, make declarations provided for in articles 287 and 298 relating to the settlement of disputes.

ii) The Law of the Sea Convention, while dealing with transit through the territory of the transit State, fully safeguards the

sovereignty of the transit State. Consequently, in accordance with article 125 of the rights and facilities of transit to the land locked State ensures that it shall not in any way infringe upon the sovereignty and the legitimate interest of the transit State. The precise content of the freedom of transit consequently, in each case, has to be agreed upon by the transit State and the land locked State concerned. In the absence of such an agreement concerning the terms and modalities for exercising the right of transit, through the territory of the Islamic Republic of Pakistan shall be regulated only by national laws of Pakistan.

iii) It is the understanding of the Government of the Islamic Republic of Pakistan that the provisions of the Convention on the Law of the Sea do not in any way authorize the carrying out in the Exclusive Economic Zone and in the Continental Shelf of any coastal State military exercises or manoeuvres by other States, in particular where the use of weapons or explosives are involved, without the consent of the coastal State concerned."

**PANAMA**

*Declaration:*

[The Republic of Panama] declares that it has exclusive sovereignty over the "historic Panamanian bay" of the Golfo de Panamá, a well-marked geographic configuration of the coast of which belong entirely to the Republic of Panama. It is a large indentation or inlet to the south of the Panamanian isthmus, where sea-waters superjacent to the seabed and subsoil cover the area between latitudes 7° 28' 00" North and 7° 31' 00" North and longitudes 79° 59' 53" and 78° 11' 40", both west of Greenwich, these being the positions of Punta Mala and Punta Jaqué, respectively, west and east of the entrance of the Golfo de Panamá. This large indentation penetrates fairly deep into the Panamanian isthmus. The width of its entrance, from Punta Mala to Punta de Jaqué, is some 200 kilometres and it penetrates inland a distance of 165 kilometres (measured from the imaginary line joining Punta Mala and Punta Jaqué to the mouths of the Rio Chico east of Panama City).

Given its present and potential resources, the historic bay of the Golfo de Panamá is a vital necessity for the Republic of Panama, both in terms of security and defence (this had been the case since time immemorial) and in economic terms, as its marine resources have been utilized since ancient times by the inhabitants of the Panamanian isthmus.

It is oblong in shape, with a coast outline that roughly resembles a calf's head, and its coastal perimeter, which measures some 668 kilometres, is under the maritime control of Panama. According to this delimitation, the historic bay of the Golfo de Panama has an area of approximately 30,000 km<sup>2</sup>.

The Republic of Panama declares that, in the exercise of its sovereign and territorial rights and in compliance with its duties, it will act in a manner compatible with the provisions of the Convention and reserves the right to issue further statements on the Convention if necessary.

**PHILIPPINES<sup>14</sup>**

*Understanding made upon signature and confirmed upon ratification:*

"1. The signing of the Convention by the Government of the Republic of the Philippines shall not in any manner impair or prejudice the sovereign rights of the Republic of the Philippines under and arising from the Constitution of the Philippines;

2. Such signing shall not in any manner affect the sovereign rights of the Republic of the Philippines as successor of the United States of America, under and arising out of the Treaty of Paris between Spain and the United States of America of December 10, 1898, and the Treaty of Washington between the United States of America and Great Britain of January 2, 1930;

3. Such signing shall not diminish or in any manner affect the rights and obligations of the contracting parties under the Mutual Defense Treaty between the Philippines and the United States of America of August 30, 1951, and its related interpretative instruments; nor those under any other pertinent bilateral or multilateral treaty or agreement to which the Philippines is a party;

4. Such signing shall not in any manner impair or prejudice the sovereignty of the Republic of the Philippines over any territory over which it exercises sovereign authority, such as the Kalayaan Islands, and the waters appurtenant thereto;

5. The Convention shall not be construed as amending in any manner any pertinent laws and Presidential Decrees or Proclamations of the Republic of the Philippines; the Government of the Republic of the Philippines maintains and reserves the right and authority to make any amendments to such laws, decrees or proclamations pursuant to the provisions of the Philippine Constitution;

6. The provisions of the Convention on archipelagic passage through sea lanes do not nullify or impair the sovereignty of the Philippines as an archipelagic state over the sea lanes and do not deprive it of authority to enact legislation to protect its sovereignty, independence, and security;

7. The concept of archipelagic waters is similar to the concept of internal waters under the Constitution of the Philippines, and removes straits connecting these waters with the economic zone or high sea from the rights of foreign vessels to transit passage for international navigation;

8. The agreement of the Republic of the Philippines to the submission for peaceful resolution, under any of the procedures provided in the Convention, of disputes under Article 298 shall not be considered as a derogation of Philippine sovereignty."

#### PORTUGAL

##### *Declarations:*

1. Portugal reaffirms, for the purposes of delimitation of the territorial sea, the continental shelf and the exclusive economic zone, its rights under domestic law in respect of the mainland and of the archipelagos and the islands incorporated therein;

2. Portugal declares that, within a 12-nautical mile zone contiguous to its territorial sea, it will take such control measures as it deems to be necessary, in accordance with the provisions of article 33 of this Convention;

3. Pursuant to the provisions of the [said Convention], Portugal enjoys sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles from the baseline from which the breadth of the territorial sea is measured;

4. The maritime boundary lines between Portugal and the States whose coasts are opposite or adjacent to its own coasts are those which historically have been established on the basis of international law;

5. Portugal expresses its understanding that Resolution III of the Third United Nations Conference on the Law of the Sea shall fully apply to the non-self-governing Territory of East Timor, of which it remains the administering Power, under the United Nations Charter and the relevant Resolutions of the General Assembly and of the Security Council. Accordingly the application of the Convention, in particular a delimitation, if any, of the maritime areas of the territory of East Timor, shall take into consideration the rights of its people under the Charter and the said Resolutions, and, furthermore, the responsibilities incumbent upon Portugal as administering Power of the Territory of East Timor;

6. Portugal declares that, without prejudice to the provisions of article 303 of the [said Convention] and to the application of other legal instruments of international law regarding the

protection of the underwater archaeological heritage, any objects of a historical or archaeological nature found in the maritime zones under its sovereignty or jurisdiction may be removed only after prior notice to and subject to the consent of the competent Portuguese authorities.

7. Ratification by Portugal of this Convention does not imply the automatic recognition of any maritime or land boundary;

8. Portugal does not consider itself bound by the declarations made by other States and it reserves its position as regards each declaration to be expressed in due time;

9. Bearing in mind the available scientific information and with a view to the protection of the environment and of the sustained growth of economic activities based on the sea, Portugal will, preferably through international co-operation and taking into account the precautionary principle, carry out control activities beyond the areas under national jurisdiction;

10. For the purposes of article 287 of the Convention, Portugal declares that, in the absence of non-judicial means for the settlement of disputes arising out of the application of this Convention, it will choose one of the following means for the settlement of disputes:

a) The International Tribunal for the Law of the Sea, established in pursuance of Annex VI;

b) The International Court of Justice;

c) An arbitral tribunal, constituted in accordance with Annex VII;

d) A special arbitral tribunal, constituted in accordance with Annex VIII;

11. In the absence of other peaceful means for the settlement of disputes Portugal will in accordance with Annex VIII to the Convention, choose the recourse to a special arbitral tribunal in so far as the application of the provisions of this Convention, or the interpretation thereof, to the matters relating to fisheries, protection and preservation of marine living resources and marine environment, scientific research, navigation and marine pollution are concerned;

12. Portugal declares that, without prejudice to the provisions contained in Section 2, Part XV of this Convention, it does not accept the compulsory procedures referred to in Section 1 of the said Part, with respect to one or more of the categories specified in article 298 (a) (b) (c) of this Convention;

13. Portugal notes that, as a Member State of the European community, it has transferred to the Community competence over a few matters governed by this Convention. A detailed declaration will be submitted in due time, specifying the nature and extent of the matters in respect of which it has transferred competence to the Community, in accordance with the provisions of Annex IX to the Convention.

#### QATAR<sup>12</sup>

##### *Upon signature:*

The State of Qatar declares that its signature of the Convention on the Law of the Sea shall in no way imply recognition of Israel or any dealing with Israel or, lead to entry with Israel into any of the relations governed by the Convention or entailed by the implementation of the provisions thereof.

#### ROMANIA

##### *Declarations made upon signature and confirmed upon ratification:*

"1. As a geographically disadvantaged country bordering a sea poor in living resources, Romania reaffirms the necessity to develop international cooperation for the exploitation of the living resources of the economic zones, on the basis of just and equitable agreements that should ensure the access of the countries from this category to the fishing resources in the economic zones of other regions or subregions.

2. Romania reaffirms the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt national laws and regulations relating to the passage of foreign warships through their territorial sea.

The right to adopt such measures is in full conformity with articles 19 and 25 of the Convention, as it is also specified in the Statement by the President of the United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on April 26, 1982.

3. Romania states that according to the requirements of equity as it results from articles 74 and 83 of the Convention on the Law of the Sea the uninhabited islands and without economic life can in no way affect the delimitation of the maritime spaces belonging to the main land coasts of the coastal States."

#### RUSSIAN FEDERATION

##### *Upon signature:*

1. The Union of Soviet Socialist Republics declares that, under article 287 of the United Nations Convention on the Law of the Sea, it chooses an arbitral tribunal constituted in accordance with Annex VII as the basic means for the settlement of disputes concerning the interpretation or application of the Convention. It opts for a special arbitral tribunal constituted in accordance with Annex VIII for the consideration of matters relating to fisheries, the protection and preservation of the marine environment, marine scientific research, and navigation, including pollution from vessels and dumping. It recognizes the competence of the International Tribunal for the Law of the Sea, as provided for in article 292, in matters relating to the prompt release of detained vessels and crews.

2. The Union of Soviet Socialist Republics declares that, in accordance with article 298 of the Convention, it does not accept the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities, or disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

##### *Upon ratification:*

The Russian Federation declares that, in accordance with article 298 of the United Nations Convention on the Law of the Sea, it does not accept the procedures, provided for in section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 of the Convention, relating to sea boundary delimitations, or those involving historic bays or titles; disputes concerning military activities, including military activities by government vessels and aircraft, and disputes concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction; and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

The Russian Federation, bearing in mind articles 309 and 310 of the Convention, declares that it objects to any declarations and statements made in the past or which may be made in future when signing, ratifying or acceding to the Convention, or made for any other reason in connection with the Convention, that are not in keeping with the provisions of article 310 of the Convention. The Russian Federation believes that such declarations and statements, however phrased or named, cannot exclude or modify the legal effect of the provisions of the Convention in their application to the party to the Convention that made such declarations or statements, and for this reason they shall not be taken into account by the Russian Federation in its relations with that party to the Convention.

#### SAO TOME AND PRINCIPE

##### *Upon signature:*

I. The signing of the Convention by the Government of the Democratic Republic of Sao Tome and Principe will in no way affect or prejudice the sovereign rights of the Democratic Republic of Sao Tome and Principe embodied in and flowing from the Constitution of Sao Tome and Principe;

II. The Government of the Democratic Republic of Sao Tome and Principe reserves the right to adopt laws and regulations relating to the innocent passage of foreign warships through its territorial sea or its archipelagic waters and to take any other measures aimed at safeguarding its security;

III. The Government of the Democratic Republic of Sao Tome and Principe considers that the provisions of the Convention relating to archipelagic waters, the territorial sea and the exclusive economic zone are compatible with the legislation of the Republic of Sao Tome and Principe as regards its sovereignty and its jurisdiction over the maritime space adjacent to its coasts;

IV. The Government of the Democratic Republic of Sao Tome and Principe considers that, in accordance with the provisions of the Convention, where the same stock area adjacent thereto, the States fishing for such stocks in the adjacent area are under an obligation to agree with the coastal State upon the measures necessary for the conservation of the stock or stocks of associated species;

V. The Government of the Democratic Republic of Sao Tome and Principe, in accordance with the relevant provisions of the Convention, reserves the right to adopt laws and regulations to ensure the conservation of highly migratory species and to co-operate with the States whose nationals harvest these species in order to promote the optimum utilization thereof.

#### SAUDI ARABIA

##### *Declarations:*

1. The Government of the Kingdom of Saudi Arabia is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. The Kingdom reserves the right to state its position concerning all such legislation or declarations at the appropriate time. In particular, the Kingdom's ratification of the Convention in no way constitutes recognition of the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the provisions of the Convention on the Law of the Sea and are prejudicial to the sovereign rights and jurisdiction over its maritime areas.

2. The Government of the Kingdom of Saudi Arabia is not bound by any international treaty or agreement which contains provisions that are inconsistent with the Convention on the Law of the Sea and prejudicial to the sovereign rights and jurisdiction of the Kingdom in its maritime areas.

3. The Government of the Kingdom of Saudi Arabia considers that the application of the provisions of part IX of the Convention concerning the cooperation of States bordering enclosed or semi-enclosed areas is subject to the acceptance of the Convention by all the States concerned.

4. The Government of the Kingdom of Saudi Arabia considers that the provisions of the Convention relating to the application of the system of transit passage through straits used for international navigation which connect one part of the high seas or an exclusive economic zone with another part of the high seas or an exclusive economic zone also apply to navigation between islands adjacent or contiguous to such straits, particularly where the sea lanes used for entrance to or exit from the strait, as designated by the competent international organization, are situated near such islands.

5. The Government of the Kingdom of Saudi Arabia considers that innocent passage does not apply to its territorial sea where there is a route to the high seas or an exclusive economic zone which is equally suitable as regards navigational and hydrographical features.

6. In view of the inherent danger entailed in the passage of nuclear-powered vessels and vessels carrying nuclear or other material of a similar nature and in view of the provision of article 22, paragraph 2, of the [the said Convention] concerning the right of coastal State to confine the passage of such vessels to sea lanes designated by that State within its territorial sea, as well as that of article 23 of the Convention which requires such vessels to carry documents and observe special precautionary measures as specified by international agreements, the Kingdom of Saudi Arabia, with all the above in mind, requires the aforesaid vessels to obtain prior authorization of passage before entering the territorial sea of the Kingdom until such time as the international agreements referred to in article 23 are concluded and the Kingdom becomes a party thereto. Under all circumstances the flag State of such vessels shall assume all responsibility for any loss or damage resulting from the innocent passage of such vessels within the territorial sea of the Kingdom of Saudi Arabia.

7. The Kingdom of Saudi Arabia shall issue its internal procedures for the maritime areas subject to its sovereignty and jurisdiction, so as to affirm the sovereign rights and jurisdiction and guarantee the interests of the Kingdom in those areas.

#### SLOVENIA

##### *Declarations:*

"Proceeding from the right that State Parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the Republic of Slovenia considers that its Part V Exclusive Economic Zone, including the provisions of article 70 Right of Geographically Disadvantaged States, forms part of the general customary international law."

The Republic of Slovenia does not consider itself to be bound by the declaratory statement on the basis of article 310 of the Convention, given by the former SFR of Yugoslavia."

#### SOUTH AFRICA<sup>15</sup>

"The Government of the Republic of South Africa shall, at the appropriate time, make declarations provided for in articles 287 and 298 of the Convention relating to the settlement of disputes."

#### SPAIN

##### *Upon signature:*

1. The Spanish Government, upon signing this Convention, declares that this act cannot be interpreted as recognition of any rights or situations relating to the maritime spaces of Gibraltar which are not included in article 10 of the Treaty of Utrecht of 13 July 1713 between the Spanish and British Crowns. The Spanish Government also considers that Resolution III of the Third United Nations Conference on the Law of the Sea is not applicable in the case of the Colony of Gibraltar, which is undergoing a decolonization process in which only the relevant resolutions adopted by the United Nations General Assembly apply.

2. It is the Spanish Government's interpretation that the régime established in Part III of the Convention is compatible with the right of the coastal State to issue and apply its own air regulations in the air space of the straits used for international navigation so long as this does not impede the transit passage of aircraft.

3. With regard to article 39, paragraph 3, it takes the word "normally" to mean "except in cases of *force majeure* or distress".

4. With regard to Article 42, it considers that the provisions of paragraph 1 (b) do not prevent it from issuing, in accordance with international law, laws and regulations giving effect to generally accepted international regulations.

5. The Spanish Government interprets articles 69 and 70 of the Convention as meaning that access to fishing in the economic zones of third States by the fleets of developed land-locked and geographically disadvantaged States is dependent upon the prior granting of access by the coastal States in question to the nationals of other States who have habitually fished in the economic zone concerned.

6. It interprets the provisions of Article 221 as not depriving the coastal State of a strait used for international navigation of its powers, recognized by international law, to intervene in the case of the casualties referred to in that article.

7. It considers that Article 233 must be interpreted, in any case, in conjunction with the provisions of Article 34.

8. It considers that, without prejudice to the provisions of Article 297 regarding the settlement of disputes, Articles 56, 61 and 62 of the Convention preclude considering as discretionary the powers of the coastal State to determine the allowable catch, its harvesting capacity and the allocation of surpluses to other States.

9. Its interpretation of Annex III, Article 9, is that the provisions thereof shall not obstruct participation, in the joint ventures referred to in paragraph 2, of the States Parties whose industrial potential precludes them from participating directly as contractors in the exploitation and resources of the Area.

##### *Upon ratification:*

1. The Kingdom of Spain recalls that, as a member of the European Union, it has transferred competence over certain matters governed by the Convention to the European Community. A detailed declaration will be made in due course as to the nature and extent of the competence transferred to the European Community, in accordance with the provisions of Annex IX of the Convention.

2. In ratifying the Convention, Spain wishes to make it known that this act cannot be construed as recognition of any rights or status regarding the maritime space of Gibraltar that are not included in article 10 of the Treaty of Utrecht of 13 July 1713 concluded between the Crowns of Spain and Great Britain. Furthermore, Spain does not consider that Resolution III of the Third United Nations Conference on the Law of the Sea is applicable to the colony of Gibraltar, which is subject to a process of decolonization in which only relevant resolutions adopted by the United Nations General Assembly are applicable.

3. Spain understands that:

a) The provisions laid down in Part III of the Convention are compatible with the right of a coastal State to dictate and apply its own regulations in straits used for international navigation, provided that this does not impede the right of transit passage.

(b) In article 39, paragraph 3 (a), the word 'normally' means 'unless by *force majeure* or by distress'.

(c) The provisions of article 221 shall not deprive a State bordering a strait used for international navigation of its competence under international law regarding intervention in the event of the casualties referred to in that article.

4. Spain interprets that:

(a) Articles 69 and 70 of the Convention mean that access to fisheries in the exclusive economic zone of third States by the fleets of developed landlocked or geographically disadvantaged States shall depend on whether the relevant coastal States have previously granted access to the fleets of States which habitually fish in the relevant exclusive economic zone.

(b) With regard to article 297, and without prejudice to the provisions of that article in respect of settlement of disputes, articles 56, 61 and 62 of the Convention do not allow of an interpretation whereby the rights of the coastal State to determine permissible catches, its capacity for exploitation and the allocation of surpluses to other States may be considered discretionary.

5. The provisions of article 9 of Annex III shall not prevent States Parties whose industrial potential does not enable them to participate directly as contractors in the exploitation of the resources of the zone from participating in the joint ventures referred to in paragraph 2 of that article.

6. In accordance with the provisions of article 287, paragraph 1, Spain chooses the International Court of Justice as the means for the settlement of disputes concerning the interpretation or application of the Convention.

#### SUDAN

*Upon signature:*

*Declarations made in plenary meeting at the Final Part of the Eleventh Session of the Third United Nations Conference on the Law of the Sea, held at Montego Bay, Jamaica, from 6 to 10 December 1982, and reiterated upon signature*

[1] In accordance with article 310 of the Convention, the Sudanese Government will make such declarations as it deems necessary in order to clarify its position regarding the content of certain provisions of this instrument.

[2] [The Sudan] wishes to reiterate [the statement by the President of the Conference] in plenary meeting during the Third United Nations Conference on the Law of the Sea, on 26 April 1982, concerning article 21, in which deals with the laws and regulations of the coastal State relating to innocent passage: namely, that the withdrawal of the amendment submitted at the time by a number of States did not prejudice the right of coastal States to take all necessary measures, particularly in order to protect their security, in accordance with article 19 on the meaning of the term "innocent passage" and article 25 on the rights of protection of the coastal State.

[3] The Sudan also wishes to state that, according to its interpretation, the definition of the term "geographically disadvantaged States" given in article 70, paragraph 2, applies to all the parts of the Convention in which this term appears.

[4] The fact that [the Sudan] is signing this Convention and the Final Act of the Conference in no way means that [it] recognizes any State whatsoever which it does not recognize or with which it has no relations.

#### SWEDEN

*Upon signature:*

"As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Sweden to continue to apply the present régime for the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Swedish territorial sea, that régime being fully compatible with the Convention.

It is also the understanding of the Government of Sweden that the Convention does not affect the rights and duties of a neutral State provided for in the Convention concerning the Rights and Duties of Neutral Powers in case of Naval Warfare (XIII Convention), adopted at The Hague on 18 October 1907."

*Upon signature and confirmed upon ratification:*

"It is the understanding of the Government of Sweden that the exception from the transit passage régime in straits, provided for in Article 35 (c) of the Convention is applicable to the strait between Sweden and Denmark (Oresund) as well as to the

strait between Sweden and Finland (the Åland islands). Since in both those straits the passage is regulated in whole or in part by long-standing international conventions in force, the present legal régime in the two straits will remain unchanged."

*Upon ratification:*

"The Government of the Kingdom of Sweden hereby chooses, in accordance with article 287 of the Convention, the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement Implementing Part XI of the Convention.

The Kingdom of Sweden recalls that as a Member of the European Community, it has transferred competence in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention."

#### TUNISIA

*Declaration 1:*

The Republic of Tunisia, on the basis of resolution 4262 of the council of the League of Arab States, dated 31 March 1983, declares that its accession to the United Nations Convention on the Law of the Sea does not imply recognition of or dealings with any States which the Republic of Tunisia does not recognize or have dealings with.

*Declaration 2:*

The Republic of Tunisia, in accordance with the provisions of article 311, and, in particular, paragraph 6 thereof, declares its adherence to the basic principles relating to the common heritage of mankind and that it will not be a party to any agreement in derogation thereof. The Republic of Tunisia calls upon all States to avoid any unilateral measure or legislation of this kind that would lead to disregard of the provisions of the Convention or to the exploitation of the resources of the seabed and ocean floor and the subsoil thereof outside of the legal régime of the seas and oceans provided for in this convention and in the other legal instruments pertaining thereto, in particular resolution I and resolution II.

*Declaration 3:*

The Republic of Tunisia, in accordance with the provisions of article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in Part XV, section 2, of the said Convention with respect to the following categories of disputes:

(a) (i) disputes concerning the interpretation of application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, accept submission of the matter to conciliation under Annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;

(ii) after the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;

(iii) this subparagraph does not apply to any sea boundary dispute finally settled by an arrangement between the parties, or

to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;

(b) disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;

(c) disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

#### *Declaration 4:*

The Republic of Tunisia, in accordance with the provisions of article 310 of the United Nations Convention on the Law of the Sea, declares that its legislation currently in force does not conflict with the provisions of this Convention. However, laws and regulations will be adopted as soon as possible in order to ensure closer harmony between the provisions of the Convention and the requirements for completing Tunisian legislation in the maritime sphere.

### UKRAINE

#### *Upon signature:*

1. The Ukrainian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it chooses as the principal means for the settlement of disputes concerning the interpretation or application of this Convention an arbitral tribunal constituted in accordance with Annex VII. For the consideration of questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Ukrainian SSR chooses a special arbitral tribunal constituted in accordance with Annex VIII. The Ukrainian SSR recognizes the competence, as stipulated in article 292, of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews.

2. The Ukrainian Soviet Socialist Republic declares, in accordance with article 298 of the Convention, that it does not accept compulsory procedures, involving binding decisions, for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

#### *Upon ratification:*

1. Ukraine declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea of 1982, it chooses as the principal means for the settlement of disputes concerning the interpretation or application of this Convention an arbitral tribunal constituted in accordance with Annex VII. For the consideration of disputes concerning the interpretation or application of the Convention in respect of questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, Ukraine chooses a special arbitral tribunal constituted in accordance with Annex VIII.

Ukraine recognises the competence, as stipulated in article 292 of the Convention, of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews.

2. Ukraine declares, in accordance with article 298 of the Convention, that it does not accept, unless otherwise provided by specific international treaties of Ukraine with relevant States, the compulsory procedures entailing binding decisions

for the consideration of disputes relating to sea boundary delimitations, disputes involving historic bays or titles, and disputes concerning military activities.

3. Ukraine declares, taking into account articles 309 and 310 of the Convention, that it objects to any statements or declarations, irrespective of when such statements or declarations were or may be made, that may result in a failure to interpret the provisions of the Convention in good faith, or are contrary to the ordinary meaning of terms in the context of the Convention or its object and purpose.

4. As a geographically disadvantaged country bordering a sea poor in living resources, Ukraine reaffirms the necessity to develop international cooperation for the exploitation of the living resources of economic zones, on the basis of just and equitable agreements that should ensure the access to fishing resources in the economic zones of other regions and sub-regions.

### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

#### *Declarations:*

##### *"(a) General*

The United Kingdom cannot accept any declaration or statement made or to be made in the future which is not in conformity with articles 309 and 310 of the Convention. Article 309 of the Convention prohibits reservations and exceptions (except those expressly permitted by other articles of the Convention). Under article 310 declarations and statements made by a State cannot exclude or modify the legal effect of the provisions of the Convention in their application to the State concerned.

The United Kingdom considers that declarations and statements not in conformity with articles 309 and 310 include, *inter alia*, the following:

-- Those which relate to baselines not drawn in conformity with the Convention;

-- Those which purport to require any form of notification or permission before warships or other ships exercise the right of innocent passage or freedom of navigation or which otherwise purport to limit navigational rights in ways not permitted by the Convention;

-- Those which are incompatible with the provisions of the Convention relating to straits used for international navigation, including the right of transit passage;

-- Those which are incompatible with the provisions of the Convention relating to archipelagic states or waters, including archipelagic baselines and archipelagic sea lanes passage;

-- Those which are not in conformity with the provisions of the Convention relating to the exclusive economic zone or the continental shelf, including those which claim coastal state jurisdiction over all installations and structures in the exclusive economic zone or on the continental shelf, and those which purport to require consent for exercises or manoeuvres (including weapons exercises) in those areas;

-- Those which purport to subordinate the interpretation or application of the Convention to national laws and regulations, including constitutional provisions.

##### *(b) European Community*

The United Kingdom recalls that, as a Member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

##### *(c) The Falkland Islands*

With regard to paragraph (d) of the Declaration made upon ratification of the Convention by the Government of the Argen-



tine Republic, the Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands and over South Georgia and the South Sandwich Islands. The Government of the United Kingdom, as the administering authority of both Territories, has extended the United Kingdom's accession to the Falkland Islands and to South Georgia and the South Sandwich Islands. The Government of the United Kingdom, therefore, rejects as unfounded paragraph (d) of the Argentine declaration.

(d) *Gibraltar*

With regard to point 2 of the declaration made upon ratification of the convention by the Government of Spain, the Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over Gibraltar, including its territorial waters. The Government of the United Kingdom, as the administering authority of Gibraltar, has extended the United Kingdom's accession to the Convention and ratification of the Agreement to Gibraltar. The Government of the United Kingdom, therefore, rejects as unfounded point 2 of the Spanish declaration.

12 January 1998

"In accordance with article 287, paragraph 1, of the [said Convention], the Kingdom of Great Britain and Northern Ireland chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

The International Tribunal for the Law of the Sea is a new institution, which the United Kingdom hopes will make an important contribution to the peaceful settlement of disputes concerning the law of the sea. In addition to those cases where the Convention itself provides for the compulsory jurisdiction of the Tribunal, the United Kingdom remains ready to consider the submission of disputes to the Tribunal as may be agreed on a case-by-case basis."

**UNITED REPUBLIC OF TANZANIA**

"The United Republic of Tanzania declares that it chooses the International Tribunal for the Law of the Sea for the settlement of disputes concerning the interpretation or application of the Convention."

**URUGUAY**

*Declarations made upon signature and confirmed upon ratification:*

(A) The provisions of the Convention concerning the territorial sea and the exclusive economic zone are compatible with the main purposes and principles underlying Uruguayan legislation in respect of Uruguay's sovereignty and jurisdiction over the sea adjacent to its coast and over its bed and sub-soil up to a limit of 200 miles.

(B) The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights which the Convention recognizes to the coastal State leave room for no doubt that it is a "*sui generis*" zone of national jurisdiction different from the territorial sea and that it is not part of the high seas.

(C) Regulation of the uses and activities not provided for expressly in the Convention (residual rights and obligations) relating to the rights of sovereignty and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of that State, provided that such regulation does not prevent enjoyment of the freedom of international communication which is recognized to other States.

(D) In the exclusive economic zone, enjoyment of the freedom of international communication in accordance with the way it is defined and in accordance with other relevant provisions of the Convention excludes any non-peaceful use without

the consent of the coastal State for instance, military exercises or other activities which may affect the rights or interests of that State and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State.

(E) This Convention does not empower any State to build, operate or utilize installations or structures in the exclusive economic zone of another State, neither those referred to in the Convention nor any other kind, without the consent of the coastal State.

(F) In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to agree with the coastal State upon the measures necessary for the conservation of these stocks or associated species.

(G) When the Convention enters into force, Uruguay will apply, with respect to other States Parties, the provisions established by the Convention and by Uruguayan legislation, on the basis of reciprocity.

(H) Pursuant to the provisions of article 287, Uruguay declares that it chooses the International Tribunal for the Law of the Sea for the settlement of such disputes relating to the interpretation or application of the Convention as are not subject to other procedures, without prejudice to its recognition of the jurisdiction of the International Court of Justice and of such agreements with other States as may provide for other means for peaceful settlement.

(I) Pursuant to the provisions of article 298, Uruguay declares that it will not accept the procedures provided for in Part XV, section 2 of the Convention, in respect of disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3.

(J) Reaffirms that, as stated in article 76, the continental shelf is the natural prolongation of the territory of the coastal State to the outer edge of the continental margin.

**VIET NAM<sup>16</sup>**

*Declarations:*

The Socialist Republic of Vietnam, by ratifying the 1982 UN Convention on the Law of the Sea, expresses its determination to join the international community in the establishment of an equitable legal order and in the promotion of maritime development and cooperation.

The National Assembly reaffirms the sovereignty of the Socialist Republic of Vietnam over its internal waters and territorial sea; the sovereign rights and jurisdiction in the contiguous zone, the exclusive economic zone and the continental shelf of Vietnam, based on the provisions of the Convention and principles of international law and calls on other countries to respect the above-said rights of Vietnam.

The National Assembly reiterates Vietnam's sovereignty over the Hoang Sa and Truong Sa archipelagoes and its position to settle those disputes relating to territorial claims as well as other disputes in the Eastern Sea through peaceful negotiations in the spirit of equality, mutual respect and understanding, and with due respect of international law, particularly the 1982 UN Convention on the Law of the Sea, and of the sovereign rights and jurisdiction of the coastal states over their respective continental shelves and exclusive economic zones; the concerned parties should, while exerting active efforts to promote negotiations for a fundamental and long-term solution, maintain stability on the basis of the status quo, refrain from any act that may further complicate the situation and from the use of force or threat of force.

## YUGOSLAVIA

The National Assembly emphasizes that it is necessary to identify between the settlement of dispute over the Hoang Sa and Truong Sa archipelagoes and the defense of the continental shelf and maritime zones falling under Vietnam's sovereignty, rights and jurisdiction, based on the principles and standards and specified in the 1982 UN Convention on the Law of the Sea.

The National Assembly entitles the National Assembly's Standing Committee and the Government to review all relevant national legislation to consider necessary amendments in conformity with the 1982 UN Convention on the Law of the Sea, and to safeguard the interest of Vietnam.

The National Assembly authorizes the Government to undertake effective measures for the management and defense of the continental shelf and maritime zones of Vietnam.

## YEMEN<sup>8,12</sup>

1. The People's Democratic Republic of Yemen will give precedence to its national laws in force which require prior permission for the entry or transit of foreign warships or of submarines or ships operated by nuclear power or carrying radioactive materials

2. With regard to the delimitation of the maritime borders between the People's Democratic Republic of Yemen and any State having coasts opposite or adjacent to it, the median line basically adopted shall be drawn in a way such that every point of it is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of any State is measured. This shall be applicable to the maritime borders of the mainland territory of the People's Democratic Republic of Yemen and also of its islands.

### *Objections*

*(Unless otherwise indicated, the objections were received upon ratification, formal confirmation, accession or succession.)*

## AUSTRALIA<sup>17</sup>

3 August 1988

"Australia considers that [the] declaration made by the Republic of the Philippines is not consistent with article 309 of the Law of the Sea Convention, which prohibits the making of reservations, nor with article 310 which permits declarations to be made "provided that such declarations or statements do not purport to exclude or to modify the legal effects of the provisions of this Convention in their application to that State.

The declaration of the Republic of the Philippines asserts that the Convention shall not affect the sovereign rights of the Philippines arising from its Constitution, its domestic legislation and any treaties to which the Philippines is a party. This indicates, in effect, that the Philippines does not consider that it is obliged to harmonise its law with the provisions of the Convention. By making such an assertion, the Philippines is seeking to modify the legal effect of the Convention's provisions.

This view is supported by the specific reference in the declaration to the status of archipelagic waters. The declaration states that the concept of archipelagic waters in the Convention is similar to the concept of internal waters held under former constitutions of the Philippines and recently reaffirmed in article 1 of the New Constitution of the Philippines in 1987. It is clear, however, that the Convention distinguishes the two concepts and that different obligations and rights are applicable to archipelagic waters from those which apply to internal waters. In particular, the Convention provides for the exercise by foreign ships of the rights of innocent passage and of archipelagic sea lanes passage in archipelagic waters.

"1. Proceeding from the right that State Parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the Government of the Socialist Federal Republic of Yugoslavia considers that a coastal State may, by its laws and regulations, subject the passage of foreign warships to the requirement of previous notification to the respective coastal State and limit the number of ships simultaneously passing, on the basis of the international customary law and in compliance with the right of innocent passage (articles 17-32 of the Convention).

2. The Government of the Socialist Federal Republic of Yugoslavia also considers that it may, on the basis of article 38, para. 1, and article 45, para. 1 (a) of the Convention, determine by its laws and regulations which of the straits used for international navigation in the territorial sea of the Socialist Federal Republic of Yugoslavia will retain the regime of innocent passage, as appropriate.

3. Due to the fact that the provisions of the Convention relating to the contiguous zone (article 33) do not provide rules on the delimitation of the contiguous zone between States with opposite or adjacent coasts, the Government of the Socialist Federal Republic of Yugoslavia considers that the principles of the customary international law, codified in article 24, para. 3, of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958, will apply to the delimitation of the contiguous zone between the Parties to the United Nations Convention on the Law of the Sea."

Australia cannot, therefore, accept that the statement of the Philippines has any legal effect or will have any effect when the Convention comes into force and considers that the provisions of the Convention should be observed without being made subject to the restrictions asserted in the declaration of the Republic of the Philippines."

## BELARUS

24 June 1985

The Byelorussian Soviet Socialist Republic considers that the statement which was made by the Government of the Philippines upon signing the United Nations Convention on the Law of the Sea and confirmed subsequently upon ratification of that Convention in essence contains reservations and exceptions to the said Convention, contrary to the provisions of article 309 thereof. The statement by the Government of the Philippines is also inconsistent with article 310 of the Convention, under which any declarations or statements made by a State when signing, ratifying or acceding to the Convention are admissible only "provided that such declarations or statements do not purport to exclude or to modify the legal effect of the provisions of this Convention in their application to that State".

The Government of the Philippines in its statement repeatedly emphasizes its intention to continue to be governed in ocean affairs not by the Convention or by obligations thereunder, but by its national laws and previously concluded agreements, which are not in conformity with the provisions of the Convention. The Philippine side therefore declines to harmonize its national legislation with the provisions of the Convention and fails to perform one of its most fundamental obligations

thereunder -- to comply with the régime of archipelagic waters, which provides for the right of archipelagic passage of foreign ships and aircraft through or over such waters.

For the above reasons, the Byelorussian Soviet Socialist Republic cannot recognize the validity of the statement by the Government of the Philippines and regards it as having no legal force in the light of the provisions of the Convention.

The Byelorussian Soviet Socialist Republic believes that if the similar statements which were likewise made by certain other States when signing the Convention and which are inconsistent with the provisions thereof also occur at the stage of ratification or accession, the result could be to undermine the object and importance of the Convention and to prejudice that major instrument of international law.

In view of the foregoing, the Permanent Mission of the Byelorussian Soviet Socialist Republic to the United Nations believes that it would be appropriate for the Secretary-General of the United Nations, in accordance with article 319, paragraph 2 (a), of the Convention, to carry out a study of a general nature relating to the universal application of the provisions of the Convention and, *inter alia*, to the issue of harmonizing the national laws of States parties with the Convention. The findings of such a study should be incorporated in the report of the Secretary-General to the General Assembly at its fortieth session under the agenda item entitled "Law of the sea".

#### BELIZE

11 September 1997

"Belize cannot accept any declaration or statement made by a State which is not in conformity with articles 309 and 310 of the Convention.

Article 309 prohibits reservations or exceptions unless expressly permitted by other articles of the Convention. Under article 310, declarations or statements made by a State cannot exclude or modify the legal effect of the provisions of the Convention in their application to that State.

Belize considers that declarations and statements not in conformity with articles 309 and 310 of the Convention include, *inter alia*, those which are not compatible with the dispute resolution mechanism provided in Part XV of the Convention as well as those which purport to subordinate the interpretation or application of the Convention to national laws and regulations, including constitutional provisions.

The recent declaration made by the Government of Guatemala on ratification of the Convention is inconsistent with the aforesaid articles 309 and 310 in the following respects:

(a) Any alleged 'rights' over land territory referred to in paragraph (a) of the declaration are outside the scope of the Convention, so that part of the declaration does not fall within the range permitted by article 310.

(b) With regard to the alleged 'historical rights' over Bahia de Amatique, the declaration purports to preclude the application of the Convention, in particular article 310 which defines bays, and Part XV which enjoins that State Parties shall settle any disputes between them concerning the interpretation or application of the Convention in accordance with the procedure prescribed therein.

(c) With regard to paragraph (b) of the Guatemalan declaration that 'the territorial sea and maritime zones cannot be delimited until such time as the existing dispute is resolved', article 74 of the Convention requires States with opposite or adjacent coasts to delimit their respective Exclusive Economic Zones by agreement or, if no agreement can be reached within a reasonable time, by recourse to the dispute settlement mechanism under Part XV of the Convention. As for the delimitation of territorial sea, article 15 of the Convention provides that States with opposite or adjacent coast may not extend their re-

spective territorial seas beyond the median line unless they so agree. To the extent that Guatemala is purporting to make a reservation as to, or to exclude or modify the effect of the aforesaid articles 15 or 74, or Part XV of the Convention, the declaration is inconsistent with articles 309 and 310 of the Convention.

For the reasons given above, the Government of Belize hereby categorically rejects as unfounded and misconceived the Guatemala declaration *in toto*."

#### BULGARIA

17 September 1985

"The People's Republic of Bulgaria is seriously concerned by the actions of a number of States which, upon signature or ratification of the United Nations Convention on the Law of the Sea, have made reservations conflicting with the Convention itself or have enacted national legislation which excludes or modifies the legal effect of the provisions of this Convention in their application to those States. Such actions contravene article 310 of the United Nations Convention on the Law of the Sea and are at variance with the norms of customary international law and with the explicit provision of article 18 of the Vienna Convention on the Law of Treaties.

Such a tendency undermines the purport and meaning of the Convention on the Law of the Sea, which establishes a universal and uniform regime for the use of the oceans and seas and their resources. In the note verbale of the Ministry for Foreign Affairs of the People's Republic of Bulgaria to the Embassy of the Philippines in Belgrade, [...] the Bulgarian Government has rejected as devoid of legal force the statement made by the Philippines upon signature, and confirmed upon ratification, of the Convention.

The People's Republic of Bulgaria will oppose in the future as well any attempts aimed at unilaterally modifying the legal regime, established by the United Nations Convention on the Law of the Sea."

#### CZECH REPUBLIC<sup>4</sup>

#### ETHIOPIA

8 November 1984

"Paragraph 3 of the declaration relates to claims of sovereignty over unspecified islands in the Red Sea and the Indian Ocean which clearly is outside the purview of the Convention. Although the declaration, not constituting a reservation as it is prohibited by article 309 of the Convention, is made under article 310 of same and as such is not governed by articles 19-23 of the Vienna Convention on the Law of Treaties providing for acceptance of and objections to reservations, nevertheless, the Provisional Military Government of Socialist Ethiopia wishes to place on record that paragraph 3 of the declaration by the Yemen Arab Republic cannot in any way affect Ethiopia's sovereignty over all the islands in the Red Sea forming part of its national territory."

#### ISRAEL

11 December 1984

"The concerns of the Government of Israel, with regard to the law of the sea, relate principally to ensuring maximum freedom of navigation and overflight everywhere and particularly through straits used for international navigation.

In this regard, the Government of Israel states that the regime of navigation and overflight, confirmed by the 1979 Treaty of Peace between Israel and Egypt, in which the Strait of Tiran and the Gulf of Aqaba are considered by the Parties to be international waterways open to all nations for unimpeded and non-suspendable freedom of navigation and overflight, is appli-

cable to the said areas. Moreover, being fully compatible with the United Nations Convention on the Law of the Sea, the regime of the Peace Treaty will continue to prevail and to be applicable to the said areas.

It is the understanding of the Government of Israel that the declaration of the Arab Republic of Egypt in this regard, upon its ratification of the [said] Convention, is consonant with the above declaration [made by Egypt]."

#### ITALY

24 November 1995

*With respect to the declaration made by India upon ratification, as well as for the similar ones made previously by Brazil, Cape Verde and Uruguay:*

"Italy wishes to reiterate the declaration it made upon signature and confirmed upon ratification according to which 'the rights of the coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them'. According to the declaration made by Italy upon ratification this declaration applies as a reply to all past and future declarations by other States concerning the matters covered by it".

#### RUSSIAN FEDERATION

25 February 1985

The Union of Soviet Socialist Republics considers that the statement made by the Philippines upon signature, and then confirmed upon ratification, of the United Nations Convention on the Law of the Sea in essence contains reservations and exceptions to the Convention, which is prohibited under article 309 of the Convention. At the same time, the statement of the Philippines is incompatible with article 310 of the Convention, under which a State, when signing or ratifying the Convention, may make declarations or statements only "provided that such declarations or statements do not purport to exclude or to modify the legal effect of the provisions of this Convention in their application to that State".

The discrepancy between the Philippine statement and the Convention can be seen, *inter alia*, from the affirmation by the Philippines that "The concept of archipelagic waters is similar to the concept of internal waters under the Constitution of the Philippines, and removes straits connecting these waters with the economic zone or high sea from the rights of foreign vessels to transit passage for international navigation". Moreover, the statement emphasizes more than once that, despite its ratification of the Convention, the Philippines will continue to be guided in matters relating to the sea, not by the Convention and the obligations under it, but by its domestic law and by agreements it has already concluded which are not in line with the Convention. Thus, the Philippines not only is evading the harmonization of its legislation with the Convention but also is refusing to fulfil one of its most fundamental obligations under the Convention namely, to respect the régime of archipelagic waters, which provides that foreign ships enjoy the right of archipelagic passage through, and foreign aircraft the right of overflight over, such waters.

In view of the foregoing, the USSR cannot recognize as lawful the statement of the Philippines and considers it to be without legal effect in the light of the provisions of the Convention.

Furthermore, the Soviet Union is gravely concerned by the fact that, upon signing the Convention, a number of other States have also made statements of a similar type conflicting with the Convention. If such statements are also made later on, at the ratification stage or upon accession to the Convention, the purport and meaning of the Convention, which establishes a universal and uniform régime for the use of the oceans and seas and

their resources, could be undermined and this important instrument of international law impaired.

Taking into account the statement of the Philippines and the statements made by a number of other countries upon signing the Convention, together with the statements that might possibly be made subsequently upon ratification of and accession to the Convention, the Permanent Mission of the USSR considers that it would be appropriate for the Secretary-General of the United Nations to conduct, in accordance with article 319, paragraph 2 (a), a study of a general nature on the problem of ensuring universal application of the provisions of the Convention, including the question of the harmonization of the national legislation of States with the Convention. The results of such a study should be included in the report of the Secretary-General to the United Nations General Assembly at its fortieth session under the agenda item entitled "Law of the sea".

#### SLOVAKIA<sup>4</sup>

#### UKRAINE

8 July 1985

The Ukrainian Soviet Socialist Republic believes that the statement which was made by the Government of the Republic of the Philippines when signing the United Nations Convention on the Law of the Sea and subsequently confirmed upon ratification thereof contains elements which are inconsistent with articles 309 and 310 of the Convention. In accordance with those articles, statements which a State may make upon signature, ratification or accession should not purport "to exclude or to modify the legal effect of the provisions of this Convention in their application to that State" (art. 310). Such exceptions or reservations are legitimate only when they are "expressly permitted by other articles of this Convention" (art. 309). Article 310 also emphasizes that statements may be made by a State "with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of this Convention".

However, the statement by the Government of the Republic of the Philippines not only provides no evidence of the intention to harmonize the laws of that State with the Convention, but on the contrary has the purpose, as implied particularly in paragraphs 2, 3 and 5 of the statement, of granting precedence over the Convention to domestic legislation and international agreements to which the Republic of the Philippines is a party. For example, this applies, *inter alia*, to the Mutual Defense Treaty between the Philippines and the United States of America of 30 August 1951.

Furthermore, paragraph 5 of the statement not only grants priority over the Convention to the pertinent laws of the Republic of the Philippines which are currently in force, but also reserves the right to amend such laws in future pursuant only to the Constitution of the Philippines, and consequently without harmonizing them with the provisions of the Convention. Paragraph 7 of the statement draws an analogy between internal waters of the Republic of the Philippines and archipelagic waters and contains a reservation, which is inadmissible in the light of article 309 of the Convention, depriving foreign vessels of the right of transit passage for international navigation through the straits connecting the archipelagic waters with the economic zone or high sea. This reservation is evidence of the intention not to carry out the obligation under the Convention of parties thereto to comply with the régime of archipelagic waters and transit passage and to respect the rights of other States with regard to international navigation and overflight by aircraft. Failure to comply with this obligation would seriously undermine the effectiveness and significance of the United Nations Convention on the Law of the Sea.

It follows from the above that the statement by the Government of the Republic of the Philippines has the purpose of establishing unjustified exceptions for that State and in fact of modifying the legal effect of important provisions of the Convention as applied thereto. In view of this, the Ukrainian Soviet Socialist Republic cannot regard the [said] statement as having legal force. Such statements can only be described as harmful to the unified international legal régime for seas and oceans which is being established under the United Nations Convention on the Law of the Sea.

In the opinion of the Ukrainian Soviet Socialist Republic, the harmonization of national laws with the Convention would be facilitated by an examination within the framework of the United Nations Secretariat of the uniform and universal application of the Convention and the preparation of an appropriate study by the Secretary-General.

*List of conciliators and arbitrators nominated under article 2 of annexes V and VII to the Convention*

<i>Participant</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Australia	Sir Gerard Brennan AC KBE, Arbitrator Mr. Henry Burmester QC, Arbitrator	
Chile	Professor Ivan Shearer AM, Arbitrator Helmut Brunner Nøer, Conciliator Rodrigo Díaz Albónico, Conciliator Carlos Martínez Sotomayor, Conciliator Eduardo Vío Grossi, Conciliator José Miguel Barros Franco, Arbitrator María Teresa Infante Caffi, Arbitrator Edmundo Vargas Carreño, Arbitrator Fernando Zegers Santa Cruz, Arbitrator	19 Aug 1999 18 nov 1998
Czech Republic	Dr. Vladimír Kopal, Conciliator and Arbitrator	18 Dec 1996
Germany	Dr. (Ms.) Renate Platzoeder, Arbitrator	25 Mar 1996
France	Daniel Bardonnet, Arbitrator Pierre-Marie Dupuy, Arbitrator Jean-Pierre Queneudee, Arbitrator Laurent Lucchini, Arbitrator	4 Feb 1998
Italy	Professor Umberto Leanza, Conciliator and Arbitrator Ambassador Luigi Vittorio Ferraris, Conciliator Ambassador Giuseppe Jacoangeli, Conciliator	
Netherlands	Professor Tullio Scovazzi, Arbitrator E. Hey, Arbitrator Professor A. Soons, Arbitrator	21 Sep 1999
Norway	A. Bos, Arbitrator Carsten Smith, President of the Supreme Court, Conciliator and Arbitrator Karin Bruzelius, Supreme Court Judge, Conciliator and Arbitrator Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs, Conciliator and Arbitrator	9 Feb 1998
Russian Federation	Ambassador Per Tresselt, Conciliator and Arbitrator Vladimir S. Kotliar, Arbitrator Vladimir N. Trofimov, Arbitrator	22 Nov 1999 26 May 1997
Sri Lanka	Professor Kamil A. Bekyashev, Arbitrator Hon. M.S. Aziz, P.C., Conciliator and Arbitrator S. Sivarasam, P.C., Conciliator and Arbitrator (Prof.) Dr. C.F. Amerasinghe, Conciliator and Arbitrator	4 Mar 1998
Spain	A.R. Perera, Conciliator and Arbitrator D. José Antonio de Yturriaga Barberan, Arbitrator	17 Jan 1996 23 June 1999
Sudan	Sayed/Shawgi Hussain, Arbitrator Dr. Ahmed Elmufti, Arbitrator	

*Date of deposit of notification with  
the Secretary-General*

**Participant**

**Nominations**

United Kingdom

Dr. Abd Elrahman Elkhalifa, Conciliator  
Sayed/Eltahir Hamadalla, Conciliator  
Professor Christopher Greenwood  
Professor Elihu Lautherpacht CBE QC  
Sir Arthur Watts KCMG QC

8 Sept 1995

19 Feb 1998

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030), vol. I, p. 13 and 14.*

<sup>2</sup> The Final Act was signed, in each instance, on 10 December 1982:

"In the name of the following States:

Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua, New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint-Lucia, Saint-Vincent and the Grenadines, Samoa, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe;

In the name of Namibia, represented by the United Nations Council for Namibia as stipulated in article 305, paragraph 1 b), of the Convention:

In the name of the following self-governing associated States referred to in article 305, paragraph 1 c), of the Convention:

Cook Islands;

In the name of the following international organizations referred to in article 305, paragraph 1 f), and in article I of Annex IX of the Convention:

European Economic Community;

In the name of the following Observers invited to participate in the Conference as stipulated in United Nations General Assembly Resolution 3334 (XXIX):

Netherlands Antilles

Trust Territory of the Pacific Islands (Federated States of Micronesia, Republic of the Marshall Islands);

In the name of the following National Liberation Movements invited in accordance with rule 62 of the rules of procedure, as decided in resolution IV of the Conference:

African National Congress

Palestine Liberation Organization

Pan Africanist Congress

South West Africa People's Organization.

The following declarations were made in connexion with the Final Act:

Algeria

[See declaration under the Convention]

Ecuador

On 30 April 1982, in New York, the Convention on the Law of the Sea was adopted by a vote. On that occasion the delegation of Ecuador made an official declaration saying that it had decided not to participate in the vote and stating, for the record, the reasons behind that decision. [The delegation also wishes] to recall the official declarations made by the delegation of Ecuador, particularly at the tenth and eleventh sessions of the Conference, clearly setting for the position of Ecuador.

On this occasion, [the delegation of Ecuador] must state for the record that, notwithstanding the significant progress made in the negotiations carried out during the Third United Nations Conference on the Law of the Sea and notwithstanding the establishment in the Convention of fundamental principles and rights of developing coastal States, and of the international community in general, the Convention which is today being opened for signature by States does not fully meet Ecuador's rights and interests. Ecuador has always exercised and will continue to exercise such rights in accordance with its national legislation. That legislation was drawn up without violating any principle or norm of international law long before any of the three conferences held under the auspices of the United Nations was convened.

Recognition of the exclusive rights of sovereignty and jurisdiction over all the living and non-living resources contained in the adjacent seas up to a distance of 200 miles and their respective beds, constitutes a victory for the coastal States, one that began with the visionary Declaration of Santiago of 1952. The territorialist group, which is coordinated on a permanent basis by the delegation of Ecuador, has played an important role in this achievement.

[Ecuador] has participated actively in the negotiations of the Third United Nations Conference on the Law of the Sea, spanning an eight-year period, and in the preparatory meetings and, given the importance of the issue because of Ecuador's long continental and island shorelines and its rich sea-beds Ecuador will remain attached to that evolving law of the sea in the interest of better defence and promotion of national rights. In affirmation of this it is signing the Final Act of the Third United Nations Conference on the Law of the Sea.

On the occasion of the signing of the Final Act and notwithstanding the progress made in the law of the sea [the Delegation of Ecuador] wishes to reiterate its position in defence of its territorial sea of 200 miles.

Israel

"This signature of this Final Act in no way implies recognition in any manner whatsoever of the group calling itself the Palestine Liberation Organization or of any rights whatsoever conferred upon it within the framework of any of the documents attached to this Final Act, and is subject to the statements of the Delegation of Israel at the 163rd, 182nd, 184th and 190th meetings of the Conference and document A/CONF.62/WS/33."

Sudan

[See declaration No. [4] under the Convention.]

Venezuela

Venezuela is signing the Final Act on the understanding that it is merely noting the work of the Conference without making any value judgement about its results. Its signing does not signify, nor can it be construed as signifying, any change in its position with regard to articles 15, 74, 83 and 121, paragraph 3, of the Convention. For the

reasons stated by the delegation of Venezuela at the plenary meeting on 30 April 1982, those provisions are unacceptable to Venezuela, which is therefore not bound by them and is not prepared to agree to be bound by them in any way.

<sup>3</sup> The German Democratic Republic had signed the Convention on 10 December 1982 with the following declarations:

[1] "The German Democratic Republic declares that it accepts an arbitral tribunal as provided for in article 287, paragraph 1 (c), which is to be constituted in accordance with Annex VII, as competent for the settlement of disputes concerning the interpretation or application of this Convention, which cannot be settled by the States involved by recourse to other peaceful means of dispute settlement agreed between them.

The German Democratic Republic further declares that it accepts a special arbitral tribunal as provided for in article 287, paragraph 1 (d), which is to be constituted in accordance with Annex VIII, as competent for the settlement of disputes concerning the interpretation or application of articles of this Convention relating to fisheries, the protection and preservation of the marine environment, marine scientific research and navigation, including pollution from ships and through dumping.

The German Democratic Republic recognizes the competence, provided for in article 292 of the Convention, of the International Tribunal for the Law of the Sea in matters relating to the prompt release of vessels and crews.

The German Democratic Republic declares, in accordance with article 298 of the Convention, that it does not accept any compulsory procedures entailing binding decisions

--in disputes relating to sea boundary delimitations,

--in disputes relating to military activities and

--in disputes concerning which the United Nations Security Council exercises the functions assigned to it by the Charter of the United Nations."

[2] "The German Democratic Republic reserves the right, in connection with the ratification of the Convention on the Law of the Sea, to make declarations and statements pursuant to article 310 of the Convention and to present its views on declarations and statements made by other States when signing, ratifying or acceding to the Convention."

See also note 14 in chapter I.2.

<sup>4</sup> Czechoslovakia had signed the Convention on 10 December 1982. On 29 May 1985, the Secretary-General received from the Government of Czechoslovakia the following objection:

"[The Czechoslovak Socialist Republic] wishes to draw the Secretary-General's attention to the concern of the Czechoslovak Socialist Republic about the fact that certain States made upon signature of the United Nations Convention on the Law of the Sea declarations which are incompatible with the Convention and which, if reaffirmed upon ratification of the Convention by those States, would constitute a violation of the obligations to be assumed by them under the Convention. Such approach would lead to a breach of the universality of the obligations embodied in the Convention, to the disruption of the legal regime established thereunder and, in the long run, even to the undermining of the Convention as such.

A concrete example of such declaration as referred to above is the understanding made upon signature and reaffirmed upon ratification of the Convention by the Philippines which was communicated to Member States by notification [...] dated 22 May 1984.

The Czechoslovak Socialist Republic considers that this understanding of the Philippines

--is inconsistent with Article 309 of the Convention on the Law of the Sea because it contains, in essence, reservations to the provisions of the Convention;

--contravenes Article 310 of the Convention which stipulates that declarations can be made by States upon signature or ratification or accession to the Convention only provided that they do not purport to exclude or to modify the legal effect of the provisions of this Convention";

--indicates that in spite of having ratified the Convention, the Philippines intends to follow its national laws and previous agreements rather than the obligations under the Convention, not only taking no account of whether those laws and agreements are in harmony with the Convention but even, as proved in paragraphs 6 and 7 of the Philippine understanding, deliberately contravening the obligations set forth therein.

Given the above-mentioned circumstances, the Czechoslovak Socialist Republic cannot recognize the above-mentioned understanding of the Philippines as having any legal effect.

In view of the significance of the matter, the Czechoslovak Socialist Republic considers it necessary that the problem of such declarations made upon signature or ratification of the Convention which endanger the universality of the Convention and the unified mode of its implementation be dealt with by the Secretary-General in his capacity as depositary of the Convention and that the Member States of the United Nations be informed thereof."

See also note 11 in chapter I.2.

<sup>5</sup> See note 25 in chapter I.2.

<sup>6</sup> For the Kingdom in Europe.

<sup>7</sup> For the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, the Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St. Helena and Dependencies, South Georgia and South Sandwich Islands and Turks and Caicos Islands.

<sup>8</sup> The Yemen Arab Republic had signed the Convention on 10 December 1982 with the following declarations:

1. The Yemen Arab Republic adheres to the rules of general international law concerning rights to national sovereignty over coastal territorial waters, even in the case of the waters of a strait linking two seas.

2. The Yemen Arab Republic adheres to the concept of general international law concerning free passage as applying exclusively to merchant ships and aircraft; nuclear-powered craft, as well as warships and warplanes in general, must obtain the prior agreement of the Yemen Arab Republic before passing through its territorial waters, in accordance with the established norm of general international law relating to national sovereignty.

3. The Yemen Arab Republic confirms its national sovereignty over all the islands in the Red Sea and the Indian Ocean which have been its dependencies since the period when the Yemen and the Arab countries were a Turkish administration.

4. The Yemen Arab Republic declares that its signature of the Convention on the Law of the Sea is subject to the provisions of this declaration and the completion of the constitutional procedures in effect.

The fact that we have signed the said Convention in no way implies that we recognize Israel or are entering into relations with it.

See also note 33 in chapter I.2.

<sup>9</sup> In this regard, on 7 June 1996, the Secretary-General received from the Government of Viet Nam, the following declaration:

1. The People's Republic of China's establishment of the territorial baselines of the Hoang Sa archipelago (Paracel), part of the territory of Viet Nam, constitutes a serious violation of the Vietnamese sovereignty over the archipelago. The Socialist Republic of Viet Nam has on many occasions reaffirmed its indisputable sovereignty over the Hoang Sa as well as the Truong Sa (Spratly) archipelagoes. The above-mentioned act of the People's Republic of China which runs counter to the international law, is absolutely null and void. Furthermore, the People's Republic of China correspondingly violated the provisions of the 1982 United Nations Convention on the Law of the Sea by giving the Hoang Sa archipelago the status of an archipelagic state to illegally annex a vast sea area into the so-called internal water of the archipelago.

2. In drawing the baseline at the segment east of the Leizhou peninsula from point 31 to 32, the People's Republic of China has also

failed to comply with the provisions, particularly articles 7 and 38, of the 1982 United Nations Convention on the Law of the Sea. By so doing, the People's Republic of China has turned a considerable sea area into its internal water which obstructs the rights and freedom of international navigation including those of Viet Nam through the Qiongzhou strait. This is totally unacceptable to the Socialist Republic of Viet Nam.

<sup>10</sup> The modification to the statement (the statement previously read: "A special arbitral...article VIII") was made on the basis of a communication received from the Government of Germany on 29 May 1996.

Subsequently, upon depositing its instrument of ratification, the Government of the Czech Republic made the following declaration:

"The Government of the Czech Republic having considered the declaration of the Federal Republic of Germany of 14 October 1994 pertaining to the interpretation of the provisions of Part X of the [said Convention], which deals with the right of access of land-locked States to and from the sea and freedom of transit, states that the [said] declaration of the Federal Republic of Germany cannot be interpreted with regard to the Czech Republic in contradiction with the provisions of Part X of the Convention."

<sup>11</sup> On 21 December 1995, the Secretary-General received from the Government of Turkey the following communication:

"1. The signature and ratification of the Convention by Greece and the subsequent declaration in this regard shall neither prejudice nor affect the existing rights and legitimate interests of Turkey with respect to maritime jurisdiction areas in the Aegean. Turkey fully reserves her rights under international law.

Turkey wishes to state that she will not acquiesce in any claim or attempt designed to upset the long-standing status quo in this respect, that would deprive Turkey of her existing rights and interests. Any unilateral act in this respect that would constitute an abuse of the provisions of the Convention would entail totally unacceptable consequences. Turkey has registered her opposition in this regard actively and persistently from the very outset.

2. In view of the interpretative statement of Greece concerning the provisions of the Convention on the Law of the Sea on the 'Straits used for International Navigation', Turkey wishes to reiterate her statement of 15 November 1982, contained in document A/CONF.62/WS/34, which remains fully valid at present and reads as follows:

'In connection with the views expressed by the Greek delegation in the written statement contained in document A/CONF.62/WS/26 of May 1982 the Delegation of Turkey wishes to make the following statement:

The scope of the regime of straits used for international navigation and the rights and duties of States bordering straits are clearly defined in the provisions contained in Part III of the Convention on the Law of the Sea. With the limited exceptions provided in articles 35, 36, 38, paragraph 1 and 45, all straits used for international navigation are subject to the regime of transit passage.

In the written statement referred to above Greece is attempting to create a separate category of straits, i.e. spread out islands that form a great number of alternative straits' which is not envisaged in the Convention nor in international law. Thereby Greece wishes to retain the power to exclude some of the straits which link the Aegean Sea to the Mediterranean from the regime of transit passage. Such arbitrary action is not permissible under the Convention nor under the rules and principles of international law.

It seems that Greece, failing in the Conference in its efforts to ensure the application of the regime of archipelagic States to the islands of the continental States, is now trying to circumvent the provisions of the Convention by a unilateral and arbitrary statement of understanding.

The reference in the Greek written statement to article 36 is of particular concern as it is an indication of Greece's intention to exercise discretionary powers not only over straits, but also over high seas.

With regard to the air routes, the Greek statement is contrary to the International Civil Aviation Organization (ICAO) rules according to which air routes are established by ICAO regional meetings with the consent of all interested parties and approved by the ICAO Council.

In view of the above considerations, the Delegation of Turkey finds the Greek views expressed in the document A/CONF.62/WS/26 legally unfounded and totally unacceptable.'

3. Turkey reserves its right to make further declarations as may be required under the circumstances in the future."

Subsequently, on 30 June 1997, the Secretary-General received from the Government of Greece, the following communication:

"Turkey has neither signed nor acceded to the [said Convention]. It is, therefore, clear the above-mentioned notification cannot have any legal effect, whatsoever.

With regard to the substance of the Turkish notification, Greece rejects all the allegations therein and would like to make the following observations, in this connection:

The purpose of the Greek statement is to interpret certain provisions of the Convention in full accordance with the spirit and the true meaning of the Convention. It is clear, therefore, that Greece neither wishes nor intends, in any way whatsoever, to create any separate category of straits used for international navigation, nor does she intend to circumvent the provisions of the Convention, in any manner.

Greece observes, in particular, that the reference of Turkey to art. 36 is misleading, since the part of the high seas referred to in that article constitutes simply an element of the straits in question. Therefore, reference of Greece to this article in no way can be interpreted as an intention to exercise any discretionary powers over the high seas.

Regarding the allegation that Greece violates ICAO rules and regulations, Greece states emphatically that she respects all the rules and regulations established within the ICAO framework. It must be noted, in this respect, that the institution of transit passage is new and, for the time being, it does not influence the ICAO rules and regulations. In view of this, Greece does not see how her statement could interfere with the ICAO international air routes, in any way.

The Turkish allegations amount to a direct and unequivocal threat by a non-party to the Convention, addressed to a party thereto, with the obvious purpose of compelling Greece to abstain from exercising legitimate rights deriving from international law.

Finally, Greece notes that Turkey makes in her statement repeatedly reference to the provision of the United Nations Law of the Sea, 1982, attempting to draw legal conclusions. Greece interprets these references as an indication that Turkey--a non signatory to the Convention--accepts its provisions as reflecting general customary law."

<sup>12</sup> In a communication received on 23 May 1983, the Government of Israel stated the following:

"The Government of the State of Israel has noted that declarations made by Iraq and Yemen upon signing the Convention contain explicit statements of a political character in respect of Israel.

In the view of the Government of the State of Israel, this Convention is not the proper place for making such political pronouncements.

Furthermore, the Government of the State of Israel objects to all reservations, declarations and statements of a political nature in respect of States, made in connection with the signing of the Final Act of the Convention, which are incompatible with the purposes and objects of this Convention.

Such reservations, declarations and statements cannot in any way affect whatever obligations are binding upon the above-mentioned States under general international law or under particular conventions.

The Government of the State of Israel will, insofar as concerns the substance of the matter, adopt towards the Governments of the States in question, an attitude of complete reciprocity."

Subsequently, similar communications were received by the Secretary-General from the Government of Israel, with respect to the following:

--On 10 April 1985 re: declaration by Qatar;

--On 15 August 1986 re: understanding by Kuwait.

<sup>13</sup> On 22 February 1994, the Secretary-General received from the Government of Tunisia the following communication with regard to the declaration concerning articles 74 and 83 of the Convention:



... In that declaration, articles 74 and 83 of the Convention are interpreted to mean that, in the absence of any agreement on delimitation of the exclusive economic zone, the continental shelf or other maritime zones, the search for an equitable solution assumes that the boundary is the median line, in other words, a line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial waters is measured.

The Tunisian Government believes that such an interpretation is not in the least consistent with the spirit and letter of the provisions of these articles, which do not provide for automatic application of the median line with regard to delimitation of the exclusive economic zone or the continental shelf.

<sup>14</sup> On 12 June 1985, the Secretary-General received from the Government of China the following communication:

"The so-called Kalayaan Islands are part of the Nansha Islands, which have always been Chinese territory. The Chinese Government has stated on many occasions that China has indisputable sovereignty over the Nansha Islands and at the adjacent waters and resources."

On 23 February 1987, the Secretary-General received from the Government of Viet Nam the following communication concerning the declarations made by the Philippines and by China:

... The Republic of the Philippines, upon its signature and ratification of the 1982 U.N. Convention on the Law of the Sea, has claimed sovereignty over the islands called by the Philippines as the Kalaysan [see paragraph 4 of the declaration]. The People's Republic of China has likewise claimed that the islands, called by the Philippines as the Kalaysan, constitute part of the Nansha Islands which are Chinese territory. The so-called "Kalaysan Islands" or "Nansha Islands" mentioned above are in fact the Truong Sa Archipelago which has always been under the sovereignty of the Socialist Republic of Vietnam. The Socialist Republic of Vietnam has so far published two White Books confirming the legality of its sovereignty over the Hoang Sa and Truong Sa Archipelagoes.

The Socialist Republic of Vietnam once again reaffirms its indisputable sovereignty over the Truong Sa Archipelago and hence its determination to defend its territorial integrity.

<sup>15</sup> Upon ratification, the Government of South Africa informed the Secretary-General that it had decided to withdraw the declaration made upon signature which read as follows:

"Pursuant to the provisions of Article 310 of the Convention the South African Government declares that the signature of this Con-

vention by South Africa in no way implies recognition by South Africa of the United Nations Council for Namibia or its competence to act on behalf of South West Africa/Namibia."

<sup>16</sup> Subsequently, on 7 June 1996, the Government of Viet Nam made the following declaration:

1. The People's Republic of China's establishment of the territorial baselines of the Hoang Sa archipelago (Paracel), part of the territory of Viet Nam, constitutes a serious violation of the Vietnamese sovereignty over the archipelago. The Socialist Republic of Viet Nam has on many occasions reaffirmed its indisputable sovereignty over the Hoang Sa as well as the Tuong Sa (Spratly) archipelagoes. The above-mentioned act of the People's Republic of China which runs counter to the international law, is absolutely null and void. Furthermore, the People's Republic of China correspondingly violated the provisions of the 1982 United Nations Law of the Sea by giving the Hoang Sa archipelago the status of an archipelagic state to illegally annex a vast sea area into the so-called internal water of the archipelago.

2. In drawing the baseline at the segment east of the Leishou peninsula from point 31 to point 32, the People's Republic of China has also failed to comply with the provisions, particularly articles 7 and 38, of the 1982 United Nations Law of the Sea. By so drawing, the People's Republic of China has turned a considerable sea area into its internal water which obstructs the rights and freedom of international navigation including those of Vietnam through the Qiongzhou strait. This is totally unacceptable to the Socialist Republic of Viet Nam.

<sup>17</sup> In regard to the objection made by Australia the Secretary-General received, on 26 October 1988, from the Government of the Philippines the following declaration:

"The Philippines declaration was made in conformity with article 310 of the United Nations Convention on the Law of the Sea. The declaration consists of interpretative statements concerning certain provisions of the Convention.

The Philippine Government intends to harmonize its domestic legislation with the provisions of the Convention.

The necessary steps are being undertaken to enact legislation dealing with archipelagic sea lanes passage and the exercise of Philippine sovereign rights over archipelagic waters, in accordance with the Convention.

The Philippine Government, therefore, wishes to assure the Australian Government and the States Parties to the Convention that the Philippines will abide by the provisions of the said Convention."

6. a) Agreement relating to the implementation of Part XI of the United Nations  
Convention on the Law of the Sea of 10 December 1982

New York, 28 July 1994

**ENTRY INTO FORCE:** provisionally on 16 November 1994, in accordance with article 7 (1) and definitively on 28 July 1996, in accordance with article 6 (1)<sup>1</sup>.  
**REGISTRATION:** 16 November 1994, No. 31364.  
**STATUS:** Signatories: 79. Parties: 132.<sup>2</sup>  
**TEXT:** Doc. A/RES.48/263; and depositary notification C.N.1.1995.TREATIES-1 of 9 February 1995 (procès-verbal of rectification of the original French text).

*Note:* The Agreement was adopted by Resolution 48/263, on 28 July 1994, by the General Assembly of the United Nations during its resumed 48th session, held from 27 to 29 July 1994 in New York. In accordance with its article 3, the Agreement shall remain open for signature at the United Nations Headquarters in New York by the States and entities referred to in article 305, paragraphs 1 (c), (d), (e) and (f) of the 1982 Convention on the Law of the Sea for 12 months from the date of its adoption i.e. until 28 July 1995.

<i>Participant<sup>3</sup></i>	<i>Signature</i>	<i>Provisional application by virtue of a notification (n), Provisional application by virtue of signature, adoption of the Agreement or accession thereto</i>	<i>Notification of non-provisional application under article 7 (1) (b)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Definitive signature (s), Simplified procedure (p), Consent to be bound (P)</i>
Afghanistan.....		16 Nov 1994		
Albania.....		16 Nov 1994		
Algeria.....	29 Jul 1994	16 Nov 1994		11 Jun 1996 P
Andorra.....		16 Nov 1994		
Argentina.....	29 Jul 1994	16 Nov 1994		1 Dec 1995
Armenia.....		16 Nov 1994		
Australia.....	29 Jul 1994	16 Nov 1994		5 Oct 1994
Austria.....	29 Jul 1994	16 Nov 1994		14 Jul 1995
Bahamas <sup>4</sup> .....	29 Jul 1994	16 Nov 1994		28 Jul 1995 p
Bahrain.....		16 Nov 1994		
Bangladesh <sup>5</sup> .....		16 Nov 1994		
Barbados <sup>4</sup> .....	15 Nov 1994	16 Nov 1994		28 Jul 1995 p
Belarus.....		16 Nov 1994		
Belgium <sup>5</sup> .....	29 Jul 1994	16 Nov 1994		13 Nov 1998 P
Belize.....		16 Nov 1994		21 Oct 1994 s
Benin.....		16 Nov 1994		16 Oct 1997 P
Bhutan.....		16 Nov 1994		
Bolivia.....		16 Nov 1994		28 Apr 1995 P
Botswana.....		16 Nov 1994		
Brazil <sup>6</sup> .....	29 Jul 1994		29 Jul 1994	
Brunei Darussalam...		16 Nov 1994		5 Nov 1996 P
Bulgaria.....		15 May 1996	15 Nov 1994	15 May 1996 a
Burkina Faso.....	30 Nov 1994	30 Nov 1994		
Burundi.....		16 Nov 1994		
Cambodia <sup>5</sup> .....		16 Nov 1994		
Cameroon.....	24 May 1995	24 May 1995	15 Nov 1994	
Canada <sup>5</sup> .....	29 Jul 1994	16 Nov 1994		
Cape Verde <sup>6</sup> .....	29 Jul 1994	16 Nov 1994		
Chile <sup>5</sup> .....		16 Nov 1994		25 Aug 1997 a
China.....	29 Jul 1994	16 Nov 1994		7 Jun 1996 P
Congo <sup>5</sup> .....		16 Nov 1994		
Cook Islands.....				15 Feb 1995 a
Côte d'Ivoire <sup>4</sup> .....	25 Nov 1994	16 Nov 1994		28 Jul 1995 p
Croatia.....				5 Apr 1995 P
Cuba.....		16 Nov 1994		
Cyprus.....	1 Nov 1994	27 Jul 1995	15 Nov 1994	27 Jul 1995
Czech Republic.....	16 Nov 1994	16 Nov 1994		21 Jun 1996
Denmark.....	29 Jul 1994		29 Jul 1994	

<i>Participant<sup>3</sup></i>	<i>Signature</i>	<i>Provisional application by virtue of a notification (n), Provisional application by virtue of signature, adoption of the Agreement or accession thereto</i>	<i>Notification of non-provisional application under article 7 (1) (b)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Definitive signature (s), Simplified procedure (p), Consent to be bound (P)</i>
Egypt	22 Mar 1995	16 Nov 1994		
Equatorial Guinea				21 Jul 1997 P
Eritrea		16 Nov 1994		
Estonia		16 Nov 1994		
Ethiopia		16 Nov 1994		
European Community <sup>5,7</sup>	29 Jul 1994	16 Nov 1994		1 Apr 1998 c
Fiji	29 Jul 1994	16 Nov 1994		28 Jul 1995
Finland	29 Jul 1994	16 Nov 1994		21 Jun 1996
France	29 Jul 1994	16 Nov 1994		11 Apr 1996
Gabon <sup>5</sup>	4 Apr 1995	16 Nov 1994		11 Mar 1998 P
Georgia				21 Mar 1996 P
Germany	29 Jul 1994	16 Nov 1994		14 Oct 1994
Ghana		16 Nov 1994		
Greece	29 Jul 1994	16 Nov 1994		21 Jul 1995
Grenada <sup>4</sup>	14 Nov 1994	16 Nov 1994		28 Jul 1995 p
Guatemala				11 Feb 1997 P
Guinea <sup>4</sup>	26 Aug 1994	16 Nov 1994		28 Jul 1995 p
Guyana		16 Nov 1994		
Haiti				31 Jul 1996 P
Honduras		16 Nov 1994		
Hungary		16 Nov 1994		
Iceland <sup>4</sup>	29 Jul 1994	16 Nov 1994		28 Jul 1995 p
India	29 Jul 1994	16 Nov 1994		29 Jun 1995
Indonesia <sup>6</sup>	29 Jul 1994	16 Nov 1994		
Iran (Islamic Republic of)			1 Nov 1994	
Iraq		16 Nov 1994		
Ireland	29 Jul 1994		29 Jul 1994	21 Jun 1996
Italy <sup>7,8</sup>	29 Jul 1994	16 Nov 1994	29 Jul 1994	13 Jan 1995
Jamaica <sup>4</sup>	29 Jul 1994	16 Nov 1994		28 Jul 1995 p
Japan	29 Jul 1994	16 Nov 1994		20 Jun 1996
Jordan			14 Nov 1994	27 Nov 1995 P
Kenya		16 Nov 1994		29 Jul 1994 s
Kuwait		16 Nov 1994		
Lao People's Democratic Republic <sup>5</sup>	27 Oct 1994	16 Nov 1994		5 Jun 1998 P
Lebanon				5 Jan 1995 P
Libyan Arab Jamahiriya		16 Nov 1994		
Liechtenstein		16 Nov 1994		
Luxembourg <sup>5</sup>	29 Jul 1994	16 Nov 1994		
Madagascar		16 Nov 1994		
Malaysia <sup>5</sup>	2 Aug 1994	16 Nov 1994		14 Oct 1996 P
Maldives	10 Oct 1994	16 Nov 1994		
Malta <sup>6</sup>	29 Jul 1994	16 Nov 1994		26 Jun 1996
Marshall Islands		16 Nov 1994		
Mauritania	2 Aug 1994	16 Nov 1994		17 Jul 1996 P
Mauritius		16 Nov 1994		4 Nov 1994 P
Mexico			2 Nov 1994	
Micronesia (Federated States of) <sup>6</sup>	10 Aug 1994	16 Nov 1994		6 Sep 1995
Monaco	30 Nov 1994	16 Nov 1994		20 Mar 1996 P
Mongolia	17 Aug 1994	16 Nov 1994		13 Aug 1996 P
Morocco	19 Oct 1994		19 Oct 1994	
Mozambique		16 Nov 1994		13 Mar 1997 a
Myanmar		16 Nov 1994		21 May 1996 a
Namibia <sup>4</sup>	29 Jul 1994	16 Nov 1994		28 Jul 1995 p
Nauru				23 Jan 1996 P
Nepal <sup>5</sup>		16 Nov 1994		2 Nov 1998 P
Netherlands <sup>9</sup>	29 Jul 1994	16 Nov 1994		28 Jun 1996
New Zealand <sup>5</sup>	29 Jul 1994	16 Nov 1994		19 Jul 1996
Nigeria <sup>4</sup>	25 Oct 1994	16 Nov 1994		28 Jul 1995 p
Norway		16 Nov 1994		24 Jun 1996 a

<i>Participant<sup>3</sup></i>	<i>Signature</i>	<i>Provisional application by virtue of a notification (n), Provisional application by virtue of signature, adoption of the Agreement or accession thereto</i>	<i>Notification of non-provisional application under article 7 (1) (b)</i>	<i>Ratification, Formal confirmation (c), Accession (a), Definitive signature (s), Simplified procedure (p), Consent to be bound (P)</i>
Oman		16 Nov 1994		26 Feb 1997 a
Pakistan	10 Aug 1994	16 Nov 1994		26 Feb 1997 P
Palau				30 Sep 1996 P
Panama				1 Jul 1996 P
Papua New Guinea <sup>5</sup>		16 Nov 1994		14 Jan 1997 P
Paraguay	29 Jul 1994	16 Nov 1994		10 Jul 1995
Philippines <sup>6</sup>	15 Nov 1994	16 Nov 1994		23 Jul 1997
Poland <sup>5,7</sup>	29 Jul 1994	23 Feb 1995		13 Nov 1998 P
Portugal	29 Jul 1994		29 Jul 1994	3 Nov 1997
Qatar		16 Nov 1994		
Republic of Korea	7 Nov 1994	16 Nov 1994		29 Jan 1996
Republic of Moldova		16 Nov 1994		
Romania			4 Oct 1994	17 Dec 1996 a
Russian Federation <sup>5</sup>		11 Jan 1995		12 Mar 1997 a
Samoa	7 Jul 1995	16 Nov 1994		14 Aug 1995 P
Saudi Arabia			9 Nov 1994	24 Apr 1996 P
Senegal	9 Aug 1994	16 Nov 1994		25 Jul 1995
Seychelles	29 Jul 1994	16 Nov 1994		15 Dec 1994
Sierra Leone		16 Nov 1994		12 Dec 1994 P
Singapore		16 Nov 1994		17 Nov 1994 P
Slovakia	14 Nov 1994	16 Nov 1994		8 May 1996
Slovenia	19 Jan 1995	16 Jun 1995	15 Nov 1994	16 Jun 1995
Solomon Islands		8 Feb 1995		23 Jun 1997 P
South Africa <sup>5</sup>	3 Oct 1994	16 Nov 1994		23 Dec 1997
Spain <sup>7</sup>	29 Jul 1994			15 Jan 1997
Sri Lanka <sup>4</sup>	29 Jul 1994	16 Nov 1994		28 Jul 1995 p
Sudan	29 Jul 1994	16 Nov 1994		
Suriname <sup>5</sup>		16 Nov 1994		9 Jul 1998 P
Swaziland	12 Oct 1994	16 Nov 1994		
Sweden	29 Jul 1994		29 Jul 1994	25 Jun 1996
Switzerland <sup>5</sup>	26 Oct 1994	16 Nov 1994		
the former Yugoslav Republic of Macedonia		16 Nov 1994		19 Aug 1994 P
Togo <sup>4</sup>	3 Aug 1994	16 Nov 1994		28 Jul 1995 p
Tonga				2 Aug 1995 P
Trinidad and Tobago <sup>4</sup>	10 Oct 1994	16 Nov 1994		28 Jul 1995 p
Tunisia <sup>6</sup>	15 May 1995	16 Nov 1994		
Uganda <sup>4</sup>	9 Aug 1994	16 Nov 1994		28 Jul 1995 p
Ukraine <sup>5</sup>	28 Feb 1995	16 Nov 1994		26 Jul 1999
United Arab Emirates <sup>5</sup>		16 Nov 1994		
United Kingdom of Great Britain and Northern Ireland <sup>5,10</sup>	29 Jul 1994	16 Nov 1994		25 Jul 1997
United Republic of Tanzania <sup>6</sup>	7 Oct 1994	16 Nov 1994		25 Jun 1998
United States of America <sup>5</sup>	29 Jul 1994	16 Nov 1994		
Uruguay	29 Jul 1994		29 Jul 1994	
Vanuatu	29 Jul 1994	16 Nov 1994		10 Aug 1999 P
Viet Nam		16 Nov 1994		
Yugoslavia <sup>4</sup>	12 May 1995			28 Jul 1995 p
Zambia <sup>4</sup>	13 Oct 1994	16 Nov 1994		28 Jul 1995 p
Zimbabwe <sup>4</sup>	28 Oct 1994	16 Nov 1994		28 Jul 1995 p

## Declarations

*(Unless otherwise indicated, the declarations were made upon notification of provisional application, ratification, formal confirmation, accession, definitive signature or participation.)*

### AUSTRIA

*Upon signature:*

*Declaration:*

"Austria declares that it understands the provisions of its article 7 paragraph 2 to signify with regard to its own position that pending parliamentary approval of the Convention and of the Agreement and their subsequent ratification it will have access to the organs for the International Sea-Bed authority."

### BELGIUM

*Upon signature:*

*Declaration:*

This signature also commits the Flemish region, the Wal-lone region and the region of the capital Brussels.

### RUSSIAN FEDERATION

*Declaration:*

According to expert opinion, industrial exploitation of deep sea-bed mineral resources will not start earlier than in ten to fif-

teen years. Therefore, the International body for the sea-bed will not have a subject of real activity for a long time yet, which fact highlights especially the financial aspects of activities of the newly established organization. It is important to avoid non-productive administrative and other expenditures, to abstain from establishing yet unnecessary structures and positions, and to strictly observe the agreements concerning the economy regime reflected in the Agreement.

The efforts aimed at rendering universal the UN Convention on the Law of the Sea of 1982 can, in the long run, produce a positive result only if all the States act on the basis of the above-mentioned agreements without trying to seek any unilateral advantages, and if they succeed in establishing a cooperation free of discrimination and with a due account of the interests of potential investors in deep sea-bed mining.

### UKRAINE

*[See chapter XXI.6.]*

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### Notes:

<sup>1</sup> On 28 June 1996, the requirements for the entry into force of the Agreement were fulfilled. Consequently the Agreement entered into force on 28 July 1996, in accordance with article 6 (1).

In accordance with its article 7 (3) the provisional application of the Agreement shall terminate upon the date of its entry into force, i.e., on 28 July 1996. In accordance with the provisions of section 1, paragraph 12 (a) of the Annex to the said Agreement, "... Upon entry into force of this Agreement, States and entities referred to in article 3 of this Agreement which have been applying it provisionally in accordance with article 7 and for which it is not in force, may continue to be members of the Authority on a provisional basis pending its entry into force of such States and entities, in accordance with the following subparagraphs:

(a) If this Agreement enters into force before 16 November 1996, such States and entities shall be entitled to continue to participate as members of the Authority on a provisional basis upon notification to the depositary of the Agreement by such a State or entity of its intention to participate as a member on a provisional basis. Such membership shall terminate either on 16 November 1996 or upon the entry into force of this Agreement and the Convention for such member, whichever is earlier. The Council may, upon the request of the State or entity concerned, extend such membership beyond 16 November 1996 for a further period or periods not exceeding a total of two years..."

<sup>2</sup> Number of Parties does not include the Provisional members of the International Seabed Authority (see note 5 in this chapter).

<sup>3</sup> States and regional economic integration organizations listed under "Participants" include those States and regional economic integration organizations having either signed or adopted the Agreement. According to article 7 (1) (a) of the Agreement, the Agreement shall be applied provisionally as of 16 November pending its entry into force by a) States which have consented to its adoption in the General Assembly of the United Nations, except any such State which before 16 November 1994 notifies the depositary either that it will not apply the Agreement or that it will consent to such application only upon sub-

sequent signature or notification; b) States and entities which sign the Agreement (unless notification to the contrary at the time of signature); c) States and entities which consent to its provisional application; and/or d) States which accede to the Agreement.

<sup>4</sup> State which upon signature or at a later date, notified that it has selected the application of the simplified procedure set out in articles 4 (3) (c) and 5.

<sup>5</sup> State or regional economic integration organization which, upon the entry into force of the Agreement, notified the Secretary-General of its intention to continue to participate as a member of the International Seabed Authority on a provisional basis, in accordance with paragraph 12 (a), first sentence, section 1 of the Annex (see note 1 in this chapter).

<sup>6</sup> State which, upon signature or at a later date, notified that it is not availing itself of the simplified procedure set out in article 5 and that consequently it will establish its consent to be bound by the Agreement under the provisions of article 4, paragraph 3 (b), by subsequent ratification.

<sup>7</sup> State or regional economic integration organization which has specified that its consent to the provisional application will be subject to subsequent notification to the depositary in writing, in accordance with article 7 (1) (a), or that it will not apply the Agreement provisionally in accordance with article 7 (1) (b).

<sup>8</sup> On 14 November 1994, the Government of Italy notified the Secretary-General that it would apply the Agreement provisionally.

<sup>9</sup> For the Kingdom in Europe.

<sup>10</sup> For the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, the Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St. Helena and Dependencies, South Georgia and South Sandwich Islands and Turks and Caicos Islands.

**7. AGREEMENT FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 10 DECEMBER 1982 RELATING TO THE CONSERVATION AND MANAGEMENT OF STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS**

*New York, 4 August 1995*

**NOT YET IN FORCE:** in accordance with article 40 (1).  
**STATUS:** Signatories: 59. Parties: 26.  
**TEXT:** Doc. A/CONF.164/37; and depositary notification C.N.99.1996.TREATIES-4 of 7 April 1996 (procès-verbal of rectification of the authentic Arabic text).

*Note:* The above Agreement was adopted on 4 August 1995 at New York, by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. In accordance with its article 37, the Agreement will be open for signature at United Nations Headquarters, from 4 December 1995 until and including 4 December 1996 by all States and the other entities referred to in article 305 (1) (a), (c), (d), (e) and (f) of the United Nations Convention on the Law of the Sea of 10 December 1982.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Argentina <sup>1</sup> .....	4 Dec 1995		Mauritius <sup>1</sup> .....		25 Mar 1997 a
Australia .....	4 Dec 1995	23 Dec 1999	Micronesia (Federated States of) .....	4 Dec 1995	23 May 1997
Austria .....	27 Jun 1996		Monaco .....	4 Dec 1995	9 Jun 1999 a
Bahamas .....		16 Jan 1997 a	Morocco .....	19 Apr 1996	8 Apr 1998
Bangladesh .....	4 Dec 1995		Namibia .....		10 Jan 1997 a
Belgium .....	3 Oct 1996		Nauru .....		
Belize .....	4 Dec 1995		Netherlands .....	28 Jun 1996	
Brazil .....	4 Dec 1995		New Zealand .....	4 Dec 1995	
Burkina Faso .....	15 Oct 1996		Niue .....	4 Dec 1995	
Canada .....	4 Dec 1995	3 Aug 1999	Norway .....	4 Dec 1995	30 Dec 1996
China .....	6 Nov 1996		Pakistan .....	15 Feb 1996	
Cook Islands .....		1 Apr 1999 a	Papua New Guinea ...	4 Dec 1995	4 Jun 1999
Côte d'Ivoire .....	24 Jan 1996		Philippines .....	30 Aug 1996	
Denmark .....	27 Jun 1996		Portugal .....	27 Jun 1996	
Egypt .....	5 Dec 1995		Republic of Korea ...	26 Nov 1996	
European Community.	27 Jun 1996		Russian Federation ...	4 Dec 1995	4 Aug 1997
Fiji .....	4 Dec 1995	12 Dec 1996	Saint Lucia .....	12 Dec 1995	9 Aug 1996
Finland .....	27 Jun 1996		Samoa .....	4 Dec 1995	25 Oct 1996
France .....	4 Dec 1996		Senegal .....	4 Dec 1995	30 Jan 1997
Gabon .....	7 Oct 1996		Seychelles .....	4 Dec 1996	20 Mar 1998
Germany .....	28 Aug 1996		Solomon Islands .....		13 Feb 1997 a
Greece .....	27 Jun 1996		Spain .....	3 Dec 1996	
Guinea-Bissau .....	4 Dec 1995		Sri Lanka .....	9 Oct 1996	24 Oct 1996
Iceland .....	4 Dec 1995	14 Feb 1997	Sweden .....	27 Jun 1996	
Indonesia .....	4 Dec 1995		Tonga .....	4 Dec 1995	31 Jul 1996
Iran (Islamic Republic of) .....		17 Apr 1998 a	Uganda .....	10 Oct 1996	
Ireland .....	27 Jun 1996		Ukraine .....	4 Dec 1995	
Israel .....	4 Dec 1995		United Kingdom of Great Britain and Northern Ireland <sup>1</sup> .	27 Jun 1996	3 Dec 1999
Italy <sup>2</sup> .....	27 Jun 1996		United States of America .....	4 Dec 1995	21 Aug 1996
Jamaica .....	4 Dec 1995		Uruguay .....	16 Jan 1996	10 Sep 1999
Japan .....	19 Nov 1996		Vanuatu .....	23 Jul 1996	
Luxembourg .....	27 Jun 1996				
Maldives .....	8 Oct 1996	30 Dec 1998			
Marshall Islands .....	4 Dec 1995				
Mauritania .....	21 Dec 1995				

**Declarations**  
*(Unless otherwise indicated, the declarations and reservations were  
made upon ratification or accession.)*

**CANADA**

*Declarations:*

"Pursuant to article 30, paragraph 4 of the Agreement, the Government of Canada declares that it chooses an arbitral tribunal constituted in accordance with Annex VII of the United Nations Convention on the Law of the Sea of 10 December 1982 as the means for the settlement of disputes under Part VIII of the Agreement. In light of article 30, paragraph 1 of the Agreement, the Government of Canada also declares that it does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to disputes referred to in article 298, paragraph 1 of the Convention.

According to article 42 of the Agreement, no reservations or exceptions may be made to the Agreement. A declaration or statement pursuant to article 43 of the Agreement cannot purport to exclude or modify the legal effect of the provisions of the Agreement in their application to the State or entity making it. Consequently, the Government of Canada declares that it does not consider itself bound by declarations or statements pursuant to article 43 of the Agreement that have been made or will be made by other States or by entities described in article 2 (b) of the Agreement and that exclude or modify the legal effect of the provisions of the Agreement in their application to the State or entity making it. Lack of response by the Government of Canada to any declaration or statement shall not be interpreted as tacit acceptance of that declaration or statement. The Government of Canada reserves the right at any time to take a position on any declaration or statement in the manner deemed appropriate."

**CHINA**

*Upon signature:*

*Statement:*

"It is the belief of the Government of the People's Republic of China that the [said Agreement] is an important development of the United Nations Convention on the Law of the Sea. This Agreement will have a significant impact on the conservation and management of living marine resources, especially fish resources in the high seas as well as on the international cooperation in fishery. Upon signing the Agreement, the Government of the People's Republic of China wish to make the following statement in accordance with article 43 of the Agreement:

1. About the understanding of paragraph 7 of article 21 of the Agreement: The Government of China is of the view that the enforcement action taken by the inspecting State with the authorization of the flag State involves state sovereignty and national legislation of the States concerned. The authorized enforcement action should be limited to the mode and scope as specified in the authorization by the flag State. Enforcement action by the inspecting State under such circumstances should only be that of executing the authorization of the flag state.

2. About the understanding of subparagraph (f), paragraph 1 of article 22 of the Agreement: This subparagraph provides that the inspecting State shall ensure that its duly authorized inspectors 'avoid the use of force except when and to the degree necessary to ensure the safety of the inspectors and where the inspectors are obstructed in the execution of their duties. The degree of force used shall not exceed that reasonably required in the circumstances'. The understanding of the Chinese Government on this provision is that only when the personal safety of the authorized inspectors whose authorization has been duly verified is endangered and their normal inspecting activities are obstructed by violence committed by crew members of fisher-

men of the fishing vessel under inspection, may the inspectors take appropriate compulsory measures necessary to stop such violence. It should be emphasized that the action of force by the inspectors shall only be taken against those crew members or fishermen committing the violence and must never be taken against the vessel as a whole or other crew members or fishermen."

**EUROPEAN COMMUNITY**

*Upon signature:*

*Declaration concerning the competence of the European Community with regard to matters governed by the [said Agreement]*

*(Declaration made pursuant to article 47 of the Agreement)*

"1. Article 47(1) of the Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks provides that in cases where an international organization referred to in annex IX, article 1, of the Convention does not have competence over all the matter governed by the Agreement, annex IX of the Convention [with the exception of article 2, first sentence, and article 3(1)] shall apply *mutatis mutandis* to participation by such international organization in the Agreement.

2. The current members of the Community are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

3. The Agreement on the implementation of the provisions of the [said Convention] shall apply, with regard to the competences transferred to the European Community, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, in particular article 227 thereof.

4. This declaration is not applicable in the case of the territories of the Member States in which the said Treaty does not apply and is without prejudice to such acts or positions as may be adopted under the Agreement by the Member States concerned on behalf of and in the interests of those territories.

*1. Matters for which the Community has exclusive competence*

5. The Community points out that its Member States have transferred competence to it with regard to the conservation and management of living marine resources. Hence, in this field, it is for the Community to adopt the relevant rules and regulations (which the Member States enforce) and within its competence to enter into external undertakings with third States or competent organizations.

This competence applies in regard of waters under national fisheries jurisdiction and to the high seas.

6. The Community enjoys the regulatory competence granted under international law to the flag State of a vessel to determine the conservation and management measures for marine fisheries resources applicable to vessels flying the flag of Member States and to ensure that Member States adopt provisions allowing for the implementation of the said measures.

7. Nevertheless, measures applicable in respect of masters and other officers of fishing vessels, e.g., refusal, withdrawal or

suspension of authorizations to serve as such, are within the competence of the Member States in accordance with their national legislation.

Measures relating to the exercise of jurisdiction by the flag State over its vessels on the high seas, in particular provisions such as those related to the taking and relinquishing of control of fishing vessels by States other than the flag State, international cooperation in respect of enforcement and the recovery of the control of their vessels, are within the competence of the Member States in compliance with Community law.

*11. Matters relating for which both the Community and its Member States have competence*

8. The Community shares competence with its Member States on the following matters governed by this Agreement: requirements of developing States, scientific research, port State measures and measures adopted in respect of non-members of regional fisheries organizations and non-Parties to the Agreement.

The following provisions of the Agreement apply both to the Community and to its Member States:

- *general provisions*: (Articles 1, 4 and 34 to 50)
- *dispute settlement*: (Part VIII)

*Interpretative declarations:*

1. The European Community and its Member States understand that the terms "geographical particularities", "specific characteristics of the sub-region", "socio-economic geographical and environmental factors", "natural characteristics of that sea" or any other similar terms employed in reference to a geographical region do not prejudice the rights and duties of States under International law.

2. The European Community and its Member States understand that no provision of this Agreement may be interpreted in such a way as to conflict with the principle of freedom of the high seas, as recognized by international law.

3. The European Community and its Member States understand that the term "States whose nationals fish on the high seas" shall not provide any new grounds for jurisdiction based on the nationality of persons involved in fishing on the high seas rather than on the principle of flag State jurisdiction.

4. The Agreement does not grant any State the right to maintain or apply unilateral measures during the transitional period as referred to in article 21 (3). Thereafter, if no agreement has been reached, States shall act only in accordance with the provisions provided for in articles 21 and 22 of the Agreement.

5. Regarding the application of article 21, the European Community and its Member States understand that, when a flag State declares that it intends to exercise its authority, in accordance with the provisions in article 19, over a fishing vessel flying its flag, the authorities of the inspecting State shall not purport to exercise any other authority under the provisions of article 21 over such vessel.

Any dispute related to this issue shall be settled in accordance with the procedures provided for in Part VIII of the Agreement. No State may invoke this type of dispute to remain in control of a vessel which does not fly its flag.

In addition, the European Community and its Member States consider that the word "unlawful" in article 21, paragraph 18 of the Agreement should be interpreted in the light of the whole Agreement, and in particular, articles 4 and 35 thereof.

6. The European Community and its Member States reiterate that all States shall refrain in their relations from the threat or use of force in accordance with general principles of international law, the United Nations Charter and the United Nations Law of the Sea.

Furthermore, the European Community and its Member States consider that the relevant terms and conditions for boarding and inspection should be further elaborated in accordance with the relevant principles of international law in the frame-

work of the appropriate regional and sub-regional fisheries management organizations and arrangements.

7. The European Community and its Member States understand that in the application of the provisions of article 21 paragraphs 6, 7 and 8, the flag State may rely on the requirements of its legal system under which the prosecuting authorities enjoy a discretion to decide whether or not to prosecute in the light of all the facts of a case. Decisions of the flag State based on such requirements shall not be interpreted as failure to respond or to take action."

## FRANCE

*Upon signature*

*Declarations:*

1. The Government of the French Republic recalls that the requirements for implementing the Agreement must be strictly in conformity with the 1982 United Nations Convention on the Law of the Sea.

2. The Government of the French Republic hereby declares that the provisions of article 21 and 22 apply only to maritime fishing operations.

3. These provisions cannot be regarded as capable of being extended to cover vessels engaged in maritime transport under another international instrument, or of being transferred to any instrument not dealing directly with the conservation and management of fisheries resources covered by the Agreement.

## NETHERLANDS

*Upon signature*

*Declaration in respect of article 47:*

Upon signing the Agreement the Netherlands recalls that, as a Member State of the European Community, it has transferred competence to the Community with respect to certain matters governed by the Agreement. A detailed declaration on the nature and extent of the competence transferred to the European Community has been made by the European Community on the occasion of its signature of the Agreement, in accordance with article 47 of the Agreement.

*Interpretative declarations made upon signature of the Agreement:*

*[Same interpretative declarations, mutatis mutandis, as those made under European Community.]*

## NORWAY

*"Declaration pursuant to article 43 of the Agreement:*

According to article 42 of the Agreement, no reservations or exceptions may be made to the Agreement. A declaration pursuant to its article 43 cannot have the effect of an exception or reservation for the State making it. Consequently, the Government of the Kingdom of Norway declares that it does not consider itself bound by declarations pursuant to article 43 of the Agreement that are or will be made by other States or international Organisations. Passivity with respect to such declarations shall be interpreted neither as acceptance nor rejection of such declarations. The Government reserves Norway's right at any time to take a position on such declarations in the manner deemed appropriate.

*Declaration pursuant to article 30 of the Agreement:*

The Government of the Kingdom of Norway declares pursuant to article 30 of the Agreement, cf. article 298 of the United Nations Convention on the Law of the Sea, that it does not accept an arbitral tribunal constituted in accordance with Annex VII of the United Nations Convention on the Law of the Sea for disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded



from the jurisdiction of a court or tribunal under article 297, paragraph 3, of the United Nations Convention on the Law of the Sea, in the event that such disputes might be considered to be covered by this Agreement."

#### RUSSIAN FEDERATION

##### *Declaration:*

The Russian Federation states that it considers that the procedures for the settlement of disputes set forth in article 30 of [the said Agreement] include all the provisions of part XV of the United Nations Convention on the Law of the Sea that are applicable to the consideration of disputes between States Parties to the Agreement.

The Russian Federation states that, taking into account articles 42 and 43 of the Agreement, it objects to all declarations and statements which were made in the past and which may be made in the future when signing, ratifying or acceding to the Agreement or on any other occasion in connection with the Agreement and which are not in accordance with article 43 of the Agreement. It is the position of the Russian Federation that such declarations and statements, in whatever form they may be made and however they may be named, cannot exclude or modify the legal force of the provisions of the Agreement in their application to a Party to the Agreement that has made such a declaration or statement, and therefore will not be taken into consideration by the Russian Federation in its relations with that Party to the Agreement.

#### UNITED STATES OF AMERICA

##### *Declaration:*

"In accordance with article 30 (4) of the Agreement, the Government of the United States of America declares that it chooses a special arbitral tribunal to be constituted in accordance with Annex VIII of the United Nations Convention on the Law of the Sea of 10 December 1982 for the settlement of disputes pursuant to Part VIII of the Agreement."

#### URUGUAY

##### *Declarations made upon signature and confirmed upon ratification:*

1. The objective of the Agreement, as set out in article 2, is to establish an appropriate legal framework and a comprehensive and effective set of measures for the conservation and management of straddling fish stocks and highly migratory fish stocks.

2. The effectiveness of the regime established will depend, *inter alia*, on whether the conservation and management measures that are applied in areas beyond national jurisdiction take duly into account and are compatible with, those adopted by the relevant coastal States with respect to the same stocks in areas under their national jurisdiction, as provided for in article 7.

3. Among the biological characteristics of a fish stock as a factor of which special account must be taken in determining compatible conservation and management measures, in accordance with article 7, paragraph 2(d), Uruguay attaches particular importance to the reproduction period of the fish stock in question, in order to ensure a sound and balanced approach to protection.

4. Moreover, in order for the above-mentioned regime to be fully effective, in accordance with the objective and purpose of the Agreement, it is necessary to adopt emergency conservation and management measures, as stated in article 6, paragraph 7, where a serious threat exists to the survival of one or more straddling fish stocks or highly migratory fish stocks as a result of a natural phenomenon or human activity.

5. Uruguay is of the view that, if an inspection carried out by a port State on a fishing vessel which is voluntarily present in one of its ports reveals that there are evident grounds for believing that the said fishing vessel has been involved in an activity that is contrary to the sub-regional or regional conservation and management measures on the high seas, then, in exercise of its right and duty to cooperate in conformity with article 23 of the Agreement, the port State should so inform the flag State and request that it take over responsibility for the vessel for the purpose of ensuring compliance with the said measures.

##### *Notes:*

<sup>1</sup> For the United Kingdom of Great Britain and Northern Ireland.

On 4 December 1995, the Government of the United Kingdom of Great Britain and Northern Ireland signed the Agreement on behalf of the following territories: Bermuda, British Indian Ocean Territory, British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, St. Helena including Ascension Island, and Turks and Caicos Islands.

On that same date, the Government of Argentina made the following declaration:

The Argentine Republic rejects the inclusion of and reference to the Malvinas, South Georgian and South Sandwich Islands by the United Kingdom of Great Britain and Northern Ireland as dependent territories in its signing of the [said] Agreement, and reaffirms its sovereignty over those islands, which form an integral part of its national territory, and over their surrounding maritime spaces.

The Argentine Republic recalls that the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 39/6, 40/21, 41/40, 42/19 and 43/25, in which it recognizes the existence of a sovereignty dispute and requests the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on the future of the Malvinas Islands, in accordance with the Charter of the United Nations.

In a communication received on 19 January 1996, the Government of the United Kingdom informed the Secretary-General that the signature of 4 December 1995 would also apply to Anguilla.

On 20 August 1996, the Secretary-General received the following declaration from the Government of the United Kingdom of Great Britain and Northern Ireland with regard to the declaration made by Argentina on 4 December 1995:

"The Government of the United Kingdom of Great Britain and Northern Ireland have noted the declaration of the Government of Argentina. The British Government have no doubt about the sovereignty of the United Kingdom over the Falkland Islands, as well as South Georgia and the South Sandwich Islands, and have no doubt, therefore, about their right to extend the said Agreement to these territories. The British Government can only reject as unfounded the claim by the Government of Argentina that they are a part of Argentine territory."

Upon its accession to the Agreement, the Government of Mauritius made the following declaration:

"The Republic of Mauritius rejects the inclusion of any reference to the so-called British Indian Ocean Territory by the United Kingdom of Great Britain and Northern Ireland as territories on whose behalf it could sign the said Agreement, and reaffirms its sovereignty over these islands, namely the Chagos Archipelago which form an integral part of the national territory of Mauritius and over their surrounding maritime spaces."

On 30 July 1997, the Secretary-General received the following communication from the Government of the United Kingdom of Great Britain and Northern Ireland:

"...[the Government of the United Kingdom declares that it] has no doubt as to the United Kingdom sovereignty over the British Indian Ocean Territory."

On 3 December 1999, the Government of the United Kingdom of Great Britain and Northern Ireland informed the Secretary-General that the Agreement was being ratified on behalf of the Pitcairn, Henderson, Ducie and Oeno Islands, Falkland Islands, South Georgia and South Sandwich Islands, Bermuda, Turks and Caicos Islands, British Indian Ocean Territory, British Virgin Islands and Anguilla, with the following declarations:

"1. The United Kingdom understands that the terms 'geographical particularities', 'specific characteristics of the sub-region or region', 'socio-economic geographical and environmental factors', 'natural characteristics of that sea' or any other similar terms employed in reference to a geographical region do not prejudice the rights and duties of States under international law.

2. The United Kingdom understands that no provision of this Agreement may be interpreted in such a way as to conflict with the principle of freedom of the high seas, recognized by international law.

3. The United Kingdom understands that the term 'States whose nationals fish on the high seas' shall not provide any new grounds for jurisdiction based on the nationality of persons involved in fishing on the high seas rather than on the principle of flag State jurisdiction.

4. The Agreement does not grant any State the right to maintain or apply unilateral measures during the transitional period as referred to in article 21 (3). Thereafter, if no agreement has been reached, States shall act only in accordance with the provisions provided for in articles 21 and 22 of the Agreement."

<sup>2</sup> On 4 June 1999, the Government of Italy informed the Secretary-General that "Italy intends to withdraw the instrument of ratification it deposited on 4 March 1999, in order to proceed subsequently to complete that formalilty in conjunction with all the States members of the European Union."

**8. AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL  
TRIBUNAL FOR THE LAW OF THE SEA**

*New York, 23 May 1997*

**NOT YET IN FORCE:** (see article 30).  
**STATUS:** Signatories: 21. Parties: 2.  
**TEXT:** Doc. SPLOS/25; and depositary notification C.N.495.1998.TREATIES-5 of 7 October 1998  
 (procès-verbal of rectification of the French authentic text.).

*Note:* The Agreement was adopted on 23 May 1997 at the Seventh Meeting of the States Parties to the United Nations Convention on the Law of the Sea of 10 December 1982. In accordance with its article 27, the Agreement was opened for signature by all States at United Nations Headquarters for a period of twenty-four months as from 1 July 1997.

<i>Participant</i>	<i>Signature</i>	<i>Undertaking of provisional application in accordance with article 31</i>	<i>Ratification, Accession (a)</i>
Argentina .....	2 Jun 1998		
Australia .....	26 May 1999		
Belgium .....	19 Mar 1999		
Croatia .....	27 May 1999		
Finland .....	31 Mar 1999		
Germany .....	18 May 1999		
Ghana .....	30 Jun 1999		
Greece .....	1 Jul 1997		
Jordan .....	17 Apr 1998		
Kuwait .....	15 Jun 1999		
Lebanon .....	15 Jun 1999		
Netherlands <sup>1</sup> .....	28 Aug 1998		25 Mar 1999
Norway .....	1 Jul 1997	1 Jul 1997	1 Aug 1997
Oman .....	28 Sep 1998		
Portugal .....	30 Jun 1999		
Senegal .....	1 Jul 1997		
Slovakia .....	22 Jun 1999		
Sri Lanka .....	30 Jun 1999		
Tunisia .....	9 Apr 1999		
United Kingdom of Great Britain and Northern Ire- land .....	3 Dec 1997		
United Republic of Tanzania .....	17 Dec 1998		

**Notes:**

<sup>1</sup> For the Kingdom in Europe.

**9. PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL  
SEABED AUTHORITY**

*Kingston, 27 March 1998*

**NOT YET IN FORCE:** (see article 18).  
**STATUS:** Signatories: 23.  
**TEXT:** Document of the International Seabed Authority ISBA/4/A/8.

*Note:* The Protocol was adopted by the Assembly of the International Seabed Authority in Kingston, Jamaica, on 27 March 1998, during its first part of the fourth session. In accordance with its article 15, the Protocol will be opened for signature by all Members of the Authority at the Headquarters of the International Seabed Authority in Kingston, Jamaica, from 17 until 28 August 1998. The formal signing ceremony is scheduled for 26-27 August 1998. Subsequently, it will be opened for signature until 16 August 2000 at United Nations Headquarters in New York.

<i>Participant</i>	<i>Signature</i>	<i>Participant</i>	<i>Signature</i>
Bahamas .....	26 Aug 1998	Pakistan .....	9 Sep 1999
Brazil .....	27 Aug 1998	Saudi Arabia .....	11 Oct 1999
Chile .....	14 Apr 1999	Senegal .....	11 Jun 1999
Côte d'Ivoire .....	25 Sep 1998	Slovakia .....	22 Jun 1999
Finland .....	31 Mar 1999	Spain .....	14 Sep 1999
Ghana .....	12 Jan 1999	Sudan .....	6 Aug 1999
Greece .....	14 Oct 1998	the former Yugoslav Republic of Mace-	
Indonesia .....	26 Aug 1998	donia .....	17 Sep 1998
Jamaica .....	26 Aug 1998	Trinidad and Tobago .....	26 Aug 1998
Kenya .....	26 Aug 1998	United Kingdom of Great Britain and	
Namibia .....	24 Sep 1999	Northern Ireland .....	19 Aug 1999
Netherlands .....	26 Aug 1998	Uruguay .....	21 Oct 1998
Oman .....	19 Aug 1999		

**CHAPTER XXII**  
**COMMERCIAL ARBITRATION**

**I. CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS**

*New York, 10 June 1958*

**ENTRY INTO FORCE:** 7 June 1959, in accordance with article XII.  
**REGISTRATION:** 7 June 1959, No. 4739.  
**STATUS:** Signatories: 24. Parties: 121.  
**TEXT:** United Nations, Treaty Series, vol. 330, p. 3.

*Note:* The Convention was prepared and opened for signature on 10 June 1958 by the United Nations Conference on International Commercial Arbitration, convened in accordance with resolution 604 (XXI)<sup>1</sup> of the Economic and Social Council of the United Nations adopted on 3 May 1956. The Conference met at the Headquarters of the United Nations in New York from 20 May to 10 June 1958. For the text of the Final Act of this Conference, see United Nations, *Treaty Series*, vol. 330, p. 3.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Algeria.....		7 Feb 1989 a	El Salvador.....	10 Jun 1958	26 Feb 1998
Antigua and Barbuda.		2 Feb 1989 a	Estonia.....		30 Aug 1993 a
Argentina.....	26 Aug 1958	14 Mar 1989	Finland.....	29 Dec 1958	19 Jan 1962
Armenia.....		29 Dec 1997 a	France.....	25 Nov 1958	26 Jun 1959
Australia.....		26 Mar 1975 a	Georgia.....		2 Jun 1994 a
Austria.....		2 May 1961 a	Germany <sup>4,5</sup> .....	10 Jun 1958	30 Jun 1961
Bahrain.....		6 Apr 1988 a	Ghana.....		9 Apr 1968 a
Bangladesh.....		6 May 1992 a	Greece.....		16 Jul 1962 a
Barbados.....		16 Mar 1993 a	Guatemala.....		21 Mar 1984 a
Belarus.....	29 Dec 1958	15 Nov 1960	Guinea.....		23 Jan 1991 a
Belgium.....	10 Jun 1958	18 Aug 1975	Haiti.....		5 Dec 1983 a
Benin.....		16 May 1974 a	Holy See.....		14 May 1975 a
Bolivia.....		28 Apr 1995 a	Hungary.....		5 Mar 1962 a
Bosnia and Herzegovi- na.....		1 Sep 1993 d	India.....	10 Jun 1958	13 Jul 1960
Botswana.....		20 Dec 1971 a	Indonesia.....		7 Oct 1981 a
Brunei Darussalam ..		25 Jul 1996 a	Ireland.....		12 May 1981 a
Bulgaria.....	17 Dec 1958	10 Oct 1961	Israel.....	10 Jun 1958	5 Jan 1959
Burkina Faso.....		23 Mar 1987 a	Italy.....		31 Jan 1969 a
Cambodia.....		5 Jan 1960 a	Japan.....		20 Jun 1961 a
Cameroon.....		19 Feb 1988 a	Jordan.....	10 Jun 1958	15 Nov 1979
Canada.....		12 May 1986 a	Kazakhstan.....		20 Nov 1995 a
Central African Repub- lic.....		15 Oct 1962 a	Kenya.....		10 Feb 1989 a
Chile.....		4 Sep 1975 a	Kuwait.....		28 Apr 1978 a
China <sup>2</sup> .....		22 Jan 1987 a	Kyrgyzstan.....		18 Dec 1996 a
Colombia.....		25 Sep 1979 a	Lao People's Demo- cratic Republic...		17 Jun 1998 a
Costa Rica.....	10 Jun 1958	26 Oct 1987	Latvia.....		14 Apr 1992 a
Côte d'Ivoire.....		1 Feb 1991 a	Lebanon.....		11 Aug 1998 a
Croatia.....		26 Jul 1993 d	Lesotho.....		13 Jun 1989 a
Cuba.....		30 Dec 1974 a	Lithuania.....		14 Mar 1995 a
Cyprus.....		29 Dec 1980 a	Luxembourg.....	11 Nov 1958	9 Sep 1983
Czech Republic <sup>3</sup> .....		30 Sep 1993 d	Madagascar.....		16 Jul 1962 a
Denmark.....		22 Dec 1972 a	Malaysia.....		5 Nov 1985 a
Djibouti.....		14 Jun 1983 d	Mali.....		8 Sep 1994 a
Dominica.....		28 Oct 1988 a	Mauritania.....		30 Jan 1997 a
Ecuador.....	17 Dec 1958	3 Jan 1962	Mauritius.....		19 Jun 1996 a
Egypt.....		9 Mar 1959 a	Mexico.....		14 Apr 1971 a
			Monaco.....	31 Dec 1958	2 Jun 1982

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Mongolia.....		24 Oct 1994 a	Spain.....		12 May 1977 a
Morocco.....		12 Feb 1959 a	Sri Lanka.....	30 Dec 1958	9 Apr 1962
Mozambique.....		11 Jun 1998 a	Sweden.....	23 Dec 1958	28 Jan 1972
Nepal.....		4 Mar 1998 a	Switzerland.....	29 Dec 1958	1 Jun 1965
Netherlands.....	10 Jun 1958	24 Apr 1964	Syrian Arab Republic <sup>6</sup>		9 Mar 1959 a
New Zealand.....		6 Jan 1983 a	Thailand.....		21 Dec 1959 a
Niger.....		14 Oct 1964 a	the former Yugoslav Republic of Mace- donia.....		10 Mar 1994 d
Nigeria.....		17 Mar 1970 a	Trinidad and Tobago .		14 Feb 1966 a
Norway.....		14 Mar 1961 a	Tunisia.....		17 Jul 1967 a
Oman.....		25 Feb 1999 a	Turkey.....		2 Jul 1992 a
Pakistan.....	30 Dec 1958		Uganda.....		12 Feb 1992 a
Panama.....		10 Oct 1984 a	Ukraine.....	29 Dec 1958	10 Oct 1960
Paraguay.....		8 Oct 1997 a	United Kingdom of Great Britain and Northern Ireland ..		24 Sep 1975 a
Peru.....		7 Jul 1988 a	United Republic of Tanzania.....		13 Oct 1964 a
Philippines.....	10 Jun 1958	6 Jul 1967	United States of Amer- ica.....		30 Sep 1970 a
Poland.....	10 Jun 1958	3 Oct 1961	Uruguay.....		30 Mar 1983 a
Portugal <sup>19</sup> .....		18 Oct 1994 a	Uzbekistan.....		7 Feb 1996 a
Republic of Korea. . .		8 Feb 1973 a	Venezuela.....		8 Feb 1995 a
Republic of Moldova .		18 Sep 1998 a	Viet Nam.....		12 Sep 1995 a
Romania.....		13 Sep 1961 a	Yugoslavia.....		26 Feb 1982 a
Russian Federation . .	29 Dec 1958	24 Aug 1960	Zimbabwe.....		29 Sep 1994 a
San Marino.....		17 May 1979 a			
Saudi Arabia.....		19 Apr 1994 a			
Senegal.....		17 Oct 1994 a			
Singapore.....		21 Aug 1986 a			
Slovakia <sup>3</sup> .....		28 May 1993 d			
Slovenia.....		6 Jul 1992 d			
South Africa.....		3 May 1976 a			

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto and territorial applications, see hereinafter.)*

#### ALGERIA

##### *Declaration:*

Referring to the possibility offered by article 1, paragraph 3, of the Convention, the People's Democratic Republic of Algeria declares that it will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of arbitral awards made only in the territory of another Contracting State and only where such awards have been made with respect to differences arising out of legal relationships whether contractual or not, which are considered as commercial under Algerian law.

#### ANTIGUA AND BARBUDA

##### *Declarations:*

"In accordance with article I, the Government of Antigua and Barbuda declares that it will apply the Convention on the basis of reciprocity only to the recognition and enforcement of awards made in the territory of another contracting state.

The Government of Antigua and Barbuda also declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of Antigua and Barbuda."

#### ARGENTINA<sup>7</sup>

##### *Upon signature:*

Subject to the declaration contained in the Final Act.

##### *Upon ratification:*

On the basis of reciprocity, the Republic of Argentina will apply the Convention only to the recognition and enforcement of foreign arbitral awards made in the territory of another Contracting State. It will also apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

The Convention will be interpreted in accordance with the principles and clauses of the National Constitution in force or those resulting from modification made by virtue of the Constitution.

#### ARMENIA

##### *Declarations:*

"1. The Republic of Armenia will apply the Convention only to recognition and enforcement of awards made in the territory of another Contracting State.

2. The Republic of Armenia will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of the Republic of Armenia."

#### AUSTRIA<sup>8</sup>

#### BAHRAIN<sup>9</sup>

"1. The accession by the State of Bahrain to the Convention on the Recognition and Enforcement of Foreign Arbitral

Awards, 1958 shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith.

"2. In accordance with article 1 (3) of the Convention, the State of Bahrain will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of only those awards made in the territory of another Contracting State party to the Convention.

"3. In accordance with article 1 (3) of the Convention, the State of Bahrain will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the State of Bahrain."

#### BARBADOS

##### *Declaration:*

"(i) In accordance with article 1 (3) of the Convention, the Government of Barbados declares that it will apply the Convention on the basis of reciprocity to the recognition and enforcement of awards made only in the territory of another Contracting State.

(ii) The Government of Barbados will also apply the Convention only to differences arising out of legal relationships, whether contractual or not which are considered as commercial under the laws of Barbados."

#### BELARUS

The Byelorussian Soviet Socialist Republic will apply the provisions of this Convention in respect to arbitral awards made in the territories of non-contracting States only to the extent to which they grant reciprocal treatment.

#### BELGIUM

In accordance with article I, paragraph 3, the Government of the Kingdom of Belgium declares that it will apply the Convention to the recognition and enforcement of arbitral awards made only in the territory of a Contracting State.

#### BOSNIA AND HERZEGOVINA

##### *Declaration:*

"The Convention will be applied to the Republic of Bosnia and Herzegovina only relating [to] those arbitral awards that have been brought after entering into force of the Convention.

The Republic of Bosnia and Herzegovina will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of only those awards made in the territory of another Contracting State.

The Republic of Bosnia and Herzegovina will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the Republic of Bosnia and Herzegovina."

#### BOTSWANA

"The Republic of Botswana will apply the Convention only to differences arising out of legal relationship, whether contractual or not, which are considered commercial under Botswana law.

"The Republic of Botswana will apply the Convention to the Recognition and Enforcement of Awards made in the territory of another Contracting State."

#### BRUNEI DARUSSALAM

##### *Declaration:*

"... Brunei Darussalam will on the basis of reciprocity apply the said Convention to the recognition and enforcement of only those awards which are made in the territory of another Contracting State."

#### BULGARIA

"Bulgaria will apply the Convention to recognition and enforcement of awards made in the territory of another contracting State. With regard to awards made in the territory of non-contracting States it will apply the Convention only to the extent to which these States grant reciprocal treatment."

#### CANADA<sup>10</sup>

27 May 1987

"The Government of Canada declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of Canada, except in the case of the Province of Quebec where the law does not provide for such limitation."

#### CENTRAL AFRICAN REPUBLIC

Referring to the possibility offered by paragraph 3 of article I of the Convention, the Central African Republic declares that it will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting State; it further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

#### CHINA

1. The People's Republic of China will apply the Convention, only on the basis of reciprocity, to the recognition and enforcement of arbitral awards made in the territory of another Contracting State;

2. The People's Republic of China will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the People's Republic of China.

#### CUBA

Cuba will apply the Convention to the recognition and enforcement of arbitral awards made in the territory of another Contracting State. With respect to arbitral awards made by other non-contracting States it will apply the Convention only in so far as those States grant reciprocal treatment as established by mutual agreement between the parties. Moreover, it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under Cuban legislation.

#### CYPRUS

"The Republic of Cyprus will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another Contracting State; furthermore it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law."

### CZECH REPUBLIC<sup>3</sup>

#### DENMARK

In accordance with the terms of article I, paragraph 3, [the Convention] shall have effect only as regards the recognition and enforcement of arbitral awards made by another Contracting State and [it] shall be valid only with respect to commercial relationships.

#### ECUADOR

Ecuador, on a basis of reciprocity, will apply the Convention to the recognition and enforcement of arbitral awards made in the territory of another Contracting State only if such awards have been made with respect to differences arising out of legal relationships which are regarded as commercial under Ecuadorean law.

#### FRANCE<sup>11</sup>

Referring to the possibility offered by paragraph 3 of article I of the Convention, France declares that it will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting State.

Referring to paragraphs 1 and 2 of article X of the Convention, France declares that this Convention will extend to all the territories of the French Republic.

#### GERMANY<sup>4,12</sup>

"With respect to paragraph 1 of article I, and in accordance with paragraph 3 of article I of the Convention, the Federal Republic of Germany will apply the Convention only to the recognition and enforcement of awards made in the territory of another Contracting State."

#### GREECE<sup>13</sup>

18 April 1980

The present Convention is approved on condition of the two limitations set forth in article I (3) of the Convention.

#### GUATEMALA

On the basis of reciprocity, the Republic of Guatemala will apply the above Convention to the recognition and enforcement of arbitral awards made only in the territory of another contracting State; and will apply it only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

#### HOLY SEE

The State of Vatican City will apply the said Convention on the basis of reciprocity, on the one hand, to the recognition and enforcement of awards made only in the territory of another Contracting State, and on the other hand, only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under Vatican law.

#### HUNGARY

"The Hungarian People's Republic shall apply the Convention to the recognition and enforcement of such awards only as have been made in the territory of one of the other Contracting States and are dealing with differences arising in respect of a legal relationship considered by the Hungarian law as a commercial relationship."

### INDIA

"In accordance with Article I of the Convention, the Government of India declare that they will apply the Convention to the recognition and enforcement of awards made only in the territory of a State, party to this Convention. They further declare that they will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the law of India."

#### INDONESIA

"Pursuant to the provision of article I (3) of the Convention, the Government of the Republic of Indonesia declares that it will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another Contracting State, and that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the Indonesian Law".

#### IRELAND

"In accordance with article I (3) of the said Convention the Government of Ireland declares that it will apply the Convention to the recognition and enforcement of arbitral awards made only in the territory of another Contracting State".

#### JAPAN

"It will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State."

#### JORDAN<sup>9</sup>

The Government of Jordan shall not be bound by any awards which are made by Israel or to which an Israeli is a party.

#### KENYA

##### *Declaration:*

"In accordance with article I (3) of the said Convention the Government of Kenya declares that it will apply the Convention to the recognition and enforcement of arbitral awards made only in the territory of another contracting state."

#### KUWAIT

The State of Kuwait will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State.

It is understood that the accession of the State of Kuwait to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on the 10th of June 1958, does not mean in any way recognition of Israel or entering with it into relations governed by the Convention thereto acceded by the State of Kuwait.

#### LEBANON

##### *Declaration:*

The Government of Lebanon declares that it will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another Contracting State.



## LITHUANIA

### *Declaration:*

[The Republic of Lithuania] will apply the provisions of the said Convention to the recognition of arbitral awards made in the territories of the Non-Contracting States, only on the basis of reciprocity."

## LUXEMBOURG

### *Declaration:*

The Convention is applied on the basis of reciprocity to the recognition and enforcement of only those arbitral awards made in the territory of another Contracting State.

## MADAGASCAR

The Malagasy Republic declares that it will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting State; it further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

## MALAYSIA

### *Declaration:*

The Government of Malaysia will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another Contracting State. Malaysia further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under Malaysian law.

## MAURITIUS

### *Declarations:*

"In accordance with paragraph 3 of article I of the Convention, the Republic of Mauritius declares that it will, on the basis of reciprocity, apply the Convention only to the recognition and enforcement of awards made in the territory of another Contracting State.

Referring to paragraphs 1 and 2 of article X of the Convention, the Republic of Mauritius declares that this Convention will extend to all the territories forming part of the Republic of Mauritius."

## MONACO

Referring to the possibility offered by article I (3) of the Convention, the Principality of Monaco will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting State; furthermore, it will apply the Convention only to differences arising out of legal relationship, whether contractual or not, which are considered as commercial under its national law.

## MONGOLIA

### *Declaration:*

"1. Mongolia will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of arbitral awards made only in the territory of another Contracting State.

2. Mongolia will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of Mongolia."

## MOROCCO

The Government of His Majesty the King of Morocco will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State.

## MOZAMBIQUE

### *Reservation:*

"The Republic of Mozambique reserves itself the right to enforce the provisions of the said Conventions on the base of reciprocity, where the arbitral awards have been pronounced in the territory of another Contracting State."

## NEPAL

### *Declaration:*

"The Kingdom of Nepal will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting state. [The Government of Nepal] further declares that the Kingdom of Nepal will apply the Convention only to the differences arising out of legal relationship, whether contractual or not, which are considered as commercial under the law of the Kingdom of Nepal."

## NETHERLANDS

Referring to paragraph 3 of article I of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, the Government of the Kingdom declares that it will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State.

## NEW ZEALAND

### *Declarations:*

"In accordance with paragraph 3 of article 1 of the Convention, the Government of New Zealand declares that it will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another Contracting State.

"Accession to the Convention by the Government of New Zealand shall not extend for the time being, pursuant to article X of the Convention, to the Cook Islands and Niue."

## NIGERIA

"In accordance with paragraph 3 of article I of the Convention, the Federal Military Government of the Federal Republic of Nigeria declares that it will apply the Convention on the basis of reciprocity to the recognition and enforcement of awards made only in the territory of a State party to this Convention and to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of the Federal Republic of Nigeria."

## NORWAY

"1. [The Government of Norway] will apply the Convention only to the recognition and enforcement of awards made in the territory of one of the Contracting States."

"2. [The Government of Norway] will not apply the Convention to differences where the subject matter of the proceedings is immovable property situated in Norway, or a right in or to such property."

## PHILIPPINES

*Upon signature:*

### *Reservation*

"The Philippine delegation signs *ad referendum* this Convention with the reservation that it does so on the basis of reciprocity."

### *Declaration*

"The Philippines will apply the Convention to the recognition and enforcement of awards made only in the territory of another contracting State pursuant to Article 1, paragraph 3 of the Convention."

*Declaration made upon ratification:* "The Philippines, on the basis of reciprocity, will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State and only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the State making such declaration."

## POLAND

"With reservations as mentioned in article I, para. 3."

## PORTUGAL

### *Declaration:*

Within the scope of the principle of reciprocity, Portugal will restrict the application of the Convention to arbitral awards pronounced in the territory of a State bound by the said Convention.

## REPUBLIC OF KOREA

"By virtue of paragraph 3 of article I of the present Convention, the Government of the Republic of Korea declares that it will apply the Convention to the recognition and enforcement of arbitral awards made only in the territory of another Contracting State. It further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law."

## REPUBLIC OF MOLDOVA

"The Convention will be applied to the Republic of Moldova only relating those arbitral awards that have been brought after entering into force of the Convention.

The Convention will be applied to the Republic of Moldova, on the basis of reciprocity, only relating those awards made in the territory of another Contracting State."

## ROMANIA

The Romanian People's Republic will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its legislation.

The Romanian People's Republic will apply the Convention to the recognition and enforcement of awards made in the territory of another Contracting State. As regards awards made in the territory of certain non-contracting States, the Romanian People's Republic will apply the Convention only on the basis of reciprocity established by joint agreement between the parties.

## RUSSIAN FEDERATION

The Union of Soviet Socialist Republics will apply the provisions of this Convention in respect of arbitral awards made in

the territories of non-contracting States only to the extent to which they grant reciprocal treatment.

## SAUDI ARABIA

### *Declaration:*

On the Basis of reciprocity, the Kingdom declares that it shall restrict the application of the Convention to the recognition and enforcement of arbitral awards made in the territory of a Contracting State.

## SINGAPORE

"The Republic of Singapore will on the basis of reciprocity apply the said Convention to the recognition and enforcement of only those awards which are made in the territory of another Contracting State."

## SLOVAKIA<sup>3</sup>

## SWITZERLAND<sup>14</sup>

## TRINIDAD AND TOBAGO

"In accordance with article I of the Convention, the Government of Trinidad and Tobago declares that it will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State. The Government of Trinidad and Tobago further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the Law of Trinidad and Tobago."

## TUNISIA

With the reservations provided for in article I, paragraph 3, of the Convention, that is to say, the Tunisian State will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State and only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the Tunisian law.

## TURKEY

### *Declaration:*

In accordance with the Article I, paragraph 3 of the Convention, the Republic of Turkey declares that it will apply the Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of another contracting State. It further declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

## UGANDA

### *Declaration:*

"The Republic of Uganda will only apply the Convention to recognition and enforcement of awards made in the territory of another Contracting State."

## UKRAINE

The Ukrainian Soviet Socialist Republic will apply the provisions of this Convention in respect of arbitral awards made in the territories of non-contracting States only to the extent to which they grant reciprocal treatment.

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND<sup>12</sup>**

5 May 1980

"The United Kingdom will apply the Convention only to the recognition and enforcement of awards made in the territory of another Contracting State. This declaration is also made on behalf of Gibraltar, Hong Kong and the Isle of Man to which the Convention has been extended."

**UNITED REPUBLIC OF TANZANIA**

"The Government of the United Republic of Tanganyika and Zanzibar will apply the Convention, in accordance with the first sentence of article 1 (3) thereof, only to the recognition and enforcement of awards made in the territory of another Contracting State."

**UNITED STATES OF AMERICA**

"The United States of America will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of only those awards made in the territory of another Contracting State."

"The United States of America will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the United States."

**VENEZUELA**

*Declarations:*

(a) The Republic of Venezuela will apply the Convention only to the recognition and enforcement of foreign arbitral awards made in the territory of another Contracting State.

(b) The Republic of Venezuela will apply the present Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under its national law.

**VIET NAM**

*Declarations:*

1. [The Socialist Republic of Viet Nam] considers the Convention to be applicable to the recognition and enforcement of arbitral awards made only in the territory of another Contracting State. With respect to arbitral awards made in the territories of non-contracting States, it will apply the Convention on the basis of reciprocity.

2. The Convention will be applied only to differences arising out of legal relationships which are considered as commercial under the laws of Viet Nam.

3. Interpretation of the Convention before the Vietnamese Courts or competent authorities should be made in accordance with the Constitution and the law of Viet Nam.

**YUGOSLAVIA<sup>15</sup>**

*Reservation:*

"1. The Convention is applied in regard to the Socialist Federal Republic of Yugoslavia only to those arbitral awards which were adopted after the coming of the Convention into effect.

"2. The Socialist Federal Republic of Yugoslavia will apply the Convention on a reciprocal basis only to those arbitral awards which were adopted on the territory of the other State Party to the Convention.

"3. The Socialist Federal Republic of Yugoslavia will apply the Convention [only] with respect to the disputes arising from the legal relations, contractual and non-contractual, which, according to its national legislation are considered as economic."

**Objections**

*(Unless otherwise indicated, the objections were received upon ratification, accession or succession.)*

**GERMANY<sup>4</sup>**

29 December 1989

The Federal Republic of Germany is of the opinion that the second paragraph of the declaration of the Argentine Republic represents a reservation and as such is not only contradictory to

article I (3) of the Convention but is also vague and hence inadmissible; it therefore raises an objection to that reservation.

In all other respects this objection is not intended to prevent the entry into force of the Convention between the Argentine Republic and the Federal Republic of Germany.

**Territorial Application**

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	26 Mar 1975	All the external territories for the international relations of which Australia is responsible other than Papua New Guinea
Denmark <sup>16</sup>	10 Feb 1976	Faeroe Islands, Greenland
France	26 Jun 1959	All the territories of the French Republic
Netherlands <sup>17</sup>	24 Apr 1964	Netherlands Antilles, Surinam
United Kingdom <sup>2, 18</sup>	24 Sep 1975	Gibraltar
	21 Jan 1977	Hong Kong
	22 Feb 1979	Isle of Man
	14 Nov 1979	Bermuda
	26 Nov 1980	Belize, Cayman Islands
	19 Apr 1985	Guernsey
United States of America	3 Nov 1970	All the territories for the international relations of which the United States of America is responsible

**Declarations and reservations made upon  
notification of territorial application**

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND**

*Belize, Bermuda, Cayman Islands, Guernsey*

[The Convention will apply] . . . "in accordance with article 1, paragraph 3 thereof, only to the recognition and enforcement of awards made in the territory of another Contracting State."

**Notes:**

<sup>1</sup> *Official Records of the Economic and Social Council, Twenty-first Session, Supplement No. 1 (E/2889), p. 5.*

<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 4 in chapter IV.1.]*

In addition, the notification made by the Government of China contained the following declaration:

The Convention will be applied in the Hong Kong Special Administrative Region only to the recognition and enforcement of awards made in the territory of another Contracting State.

<sup>3</sup> Czechoslovakia had signed and ratified the Convention on 3 October 1958 and 10 July 1959, with a declaration. For the text of the declaration, see United Nations, *Treaty Series*, vol. 330, p. 69. See also note 5 below and note 11 in chapter I.2.

<sup>4</sup> The German Democratic Republic had acceded to the Convention with declarations, on 20 February 1975. For the text of the declarations, see United Nations, *Treaty Series*, vol. 959, p. 841. See also note 14 in chapter I.2.

<sup>5</sup> With a declaration that the Convention will also apply to *Land Berlin* as from the day on which it enters into force for the Federal Republic of Germany.

With reference to the above-mentioned statement, communications have been received from the Governments of Albania, Bulgaria, the Byelorussian SSR, Cuba, Czechoslovakia, the Federal Republic of Germany, France, the United Kingdom and the United States of America, Poland, Romania, the Ukrainian SSR and the Union of Soviet Socialist Republics. The said communications are identical in essence, *mutatis mutandis*, to the ones reproduced in note 3 in chapter III.3.

Upon accession to the Convention, on 20 February 1975, the Government of the German Democratic Republic made the following declaration in this respect:

Pursuant to the Quadripartite Agreement of 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic, that Berlin (West) is not a constituent part of the Federal Republic of Germany and not to be governed by it. The statements by the Federal Republic of Germany to the effect that these Conventions also apply to "*Land Berlin*" are therefore contrary to the Quadripartite Agreement, which states further that treaties affecting matters of security and status may not be extended to Berlin (West) by the Federal Republic of Germany. The statements by the Federal Republic of Germany cannot therefore have legal effects.

In regard to the latter declaration, the Secretary-General received on 26 January 1976 from the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America a communication confirming their previous declarations.

Subsequently, on 24 February 1976, the Secretary-General received from the Government of the Federal Republic of Germany a communication which states in part:

"The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the [Note] of the Three Powers, wishes to confirm that the application in Berlin (West) of the above-mentioned [Convention] extended by it under the established procedures continues in full force and effect."

See also note 4 above.

<sup>6</sup> Accession by the United Arab Republic, see note 5 in chapter I.1.

<sup>7</sup> The declaration made upon signature and contained in the Final Act read as follows:

"If another Contracting Party extends the application of the Convention to territories which fall within the sovereignty of the Argentine Republic, the rights of the Argentine Republic shall in no way be affected by that extension."

<sup>8</sup> In a communication received on 25 February 1988, the Government of Austria notified the Secretary-General of its decision to withdraw as from that date, the reservation made upon accession to the Convention. For the text of the reservation, see United Nations, *Treaty Series*, vol. 395, p. 274.

<sup>9</sup> In a communication received by the Secretary-General on 23 June 1980, the Government of Israel declared the following:

"The Government of Israel has noted the political character of the statement made by the Government of Jordan. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Jordan under general international law or under particular conventions.

"Insofar as concerns the substance of the matter, the Government of Israel will adopt towards the Government of Jordan an attitude of complete reciprocity."

A communication identical in essence, *mutatis mutandis*, was received by the Secretary-General, on 22 September 1988, from the Government of Israel in respect of the declaration made by Bahrain upon accession.

<sup>10</sup> The declaration by Canada received on 20 May 1987, and which originally comprised two parts, was made after accession. It was communicated by the Secretary-General to all States. None of the Contracting Parties having expressed an objection within a period of 90 days from the date of the above-mentioned communication [22 July 1987], the declaration was deemed to have been accepted and replaces the declaration made upon accession which read as follows:

"The Government of Canada declares, with respect to the Province of Alberta, that it will apply the Convention only to the recognition and enforcement of awards made in the territory of another Contracting State.

"The Government of Canada declares that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of Canada."

Subsequently, on 25 November 1988, the Government of Canada notified the Secretary-General of its decision to withdraw, with effect from that date, the second part of its revised declaration received on 20 May 1987 which read as follows:

"The Government of Canada declares, with respect to the Province of Saskatchewan, that it will apply the Convention only to the recognition and enforcement of awards made in the territory of another Contracting State."

<sup>11</sup> In a communication received on 27 November 1989, the Government of France notified the Secretary-General of its decision to withdraw, with effect from that date, the declaration relating to the second sentence of its declaration relating to paragraph 3 of article I made upon ratification. For the text of the declaration so withdrawn, see United Nations, *Treaty Series*, vol. 336, p. 426.

<sup>12</sup> In a communication received on 31 August 1998, the Government of Germany notified the Secretary-General of its decision to with-

draw the reservation made upon ratification of the Convention. For the text of the reservation, see United Nations, *Treaty Series*, vol. 399, p.286.

<sup>13</sup> Since the declaration [by Greece] [by the United Kingdom] had been made after accession, it was communicated by the Secretary-General to all States concerned on 10 June 1980. None of the Contracting Parties having expressed an objection within a period of 90 days from the date of the above-mentioned communication, the declaration was deemed to have been accepted.

<sup>14</sup> On 23 April 1993, the Government of Switzerland notified the Secretary-General of its decision to withdraw the declaration made upon ratification. For the text of the declaration, see United Nations, *Treaty Series*, vol. 536, p. 477.

<sup>15</sup> In a latter declaration dated 28 June 1982, the Government of Yugoslavia specified that the first reservation only constituted an affirmation of the legal principle of retroactivity and that the third reservation being essentially in accordance with article I (3) of the Convention, the word "only" was therefore to be added to the original text and note taken that the word "economic" had been used therein as a synonym for "commercial".

<sup>16</sup> At the time of acceding to the Convention the Government of Denmark declared, in accordance with article X (1), that it would not apply for the time being to the Faeroe Islands and Greenland.

In a communication received on 12 November 1975, the Government of Denmark declared that it had withdrawn the above-mentioned declaration, this decision to take effect on 1 January 1976.

In a further communication received on 5 January 1978, the Government of Denmark confirmed that the communication received by the Secretary-General on 12 November 1975 should be considered as having taken effect from 10 February 1976, in accordance with article X (2), it being understood that the Convention was applied *de facto* to the Faeroe Islands and Greenland from 1 January to 9 February 1976.

<sup>17</sup> See note 8 in chapter I.1.

<sup>18</sup> See also under "*Declarations and Reservations*" in this chapter for the reservation made by the United Kingdom, which was also made on behalf of Gibraltar, Hong Kong (*see also note 2 in this chapter*) and the Isle of Man.

<sup>19</sup> On 12 November 1999, the Government of Portugal informed the Secretary-General that the Convention will apply to Macau.

Subsequently, the Secretary-General received, on 9 December 1999, from the Government of Portugal, the following communication:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

## 2. EUROPEAN CONVENTION ON INTERNATIONAL COMMERCIAL ARBITRATION

*Geneva, 21 April 1961*

**ENTRY INTO FORCE:** 7 January 1964, in accordance with article X (8), with the exception of paragraphs 3 to 7 of article IV which entered into force on 18 October 1965, in accordance with paragraph 4 of the Annex to the Convention.

**REGISTRATION:** 7 January 1964, No. 7041.

**STATUS:** Signatories: 17. Parties: 27.

**TEXT:** United Nations, Treaty Series, vol. 484, p. 349.

*Note:* The Convention was prepared and opened for signature on 21 April 1961 by the Special Meeting of Plenipotentiaries for the purpose of negotiating and signing a European Convention on International Commercial Arbitration, which was convened in accordance with resolution 7 (XV)<sup>1</sup> of the Economic Commission for Europe, adopted on 5 May 1960. The Special Meeting was held at the European Office of the United Nations in Geneva from 10 to 21 April 1961. For the text of the Final Act of the Special Meeting, see United Nations, *Treaty Series*, vol. 484, p. 349.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Austria .....	21 Apr 1961	6 Mar 1964	Kazakhstan .....		20 Nov 1995 a
Belarus .....	21 Apr 1961	14 Oct 1963	Luxembourg .....		26 Mar 1982 a
Belgium .....	21 Apr 1961	9 Oct 1975	Poland .....	21 Apr 1961	15 Sep 1964
Bosnia and Herzegovina .....		1 Sep 1993 d	Republic of Moldova .....		5 Mar 1998 a
Bulgaria .....	21 Apr 1961	13 May 1964	Romania .....	21 Apr 1961	16 Aug 1963
Burkina Faso .....		26 Jan 1965 a	Russian Federation .....	21 Apr 1961	27 Jun 1962
Croatia .....		26 Jul 1993 d	Slovakia <sup>2</sup> .....		28 May 1993 d
Cuba .....		1 Sep 1965 a	Slovenia .....		6 Jul 1992 d
Czech Republic <sup>2</sup> .....		30 Sep 1993 d	Spain .....	14 Dec 1961	12 May 1975
Denmark <sup>3</sup> .....	21 Apr 1961	22 Dec 1972	the former Yugoslav Republic of Macedonia .....		10 Mar 1994 d
Finland .....	21 Dec 1961		Turkey .....	21 Apr 1961	24 Jan 1992
France .....	21 Apr 1961	16 Dec 1966	Ukraine .....	21 Apr 1961	18 Mar 1963
Germany <sup>4,5</sup> .....	21 Apr 1961	27 Oct 1964	Yugoslavia .....	21 Apr 1961	25 Sep 1963
Hungary .....	21 Apr 1961	9 Oct 1963			
Italy .....	21 Apr 1961	3 Aug 1970			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

### BELGIUM

In accordance with article II, paragraph 2, of the Convention, the Belgian Government declares that in Belgium only the State has, in the cases referred to in article I, paragraph 1, the faculty to conclude arbitration agreements.

### LUXEMBOURG

Except where otherwise expressly provided for in the arbitration agreement, the presiding judges of the local courts shall assume the functions entrusted to the presidents of the chambers of commerce under article IV of the Convention. The presiding judges shall hear the disputes in chambers.

### Notes:

<sup>1</sup> *Official Records of the Economic and Social Council, Fifteenth Session, Supplement No. 3 (E/3349)*, p. 55.

<sup>2</sup> Czechoslovakia had signed and ratified the Convention on 21 April 1961 and 13 November 1963, respectively. See also note 5 below and note 11 in chapter I.2.

<sup>3</sup> The instrument of ratification contained a declaration to the effect that the Convention for the time being would not extend to the Faeroe Islands and Greenland.

In a communication received on 12 November 1975, the Government of Denmark declared that it had withdrawn the above-mentioned reservation. The decision to take effect on 1 January 1976.

<sup>4</sup> The German Democratic Republic had acceded to the Convention on 20 February 1975. See also note 14 in chapter I.2.

<sup>5</sup> A note accompanying the instrument of ratification contains a statement that the Convention "shall also apply to *Land Berlin* as from the day on which the Convention enters into force for the Federal Republic of Germany".

With reference to the above-mentioned statement, communications have been addressed to the Secretary-General by the Governments of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, France, the United Kingdom and the United States of America, the Federal Republic of Germany, Poland, Romania, the Ukrainian SSR and the

Union of Soviet Socialist Republics. The said communications are identical in essence, *mutatis mutandis*, to those reproduced in note 3 of chapter III.3.

Upon accession to the Convention, on 20 February 1975, the Government of the German Democratic Republic made the following declaration:

Pursuant to the Quadripartite Agreement of 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic, that Berlin (West) is not a constituent part of the Federal Republic of Germany and not to be governed by it. The statements by the Federal Republic of Germany to the effect that these Conventions also apply to "*Land Berlin*" are therefore contrary to the Quadripartite Agreement, which states further that treaties affecting matters of security and status may not be

extended to Berlin (West) by the Federal Republic of Germany. The statements by the Federal Republic of Germany cannot therefore have legal effects.

In regard to the latter declaration, the Secretary-General received on 26 January 1976 from the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America a communication confirming their previous declarations. Subsequently, on 24 February 1976, the Secretary-General received from the Government of the Federal Republic of Germany a communication which states in part: "The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the [note] of the Three Powers, wishes to confirm that the application in Berlin (West) of the above-mentioned [Convention] extended by it under the established procedures continues in full force and effect."

See also note 4 above.





**CHAPTER XXIII**  
**LAW OF TREATIES**

**I. VIENNA CONVENTION ON THE LAW OF TREATIES**

*Vienna, 23 May 1969*

**ENTRY INTO FORCE:** 27 January 1980, in accordance with article 84 (1).  
**REGISTRATION:** 27 January 1980, No. 18232.  
**STATUS:** Signatories: 46. Parties: 90.  
**TEXT:** United Nations, Treaty Series, vol. 1155, p. 331.

*Note:* The Convention was adopted on 22 May 1969 and opened for signature on 23 May 1969 by the United Nations Conference on the Law of Treaties. The Conference was convened pursuant to General Assembly resolutions 2166 (XXI)<sup>1</sup> of 5 December 1966 and 2287 (XXII)<sup>2</sup> of 6 December 1967. The Conference held two sessions, both at the Neue Hofburg in Vienna, the first session from 26 March to 24 May 1968 and the second session from 9 April to 22 May 1969. In addition to the Convention, the Conference adopted the Final Act and certain declarations and resolutions, which are annexed to that Act. By unanimous decision of the Conference, the original of the Final Act was deposited in the archives of the Federal Ministry for Foreign Affairs of Austria. The text of the Final Act is included in document A/CONF.39/11/Add.2.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan	23 May 1969		Finland	23 May 1969	19 Aug 1977
Algeria		8 Nov 1988 a	Georgia		8 Jun 1995 a
Argentina	23 May 1969	5 Dec 1972	Germany <sup>5,6</sup>	30 Apr 1970	21 Jul 1987
Australia		13 Jun 1974 a	Ghana	23 May 1969	
Austria		30 Apr 1979 a	Greece		30 Oct 1974 a
Barbados	23 May 1969	24 Jun 1971	Guatemala	23 May 1969	21 Jul 1997
Belarus		1 May 1986 a	Guyana	23 May 1969	
Belgium		1 Sep 1992 a	Haiti		25 Aug 1980 a
Bolivia	23 May 1969		Holy See	30 Sep 1969	25 Feb 1977
Bosnia and Herzegovi- na		1 Sep 1993 d	Honduras	23 May 1969	20 Sep 1979
Brazil	23 May 1969		Hungary		19 Jun 1987 a
Bulgaria		21 Apr 1987 a	Iran (Islamic Republic of)	23 May 1969	
Cambodia	23 May 1969		Italy	22 Apr 1970	25 Jul 1974
Cameroon		23 Oct 1991 a	Jamaica	23 May 1969	28 Jul 1970
Canada		14 Oct 1970 a	Japan		2 Jul 1981 a
Central African Repub- lic		10 Dec 1971 a	Kazakhstan		5 Jan 1994 a
Chile	23 May 1969	9 Apr 1981	Kenya	23 May 1969	
China <sup>3</sup>		3 Sep 1997 a	Kuwait		11 Nov 1975 a
Colombia	23 May 1969	10 Apr 1985	Kyrgyzstan		11 May 1999 a
Congo	23 May 1969	12 Apr 1982	Lao People's Demo- cratic Republic		31 Mar 1998 a
Costa Rica	23 May 1969	22 Nov 1996	Latvia		4 May 1993 a
Côte d'Ivoire	23 Jul 1969		Lesotho		3 Mar 1972 a
Croatia		12 Oct 1992 d	Liberia	23 May 1969	29 Aug 1985
Cuba		9 Sep 1998 a	Liechtenstein		8 Feb 1990 a
Cyprus		28 Dec 1976 a	Lithuania		15 Jan 1992 a
Czech Republic <sup>4</sup>		22 Feb 1993 d	Luxembourg	4 Sep 1969	
Democratic Republic of the Congo		25 Jul 1977 a	Madagascar	23 May 1969	
Denmark	18 Apr 1970	1 Jun 1976	Malawi		23 Aug 1983 a
Ecuador	23 May 1969		Malaysia		27 Jul 1994 a
Egypt		11 Feb 1982 a	Mali		31 Aug 1998 a
El Salvador	16 Feb 1970		Mauritius		18 Jan 1973 a
Estonia		21 Oct 1991 a	Mexico	23 May 1969	25 Sep 1974
Ethiopia	30 Apr 1970		Mongolia		16 May 1988 a
			Morocco	23 May 1969	26 Sep 1972

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Myanmar.....		16 Sep 1998 a	Suriname.....		31 Jan 1991 a
Nauru.....		5 May 1978 a	Sweden.....	23 Apr 1970	4 Feb 1975
Nepal.....	23 May 1969		Switzerland.....		7 May 1990 a
Netherlands <sup>7</sup> .....		9 Apr 1985 a	Syrian Arab Republic.		2 Oct 1970 a
New Zealand.....	29 Apr 1970	4 Aug 1971	Tajikistan.....		6 May 1996 a
Niger.....		27 Oct 1971 a	the former Yugoslav		
Nigeria.....	23 May 1969	31 Jul 1969	Republic of Mace-		
Oman.....		18 Oct 1990 a	donia.....		8 Jul 1999 d
Pakistan.....	29 Apr 1970		Togo.....		28 Dec 1979 a
Panama.....		28 Jul 1980 a	Trinidad and Tobago .	23 May 1969	
Paraguay.....		3 Feb 1972 a	Tunisia.....		23 Jun 1971 a
Peru.....	23 May 1969		Turkmenistan.....		4 Jan 1996 a
Philippines.....	23 May 1969	15 Nov 1972	Ukraine.....		14 May 1986 a
Poland.....		2 Jul 1990 a	United Kingdom of		
Republic of Korea <sup>8</sup> ...	27 Nov 1969	27 Apr 1977	Great Britain and		
Republic of Moldova .		26 Jan 1993 a	Northern Ireland ..	20 Apr 1970	25 Jun 1971
Russian Federation...		29 Apr 1986 a	United Republic of		
Rwanda.....		3 Jan 1980 a	Tanzania.....		12 Apr 1976 a
Saint Vincent and the			United States of Amer-		
Grenadines.....		27 Apr 1999 a	ica.....	24 Apr 1970	
Senegal.....		11 Apr 1986 a	Uruguay.....	23 May 1969	5 Mar 1982
Slovakia <sup>4</sup> .....		28 May 1993 d	Uzbekistan.....		12 Jul 1995 a
Slovenia.....		6 Jul 1992 d	Yugoslavia.....	23 May 1969	27 Aug 1970
Solomon Islands.....		9 Aug 1989 a	Zambia.....	23 May 1969	
Spain.....		16 May 1972 a			
Sudan.....	23 May 1969	18 Apr 1990			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto, see hereinafter.)

**AFGHANISTAN**

*Upon signature:*

"Afghanistan's understanding of article 62 (fundamental change of circumstances) is as follows:

"Sub-paragraph 2 (a) of this article does not cover unequal and illegal treaties, or any treaties which were contrary to the principle of self-determination. This view was also supported by the Expert Consultant in his statement of 11 May 1968 in the Committee of the Whole and on 14 May 1969 (doc. A/CONF.39/L.40) to the Conference."

**ALGERIA**

*Declaration:*

The accession of the People's Democratic Republic of Algeria to the present Convention does not in any way mean recognition of Israel.

This accession shall not be interpreted as involving the establishment of relations of any kind whatever with Israel.

*Reservation:*

The Government of the People's Democratic Republic of Algeria considers that the competence of the International Court of Justice cannot be exercised with respect to a dispute such as that envisaged in article 66 (a) at the request of one of the parties alone.

It declares that, in each case, the prior agreement of all the parties concerned is necessary for the dispute to be submitted to the said Court.

**ARGENTINA**

(a) The Argentine Republic does not regard the rule contained in article 45 (b) as applicable to it inasmuch as the rule in question provides for the renunciation of rights in advance.

(b) The Argentine Republic does not accept the idea that a fundamental change of circumstances which has occurred with regard to those existing at the time of the conclusion of a treaty, and which was not foreseen by the parties, may be invoked as a ground for terminating or withdrawing from the treaty; moreover, it objects to the reservations made by Afghanistan, Morocco and Syria with respect to article 62, paragraph 2 (a), and to any reservations to the same effect as those of the States referred to which may be made in the future with respect to article 62.

The application of this Convention to territories whose sovereignty is a subject of dispute between two or more States, whether or not they are parties to it, cannot be deemed to imply a modification, renunciation or abandonment of the position heretofore maintained by each of them.

**BELARUS**

[Same reservations and declaration, identical in essence, mutatis mutandis, as the one made by the Russian Federation.]

**BELGIUM<sup>9</sup>**

21 June 1993

*Reservation:*

The Belgian State will not be bound by articles 53 and 64 of the Convention with regard to any party which, in formulating

a reservation concerning article 66 (a), objects to the settlement procedure established by this article.

#### BOLIVIA

*Upon signature:*

1. The shortcomings of the Vienna Convention on the Law of Treaties are such as to postpone the realization of the aspirations of mankind.

2. Nevertheless, the rules endorsed by the Convention do represent significant advances, based on the principles of international justice which Bolivia has traditionally supported.

#### BULGARIA<sup>10</sup>

*Declaration:*

The People's Republic of Bulgaria considers it necessary to underline that articles 81 and 83 of the Convention, which preclude a number of States from becoming parties to it, are of an unjustifiably restrictive character. These provisions are incompatible with the very nature of the Convention, which is of a universal character and should be open for accession by all States.

#### CANADA

"In acceding to the Vienna Convention on the Law of Treaties, the Government of Canada declares its understanding that nothing in article 66 of the Convention is intended to exclude the jurisdiction of the International Court of Justice where such jurisdiction exists under the provisions of any treaty in force binding the parties with regard to the settlement of disputes. In relation to states parties to the Vienna Convention which accept as compulsory the jurisdiction of the International Court of Justice, the Government of Canada declares that it does not regard the provisions of article 66 of the Vienna Convention as providing 'some other method of peaceful settlement' within the meaning of paragraph 2 (a) of the declaration of the Government of Canada accepting as compulsory the jurisdiction of the International Court of Justice which was deposited with the Secretary-General of the United Nations on April 7, 1970."

#### CHILE

*Reservation:*

The Republic of Chile declares its adherence to the general principle of the immutability of treaties, without prejudice to the right of States to stipulate, in particular, rules which modify this principle, and for this reason formulates a reservation relating to the provisions of article 62, paragraphs 1 and 3, of the Convention, which it considers inapplicable to Chile.

#### CHINA

*Reservation:*

1. The People's Republic of China makes its reservation to article 66 of the said Convention.

*Declaration:*

2. The signature to the said Convention by the Taiwan authorities on 27 April 1970 in the name of "China" is illegal and therefore null and void.

#### COLOMBIA

*Reservation:*

With regard to article 25, Colombia formulates the reservation that the Political Constitution of Colombia does not recognize the provisional application of treaties; it is the responsibility of the National Congress to approve or disapprove any treat-

ties and conventions which the Government concludes with other States or with international legal entities.

#### COSTA RICA<sup>11</sup>

*Reservations and declarations made upon signature and confirmed upon ratification:*

1. With regard to articles 11 and 12, the delegation of Costa Rica wishes to make a reservation to the effect that the Costa Rican system of constitutional law does not authorize any form of consent which is not subject to ratification by the Legislative Assembly.

2. With regard to article 25, it wishes to make a reservation to the effect that the Political Constitution of Costa Rica does not permit the provisional application of treaties, either.

3. With regard to article 27, it interprets this article as referring to secondary law and not to the provisions of the Political Constitution.

4. With regard to article 38, its interpretation is that no customary rule of general international law shall take precedence over any rule of the Inter-American System to which, in its view, this Convention is supplementary.

#### CUBA

*Reservation:*

The Government of the Republic of Cuba enters an explicit reservation to the procedure established under article 66 of the Convention, since it believes that any dispute should be settled by any means adopted by agreement between the parties to the dispute; the Republic of Cuba therefore cannot accept solutions which provide means for one of the parties, without the consent of the other to submit the dispute to procedures for judicial settlement, arbitration and conciliation.

#### CZECH REPUBLIC<sup>4</sup>

#### DENMARK

As between itself and any State which formulates, wholly or in part, a reservation relating to the provisions of article 66 of the Convention concerning the compulsory settlement of certain disputes, Denmark will not consider itself bound by those provisions of part V of the Convention, according to which the procedures for settlement set forth in article 66 are not to apply in the event of reservations formulated by other States.

#### ECUADOR

*Upon signature:*

In signing this Convention, Ecuador has not considered it necessary to make any reservation in regard to article 4 of the Convention because it understands that the rules referred to in the first part of article 4 include the principle of the peaceful settlement of disputes, which is set forth in Article 2, paragraph 3 of the Charter of the United Nations and which, as *jus cogens*, has universal and mandatory force.

Ecuador also considers that the first part of article 4 is applicable to existing treaties.

It wishes to place on record, in this form, its view that the said article 4 incorporates the indisputable principle that, in cases where the Convention codifies rules of *lex lata*, these rules, as pre-existing rules, may be invoked and applied to treaties signed before the entry into force of this Convention, which is the instrument codifying the rules.

#### FINLAND

"Finland declares its understanding that nothing in paragraph 2 of article 7 of the Convention is intended to modify any

provisions of internal law in force in any Contracting State concerning competence to conclude treaties. Under the Constitution of Finland the competence to conclude treaties is given to the President of the Republic, who also decides on the issuance of full powers to the Head of Government and the Minister for Foreign Affairs.

"Finland also declares that as to its relation with any State which has made or makes a reservation to the effect that this State will not be bound by some or all of the provisions of article 66, Finland will consider itself bound neither by those procedural provisions nor by the substantive provisions of part V of the Convention to which the procedures provided for in article 66 do not apply as a result of the said reservation."

#### GERMANY<sup>5</sup>

*Upon signature:*

"The Federal Republic of Germany reserves the right, upon ratifying the Vienna Convention on the Law of Treaties, to state its views on the declarations made by other States upon signing or ratifying or acceding to that Convention and to make reservations regarding certain provisions of the said Convention."

*Upon ratification:*

2. The Federal Republic of Germany assumes that the jurisdiction of the International Court of Justice brought about by consent of States outside the Vienna Convention on the Law of Treaties cannot be excluded by invoking the provisions of article 66 (b) of the Convention.

3. The Federal Republic of Germany interprets 'measures taken in conformity with the Charter of the United Nations', as referred to in article 75, to mean future decisions by the Security Council of the United Nations in conformity with Chapter VII of the Charter for the maintenance of international peace and security.

#### GUATEMALA<sup>12</sup>

*Upon signature:*

*Reservations:*

I. Guatemala cannot accept any provision of this Convention which would prejudice its rights and its claim to the Territory of Belize.

II. Guatemala will not apply articles 11, 12, 25 and 66 in so far as they are contrary to the provisions of the Constitution of the Republic.

III. Guatemala will apply the provision contained in article 38 only in cases where it considers that it is in the national interest to do so.

*Upon ratification:*

*Reservations:*

(a) The Republic of Guatemala formally confirms reservations I and III which it formulated upon signing the [said Convention], to the effect, respectively, that Guatemala could not accept any provision of the Convention which would prejudice its rights and its claim to the territory of Belize and that it would apply the provision contained in article 38 of the Convention only in cases where it considered that it was in the national interest to do so;

(b) With respect to reservation II, which was formulated on the same occasion and which indicated that the Republic of Guatemala would not apply articles 11, 12, 25 and 66 of the [said Convention] insofar as they were contrary to the Constitution, Guatemala states:

(b) (I) That it confirms the reservation with respect to the non-application of articles 25 and 66 of the Convention, insofar as both are incompatible with provisions of the Political Constitution currently in force;

(b) (II) That it also confirms the reservation with respect to the non-application of articles 11 and 12 of the Convention.

Guatemala's consent to be bound by a treaty is subject to compliance with the requirements and procedures established in its Political Constitution. For Guatemala, the signature or initialling of a treaty by its representative is always understood to be *ad referendum* and subject, in either case, to confirmation by its Government.

(c) A reservation is hereby formulated with respect to article 27 of the Convention, to the effect that the article is understood to refer to the provisions of the secondary legislation of Guatemala and not to those of its Political Constitution, which take precedence over any law or treaty.

#### HUNGARY<sup>13</sup>

#### KUWAIT

The participation of Kuwait in this Convention does not mean in any way recognition of Israel by the Government of the State of Kuwait and that furthermore, no treaty relations will arise between the State of Kuwait and Israel.

#### MONGOLIA<sup>14</sup>

*Declarations:*

1. The Mongolian People's Republic declares that it reserves the right to take any measures to safeguard its interests in the case of the non-observance by other States of the provisions of the Vienna Convention on the Law of Treaties.

2. The Mongolian People's Republic deems it appropriate to draw attention to the discriminatory nature of article 81 and 83 of the Vienna Convention on the Law of Treaties and declares that the Convention should be open for accession by all States.

#### MOROCCO

*Reservation made upon signature and confirmed upon ratification:*

1. Morocco interprets paragraph 2 (a) of article 62 (Fundamental change of circumstances) as not applying to unlawful or inequitable treaties, or to any treaty contrary to the principle of self-determination. Morocco's views on paragraph 2 (a) were supported by the Expert Consultant in his statements in the Committee of the Whole on 11 May 1968 and before the Conference in plenary on 14 May 1969 (see Document A/CONF.39/L.40).

2. It shall be understood that Morocco's signature of this Convention does not in any way imply that it recognized Israel. Furthermore, no treaty relationships will be established between Morocco and Israel.

#### NETHERLANDS

*Declaration:*

"The Kingdom of the Netherlands does not regard the provisions of Article 66 (b) of the Convention as providing "some other method of peaceful settlement" within the meaning of the declaration of the Kingdom of the Netherlands accepting as compulsory the jurisdiction of the International Court of Justice which was deposited with the Secretary-General of the United Nations on 1 August 1956."

#### NEW ZEALAND

*Declaration:*

The Government of New Zealand declares its understanding that nothing in article 66 of the Convention is intended to exclude the jurisdiction of the International Court of Justice where

such jurisdiction exists under the provisions of any treaty in force binding the parties with regard to the settlement of disputes. In relations to states parties to the Vienna Convention which accept as compulsory the jurisdiction of the International Court of Justice, the Government of New Zealand declares that it will not regard the provisions of article 66 of the Vienna Convention as providing "some other method of peaceful settlement" within the meaning of this phrase where it appears in the declaration of the Government of New Zealand accepting as compulsory the jurisdiction of the International Court of Justice, which was deposited with the Secretary-General of the League of Nations on 8 April 1940."

#### OMAN

##### *Declaration:*

According to the understanding of the Government of the Sultanate of Oman the implementation of paragraph (2) of article (62) of the said Convention does not include those Treaties which are contrary to the right to self-determination.

#### RUSSIAN FEDERATION

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 66 of the Vienna Convention on the Law of Treaties and declares that, in order for any dispute among the Contracting Parties concerning the application or the interpretation of articles 53 or 64 to be submitted to the International Court of Justice for a decision or for any dispute concerning the application or interpretation of any other articles in Part V of the Convention to be submitted for consideration by the Conciliation Commission, the consent of all the parties to the dispute is required in each separate case, and that the conciliators constituting the Conciliation Commission may only be persons appointed by the parties to the dispute by common consent.

The Union of Soviet Socialist Republics will consider that it is not obligated by the provisions of article 20, paragraph 3 or of article 45 (b) of the Vienna Convention on the Law of Treaties, since they are contrary to established international practice.

##### *Declaration:*

The Union of Soviet Socialist Republics declares that it reserves the right to take any measures to safeguard its interests in the event of the non-observance by other States of the provisions of the Vienna Convention on the Law of Treaties.

#### SLOVAKIA<sup>4</sup>

#### SYRIAN ARAB REPUBLIC

A—Acceptance of this Convention by the Syrian Arab Republic and ratification of it by its Government shall in no way signify recognition of Israel and cannot have as a result the establishment with the latter of any contact governed by the provisions of this Convention.

B—The Syrian Arab Republic considers that article 81 is not in conformity with the aims and purposes of the Convention in that it does not allow all States, without distinction or discrimination, to become parties to it.

C—The Government of the Syrian Arab Republic does not in any case accept the non-applicability of the principle of a fundamental change of circumstances with regard to treaties establishing boundaries, referred to in article 62, paragraph 2 (a), inasmuch as it regards this as a flagrant violation of an obligatory norm which forms part of general international law and which recognizes the right of peoples to self-determination.

D—The Government of the Syrian Arab Republic interprets the provisions in article 52 as follows:

The expression "the threat or use of force" used in this article extends also to the employment of economic, political, military and psychological coercion and to all types of coercion constraining a State to conclude a treaty against its wishes or its interests.

E—The accession of the Syrian Arab Republic to this Convention and the ratification of it by its Government shall not apply to the Annex to the Convention, which concerns obligatory conciliation.

#### TUNISIA

The dispute referred to in article 66 (a) requires the consent of all parties thereto in order to be submitted to the International Court of Justice for a decision.

#### UKRAINE

[*Same reservations and declaration, identical in essence, mutatis mutandis, as the one made by the Union of Soviet Socialist Republics.*]

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND<sup>17</sup>

##### *Upon signature:*

"In signing the Vienna Convention on the Law of Treaties, the Government of the United Kingdom of Great Britain and Northern Ireland declare their understanding that nothing in article 66 of the Convention is intended to oust the jurisdiction of the International Court of Justice where such jurisdiction exists under any provisions in force binding the parties with regard to the settlement of disputes. In particular, and in relation to States parties to the Vienna Convention which accept as compulsory the jurisdiction of the International Court of Justice, the Government of the United Kingdom declare that they will not regard the provisions of sub-paragraph (b) of article 66 of the Vienna Convention as providing 'some other method of peaceful settlement' within the meaning of sub-paragraph (i) (a) of the Declaration of the Government of the United Kingdom accepting as compulsory the jurisdiction of the International Court of Justice which was deposited with the Secretary-General of the United Nations on the 1st of January 1969.

"The Government of the United Kingdom, while reserving their position for the time being with regard to other declarations and reservations made by various States on signing the Convention, consider it necessary to state that the United Kingdom does not accept that Guatemala has any rights or any valid claim in respect of the territory of British Honduras."

##### *Upon ratification:*

It is [the United Kingdom's] understanding that nothing in Article 66 of the Convention is intended to oust the jurisdiction of the International Court of Justice where such jurisdiction exists under any provisions in force binding the parties with regard to the settlement of disputes. In particular, and in relation to States parties to the Vienna Convention which accept as compulsory the jurisdiction of the International Court, the United Kingdom will not regard the provisions of sub-paragraph (b) of Article 66 of the Vienna Convention on the Law of Treaties as providing 'some other method of peaceful settlement' within the meaning of sub-paragraph (i) (a) of the Declaration of the Government of the United Kingdom which was deposited with the Secretary-General of the United Nations on the 1st of January 1969.

#### UNITED REPUBLIC OF TANZANIA

"Article 66 of the Convention shall not be applied to the United Republic of Tanzania by any State which enters a reser-

vation on any provision of part V or the whole of that part of the Convention."

**Objections**  
*(Unless otherwise indicated the objections were made upon ratification, accession or succession.)*

**ALGERIA**

The Government of the People's Democratic Republic of Algeria, dedicated to the principle of the inviolability of the frontiers inherited on accession to independence, expresses an objection to the reservation entered by the Kingdom of Morocco with regard to paragraph 2 (a) of article 62 of the Convention.

**AUSTRIA**

16 September 1998

*With respect to the reservations made by Guatemala upon ratification:*

"Austria is of the view that the Guatemalan reservations refer almost exclusively to general rules of [the said Convention] many of which are solidly based on international customary law. The reservations could call into question well-established and universally accepted norms. Austria is of the view that the reservations also raise doubts as to their compatibility with the object and purpose of the [said Convention]. Austria therefore objects to these reservations.

This objection does not preclude the entry into force of the [said Convention] between Austria and Guatemala."

**CANADA**

22 October 1971

"... Canada does not consider itself in treaty relations with the Syrian Arab Republic in respect of those provisions of the Vienna Convention on the Law of Treaties to which the compulsory conciliation procedures set out in the annex to that Convention are applicable."

**CHILE**

The Republic of Chile formulates an objection to the reservations which have been made or may be made in the future relating to article 62, paragraph 2, of the Convention.

**DENMARK**

*With regard to reservations made by Guatemala upon ratification:*

"These reservations refer to general rules of [the said Convention], many of which are solidly based on customary international law. The reservation - if accepted - could call to question well established and universally accepted norms.

It is the opinion of the Government of Denmark that the reservations are not compatible with the object and purpose of [said Convention].

It is in the common interest of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Denmark therefore objects to the aforesaid reservations made by the Government of Guatemala to [the said Convention].

This objection does not preclude the entry into force of [the said Convention] between Guatemala and Denmark and will thus enter into force between Guatemala and Denmark without Guatemala benefitting from these reservations."

**EGYPT**

The Arab Republic of Egypt does not consider itself bound by part V of the Convention vis-à-vis States which formulate reservations concerning the procedures for judicial settlement and compulsory arbitration set forth in article 66 and in the annex to the Convention, and it rejects reservations made to the provisions of part V of the Convention.

**FINLAND**

16 September 1998

*With regard to reservations made by Guatemala upon ratification:*

"These reservations which consist of general references to national law and which do not clearly specify the extent of the derogation from the provisions of the Convention, may create serious doubts about the Commitment of the reserving State as to the object and purpose of the Convention and may contribute to undermining the basis of international treaty law. In addition, the Government of Finland considers the reservation to article 27 of the Convention particularly problematic as it is a well-established rule of customary international law. The Government of Finland would like to recall that according to article 19 c of the [said] Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Finland therefore objects to these reservations made by the Government of Guatemala to the [said] Convention.

This objection does not preclude the entry into force of the Convention between Guatemala and Finland. The Convention will thus become operative between the two States without Guatemala benefitting from these reservations."

**GERMANY<sup>5</sup>**

1. The Federal Republic of Germany rejects the reservations made by Tunisia, the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the German Democratic Republic and with regard to article 66 of the Vienna Convention on the Law of Treaties as incompatible with the object and purpose of the said Convention. In this connection it wishes to point out that, as stressed on numerous other occasions, the Government of the Federal Republic of Germany considers articles 53 and 64 to be inextricably linked to article 66 (a).

Objections, identical in essence, *mutatis mutandis*, were also formulated by the Government of the Federal Republic of Germany in regard to reservations made by various states, as follows:

(i) 27 January 1988: in respect of reservations formulated by Bulgaria, the Hungarian People's Republic and the Czechoslovak Socialist Republic.

(ii) 21 September 1988: in respect of the reservation made by Mongolia;

(iii) 30 January 1989: in respect of the reservation made by Algeria.

16 November 1970

*With respect to the reservations made by Guatemala upon ratification:*

...These reservations refer almost exclusively to general rules of the Convention many of which are solidly based on customary international law.

These reservations could call into question well-established and universally accepted norms of international law, especially insofar as the reservations concern articles 27 and 38 of the Convention. The Government of the Federal Republic of Germany is of the view that the reservations also raise doubts as to their compatibility with the object and purpose of the Convention. The Government of the Federal Republic of Germany therefore objects to these reservations.

This objection does not preclude the entry into force of the Convention between Germany and Guatemala.

#### ISRAEL

16 March 1970

"The Government of Israel has noted the political character of paragraph 2 in the declaration made by the Government of Morocco on that occasion. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, that declaration cannot in any way affect the obligations of Morocco already existing under general international law or under particular treaties. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Morocco an attitude of complete reciprocity."

16 November 1970

*[With respect to declaration "A" made by the Syrian Arab Republic, same declaration, in essence, as the one above.]*

#### JAPAN

1. "The Government of Japan objects to any reservation intended to exclude the application, wholly or in part, of the provisions of article 66 and the Annex concerning the obligatory procedures for settlement of disputes and does not consider Japan to be in treaty relations with any State which has formulated or will formulate such reservation, in respect of those provisions of Part V of the Convention regarding which the application of the obligatory procedures mentioned above are to be excluded as a result of the said reservation. Accordingly, the treaty relations between Japan and the Syrian Arab Republic will not include those provisions of Part V of the Convention to which the conciliation procedure in the Annex applies and the treaty relations between Japan and Tunisia will not include articles 53 and 64 of the Convention.

2. The Government of Japan does not accept the interpretation of article 52 put forward by the Government of the Syrian Arab Republic, since that interpretation does not correctly reflect the conclusions reached at the Conference of Vienna on the subject of coercion."

3 April 1987

"[In view of its declaration made upon accession] . . . the Government of Japan objects to the reservations made by the Governments of the German Democratic Republic and the Union of Soviet Socialist Republics to article 66 and the Annex of the Convention and reaffirms the position of Japan that [it] will not be in treaty relations with the above States in respect of the provisions of Part V of the Convention.

2. The Government of Japan objects to the reservation made by the Government of the Union of Soviet Socialist Republics to article 20, paragraph 3.

3. The Government of Japan objects to the declarations made by the Governments of the German Democratic Republic and the Union of Soviet Socialist Republics reserving their right to take any measures to safeguard their interests in the event of the non-observance by other States of the provisions of the Convention."

#### NETHERLANDS

"The Kingdom of the Netherlands is of the opinion that the provisions regarding the settlement of disputes, as laid down in Article 66 of the Convention, are an important part of the Convention and that they cannot be separated from the substantive rules with which they are connected. Consequently, the Kingdom of the Netherlands considers it necessary to object to any reservation which is made by another State and whose aim is to exclude the application, wholly or in part, of the provisions regarding the settlement of disputes. While not objecting to the entry into force of the Convention between the Kingdom of the Netherlands and such a State, the Kingdom of the Netherlands considers that their treaty relations will not include the provisions of Part V of the Convention with regard to which the application of the procedures regarding the settlement of disputes, as laid down in Article 66, wholly or in part is excluded.

The Kingdom of the Netherlands considers that the absence of treaty relations between the Kingdom of the Netherlands and such a State with regard to all or certain provisions of Part V will not in any way impair the duty of the latter to fulfil any obligation embodied in those provisions to which it is subject under international law independently of the Convention.

For the reasons set out above, the Kingdom of the Netherlands objects to the reservation of the Syrian Arab Republic, according to which its accession to the Convention shall not include the Annex, and to the reservation of Tunisia, according to which the submission to the International Court of Justice of a dispute referred to in Article 66 (a) requires the consent of all parties there to. Accordingly, the treaty relations between the Kingdom of the Netherlands and the Syrian Arab Republic will not include the provisions to which the conciliation procedure in the Annex applies and the treaty relations between the Kingdom of the Netherlands and Tunisia will not include Article 53 and 64 of the Convention."

Objections, identical in essence, *mutatis mutandis*, were also formulated by the Government of the Netherlands in regard to reservations made by various states, as follows:

(i) 25 September 1987: in respect of reservations formulated by the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the German Democratic Republic;

(ii) 14 July 1988: in respect of reservations made by the Government of Bulgaria, Czechoslovakia and Hungary;

(iii) 28 July 1988: in respect of one of the reservations made by Mongolia;

(iv) 30 January 1989: in respect of the reservation made by Algeria.

v) 14 September 1998: in respect of the reservation to article 66 made by Guatemala.

15 November 1999

*In regard to the reservation made by Cuba upon accession:*

"In conformity with the terms of the objections the Kingdom of the Netherlands must be deemed to have objected to the reservation, excluding wholly or in part the procedures for the settlement of disputes, contained in article 66 of the Convention, as formulated by Cuba.

Accordingly, the treaty relations between the Kingdom of the Netherlands and Cuba under the Convention do not include any of the provisions contained in Part V of the Convention.

The Kingdom of the Netherlands reiterates that the absence of treaty relations between itself and Cuba in respect of Part V of the Convention will not in any way impair the duty of Cuba to fulfil any obligation embodied in those provisions to which it is subject under international law independent of the Convention."

#### NEW ZEALAND

14 October 1971

". . . The New Zealand Government objects to the reservation entered by the Government of Syria to the obligatory conciliation procedures contained in the Annex to the Vienna Convention on the Law of Treaties and does not accept the entry into force of the Convention as between New Zealand and Syria."

10 August 1972

". . . The New Zealand Government objects to the reservation entered by the Government of Tunisia in respect of Article 66 (a) of the Convention and does not consider New Zealand to be in treaty relations with Tunisia in respect of those provisions of the Convention to which the dispute settlement procedure provided for in Article 66 (a) is applicable."

#### SWEDEN

4 February 1975

"Article 66 of the Convention contains certain provisions regarding procedures for judicial settlement, arbitration and conciliation. According to these provisions a dispute concerning the application or the interpretation of articles 53 or 64, which deal with the so called *jus cogens*, may be submitted to the International Court of Justice. If the dispute concerns the application or the interpretation of any of the other articles in Part V of the Convention, the conciliation procedure specified in the Annex to the Convention may be set in motion.

"The Swedish Government considers that these provisions regarding the settlement of disputes are an important part of the Convention and that they cannot be separated from the substantive rules with which they are connected. Consequently, the Swedish Government considers it necessary to raise objections to any reservation which is made by another State and whose aim is to exclude the application, wholly or in part, of the provisions regarding the settlement of disputes. While not objecting to the entry into force of the Convention between Sweden and such a State, the Swedish Government considers that their treaty relations will not include either the procedural provision in respect of which a reservation has been made or the substantive provisions to which that procedural provision relates.

"For the reasons set out above, the Swedish Government objects to the reservation of the Syrian Arab Republic, according to which its accession to the Convention shall not include the Annex, and to the reservation of Tunisia, according to which the dispute referred to in article 66 (a) requires the consent of all parties thereto in order to be submitted to the International Court of Justice for a decision. In view of these reservations, the Swedish Government considers, *firstly*, that the treaty relations between Sweden and the Syrian Arab Republic will not include those provisions of Part V of the Convention to which the conciliation procedure in the Annex applies and, *secondly*, that the treaty relations between Sweden and Tunisia will not include articles 53 and 64 of the Convention.

"The Swedish Government has also taken note of the declaration of the Syrian Arab Republic, according to which it interprets the expression "the threat or use of force" as used in article 52 of the Convention so as to extend also to the employment of

economic, political, military and psychological coercion and to all types of coercion constraining a State to conclude a treaty against its wishes or its interests. On this point, the Swedish Government observes that since article 52 refers to threat or use of force in violation of the principles of international law embodied in the Charter of the United Nations, it should be interpreted in the light of the practice which has developed or will develop on the basis of the Charter."

16 September 1998

*In regard to reservations made by Guatemala upon ratification:*

"The Government of Sweden is of the view that these reservations raise doubts as to their compatibility with the object and purpose of the Convention. The reservations refer almost exclusively to general rules of the Vienna Convention on the Law of Treaties, many of which are solidly based on customary international law. The reservations could call into question well established and universally accepted norms.

The Government of Sweden notes in particular that the Government of Guatemala has entered a reservation that it would apply the provisions contained in article 38 of the Convention only in cases where it considered that it was in the national interest to do so; and furthermore a reservation with respect to article 27 of the Convention, to the effect that the article is understood to refer to the provisions of the secondary legislation of Guatemala and not to those of its Political Constitution, which take precedence over any law or treaty.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid reservations made by the Government of Guatemala to the [said] Convention.

This objection does not preclude the entry into force of the Convention between Guatemala and Sweden. The Convention will thus become operative between the two States without Guatemala benefiting from this reservation."

17 November 1999

*In regard to the reservation made by Cuba upon accession:*

"The Government of Sweden wishes to recall its statements of the 4th of February 1975, made in connection with its ratification of the Convention, relating to the accession of the Syrian Arab Republic and the Republic of Tunisia respectively, which reads as follows:

"Article 66 of the Convention contains certain provisions regarding procedures for judicial settlement, arbitration and conciliation. According to these provisions a dispute concerning the application or the interpretation of articles 53 or 64, which deal with the so called *jus cogens*, may be submitted to the International Court of Justice. If the dispute concerns the application or the interpretation of any of the other articles in Part V of the Convention, the conciliation procedure specified in the Annex to the Convention may be set in motion.

The Swedish Government considers that these provisions regarding the settlement of disputes are an important part of the Convention and that they cannot be separated from the substantive rules with which they are connected. Consequently, the Swedish Government considers it necessary to raise objections to any reservation which is made by another State and whose aim is to exclude the application, wholly or in part, of the provisions regarding the settlement of disputes. While not objecting to the entry into force of the Convention between Sweden and such a State, the Swedish Government considers that their treaty relations will not include either the procedural provision in respect of which a reservation has been made or the substantive provisions to which that procedural provision relates."



For the reasons set out above, which also apply to the reservation made by the Republic of Cuba, the Swedish Government objects to the reservation entered by the Government of the Republic of Cuba to the Vienna Convention on the Law of Treaties."

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The United Kingdom does not accept that the interpretation of Article 52 put forward by the Government of Syria correctly reflects the conclusions reached at the Conference of Vienna on the subject of coercion; the Conference dealt with this matter by adopting a Declaration on this subject which forms part of the Final Act;

"The United Kingdom objects to the reservation entered by the Government of Syria in respect of the Annex to the Convention and does not accept the entry into force of the Convention as between the United Kingdom and Syria;

"With reference to a reservation in relation to the territory of British Honduras made by Guatemala on signing the Convention, the United Kingdom does not accept that Guatemala has any rights or any valid claim with respect to that territory; "The United Kingdom fully reserves its position in other respects with regard to the declarations made by various States on signature, to some of which the United Kingdom would object, if they were to be confirmed on ratification."

22 June 1972

". . . The United Kingdom objects to the reservation entered by the Government of Tunisia in respect of Article 66 (a) of the Convention and does not accept the entry into force of the Convention as between the United Kingdom and Tunisia."

7 December 1977

"The Government of the United Kingdom of Great Britain and Northern Ireland note that the instrument of ratification of the Government of Finland, which was deposited with the Secretary-General on 19 August 1977, contains a declaration relating to paragraph 2 of article 7 of the Convention. The Government of the United Kingdom wish to inform the Secretary-General that they do not regard that declaration as in any way affecting the interpretation or application of article 7."

5 June 1987

"The Government of the United Kingdom of Great Britain and Northern Ireland object to the reservation entered by the Government of the Union of Soviet Socialist Republics by which it rejects the application of article 66 of the Convention. Article 66 provides in certain circumstances for the compulsory settlement of disputes by the International Court of Justice (in the case of disputes concerning the application or interpretation of articles 53 or 64) or by a conciliation procedure (in the case of the rest of Part V of the Convention). These provisions are inextricably linked with the provisions of Part V to which they relate. Their inclusion was the basis on which those parts of Part V which represent progressive development of international law were accepted by the Vienna Conference. Accordingly the United Kingdom does not consider that the treaty relations between it and the Soviet Union include Part V of the Convention.

With respect to any other reservation the intention of which is to exclude the application, in whole or in part, of the provisions of article 66, to which the United Kingdom has already objected or which is made after the reservation by the Government of the Union of Soviet Socialist Republics, the United Kingdom will not consider its treaty relations with the State which has formulated or will formulate such a reservation as including those provisions of Part V of the Convention with regard to which the application of article 66 is rejected by the reservation.

The instrument of accession deposited by the Union of Soviet Socialist Republics included also a declaration that it reserves the right to take "any measures" to safeguard its interests in the event of the non-observance by other States of the provisions of the Convention. The purpose and scope of this statement is unclear; but, given that the Union of Soviet Socialist Republics has rejected the application of article 66 of the Convention, it would seem to apply rather to acts by Parties to the Convention in respect of treaties where such acts are in breach of the Convention. In such circumstances a State would not be limited in its response to the measures in article 60: under customary international law it would be entitled to take other measures, provided always that they are reasonable and in proportion to the breach."

11 October 1989

*With regard to the reservation made by Algeria upon accession:*

"The Government of the United Kingdom wish in this context to recall their declaration of 5 June 1987 [in respect of the accession of the Union of Soviet Socialist Republics] which in accordance with its terms applies to the reservations mentioned above, and will similarly apply to any like reservations which any other State may formulate."

#### UNITED STATES OF AMERICA

26 May 1971

The Government of the United States of America objects to reservation E of the Syrian instrument of accession:

"In the view of the United States Government that reservation is incompatible with the object and purpose of the Convention and undermines the principle of impartial settlement of disputes concerning the invalidity, termination, and suspension of the operation of treaties, which was the subject of extensive negotiation at the Vienna Conference.

"The United States Government intends, at such time as it may become a party to the Vienna Convention on the Law of Treaties, to reaffirm its objection to the foregoing reservation and to reject treaty relations with the Syrian Arab Republic under all provisions in Part V of the Convention with regard to which the Syrian Arab Republic has rejected the obligatory conciliation procedures set forth in the Annex to the Convention.

"The United States Government is also concerned about Syrian reservation C declaring that the Syrian Arab Republic does not accept the non-applicability of the principle of a fundamental change of circumstances with regard to treaties establishing boundaries, as stated in Article 62, 2 (a), and Syrian reservation D concerning its interpretation of the expression 'the threat or use of force' in Article 52. However, in view of the United States Government's intention to reject treaty relations with the Syrian Arab Republic under all provisions in Part V to which reservations C and D relate, we do not consider it necessary at this time to object formally to those reservations.

"The United States Government will consider that the absence of treaty relations between the United States of America and the Syrian Arab Republic with regard to certain provisions in Part V will not in any way impair the duty of the latter to fulfil any obligation embodied in those provisions to which it is subject under international law independently of the Vienna Convention on the Law of Treaties."

29 September 1972

". . . The United States of America objects to the reservation by Tunisia to paragraph (a) of Article 66 of the Vienna Convention on the Law of Treaties regarding a dispute as to the interpretation or application of Article 53 or 64. The right of a party to invoke the provisions of Article 53 or 64 is inextricably linked with the provisions of Article 42 regarding impeachment of the validity of a treaty and paragraph (a) of Article 66 regarding the right of any party to submit to the International Court of

Justice for decision any dispute concerning the application or the interpretation of Article 53 or 64.

"Accordingly, the United States Government intends, at such time as it becomes a party to the Convention, to reaffirm its objection to the Tunisian reservation and declare that it will not consider that Article 53 or 64 of the Convention is in force between the United States of America and Tunisia."-

19 November 1999

*With regard to the reservation made by Cuba upon accession:*

"The Government of the United Kingdom of Great Britain and Northern Ireland objects to the reservation [...]. The Gov-

ernment of the United Kingdom wishes in this context to recall their declaration of 5 June 1987 (in respect of the accession of the Union of Soviet Socialist Republics) which in accordance with its terms applies to the reservation mentioned above, and will apply similarly to any like reservation which any other State may formulate. Accordingly the United Kingdom does not consider that the treaty relations between it and the Republic of Cuba include Part V of the Convention."

**List of conciliators nominated for the purpose of constituting a conciliation commission in accordance with paragraphs 1 and 2 of the Annex to the Convention (For the list of conciliators whose nomination was not renewed, see footnote 13 hereinafter).**

<i>Participant</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Austria	Dr. Karl Zemanek, Professor of International Law University of Vienna	1 Feb 1990 <sup>16</sup>
	Dr. Helmut Tuerk, Legal Advisor Federal Ministry for Foreign Affairs	1 Feb 1990
Croatia	Dr. Stanko Nick	
	Professor Dr. Budislav Vukas	14 Dec 1992
Denmark	Prof. Isi Foighel	7 Mar 1995 <sup>16</sup>
	Ambassador Skjold Gustav Mellbin	7 Mar 1995
Paraguay	Dr. Luis María Ramírez Boettner	22 Sep 1994
	Dr. Jerónimo Irala Burgos	
Sweden	Mr. Hans Danelius	
	Mr. Love Gustav-Adolf Kellberg	17 Feb 1994 <sup>16</sup>
the former Yugoslav Republic of Macedonia	Mrs. Elena Andreevska Director of the Directorate on International Law	3 Mar 1999

**Notes:**

<sup>1</sup> *Official Records of the General Assembly, Twenty-first Session, Supplement No. 16 (A/6316)*, p. 95.

<sup>2</sup> *Ibid.*, *Twenty-second Session, Supplement No. 16 (A/6716)*, p. 80.

<sup>3</sup> Signed on behalf of the Republic of China on 27 April 1970. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

In a communication addressed to the Secretary-General with reference to the above-mentioned signature, the Permanent Mission of the Union of Soviet Socialist Republics stated that the said signature was irregular since the so-called "Government of China" represented no one and had no right to speak on behalf of China, there being only one Chinese State in the world—the People's Republic of China.

The Permanent Mission of Bulgaria to the United Nations later addressed to the Secretary-General a similar communication.

In two letters addressed to the Secretary-General in regard to the above-mentioned communications, the Permanent Representative of China to the United Nations stated that the Republic of China, a sovereign State and Member of the United Nations, had attended the United Nations Conference on the Law of Treaties in 1968 and 1969, contributed to the formulation of the Convention concerned and signed it, and that "any statements or reservations to the said Convention that are incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China as a signatory of the said Convention".

<sup>4</sup> Czechoslovakia had acceded to the Convention on 29 July 1987, with a reservation. By a communication received on 19 October 1990, the Government of Czechoslovakia notified the Secretary-General of

its decision to withdraw the reservation made upon accession with respect to article 66 of the Convention, which reads as follows:

The Czechoslovak Socialist Republic does not consider itself bound by the provisions of article 66 of the Convention and declares that, in accordance with the principle of sovereign equality of States, for any dispute to be submitted to the International Court of Justice or to a conciliation procedure, the consent of all the parties to the dispute is required in each separate case.

See also note 11 in chapter I.2.

<sup>5</sup> The German Democratic Republic had acceded to the Convention on 20 October 1986 with the following reservation and declarations:

*Reservation:*

The German Democratic Republic does not consider itself bound by the provisions of article 66 of the Convention.

In order to submit a dispute concerning the application or the interpretation of article 53 or 64 to the International Court of Justice for a decision or to submit a dispute on the application or the interpretation of any of the other articles of Part V of the Convention to the Conciliation Commission for consideration it shall be necessary in every single case to have the consent of all Parties to the dispute. The members of the Conciliation commission shall be appointed jointly by the Parties to the dispute.

*Declarations:*

The German Democratic Republic declares that it reserves itself the right to take measures to protect its interests in the case that other States would not comply with the provisions of the Convention.

The German Democratic Republic holds the view that the provisions of articles 81 and 83 of the Convention are in contradiction to the principle according to which any State, the policy of which is guided by the purposes and principles of the United Nations Charter, has the right to become a Party to Conventions affecting the interests of all States.

See also note 14 in chapter I.2.

<sup>6</sup> In a note accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the Convention shall also apply to Land Berlin, subject to the rights and responsibilities of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 5 above.

<sup>7</sup> See note 8 in chapter I.1.

<sup>8</sup> With reference to this signature, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Bulgaria, Mongolia and the Union of Soviet Socialist Republics, stating that the said signature was illegal inasmuch as the South Korean authorities could not under any circumstances speak on behalf of Korea.

In a communication addressed to the Secretary-General the Permanent Observer of the Republic of Korea to the United Nations declared that the above-mentioned statement by the Permanent Mission of the Union of Soviet Socialist Republics was without legal foundation and therefore neither affected the legitimate act of signing the Convention by the Government of the Republic of Korea nor prejudiced the rights and obligations of the Republic of Korea under it. He further stated that "in this connexion, it should be noted that the General Assembly of the United Nations declared at its third session and has continuously reaffirmed thereafter that the Government of the Republic of Korea is the only lawful Government in Korea".

<sup>9</sup> On 18 February 1993, the Government of Belgium notified the Secretary-General that its instrument of accession should have specified that the said accession was made subject to the said reservation. None of the Contracting Parties to the Agreement having notified the Secretary-General of an objection either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date its circulation (23 March 1993), the reservation is deemed to have been accepted.

<sup>10</sup> In a notification received on 6 May 1994, the Government of Bulgaria notified the Secretary-General that it had decided to withdraw the reservation made upon accession with regard to article 66 (a), which read as follows:

The People's Republic of Bulgaria does not consider itself bound by the provision of article 66, paragraph a) of the Convention, according to which any one of the parties to a dispute concerning the application or the interpretation of article 53 or 64 may, by a written application, submit it to the International Court of Justice for a decision unless the parties by common consent agree to submit the dispute to arbitration. The Government of the People's Republic of Bulgaria states that for the submission of such a dispute to the International Court of Justice for a decision, the preliminary consent of all parties to the dispute is needed.

<sup>11</sup> In this regard, on 13 October 1998, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication:

"The Government of the United Kingdom object to the reservation entered by Costa Rica in respect of article 27 and reiterate their observation in respect of the similar reservation entered by the Republic of Guatemala." (See note 12 in this chapter)

<sup>12</sup> In this regard, the Secretary-General received communications from the various States on the dates indicated hereinafter:

*Germany (21 September 1998):*

These reservations refer almost exclusively to general rules of the Convention many of which are solidly based on customary international law.

The reservations could call into question well-established and universally-accepted norms of international law, especially insofar as the reservations concern articles 27 and 38 of the Convention. The Government of the Federal Republic of Germany is of the view that the reservations also raise doubts as to their compatibility with the object and purpose of the Convention. The Government of the Federal Republic of Germany therefore objects to these reservations.

This objection does not preclude the entry into force of the Convention between Germany and Guatemala.

*Belgium (30 September 1998):*

The reservations entered by Guatemala essentially concern general rules laid down in the [said Convention], many of which form part of customary international law. These reservations could call into question firmly established and universally accepted norms. The Kingdom of Belgium therefore raises an objection to the reservations. This objection does not prevent the [said Convention] from taking effect between the Kingdom of Belgium and Guatemala.

*United Kingdom of Great Britain and Northern Ireland (13 October 1998):*

"The Government of the United Kingdom of Great Britain and Northern Ireland object to the reservation entered by the Republic of Guatemala in respect of article 27, and wish to observe that the customary international law rule set out in that article applies to constitutional as well as to other internal laws.

The Government of the United Kingdom object also to the reservation entered by the Republic of Guatemala in respect of article 38, by which the Republic of Guatemala seek subjective application of the rule of customary international law set out in that article.

The Government of the United Kingdom wish to recall their declaration of 5 June 1987 (in respect of the accession of the Union of Soviet Socialist Republics), which, in accordance with its terms, applies to the reservation entered by the Republic of Guatemala in respect of article 66 and will similarly apply to any like reservation which any other State may formulate."

<sup>13</sup> In a communication received on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw as from that date, its reservation regarding article 66 made upon accession which reservation reads as follows:

The Hungarian People's Republic does not consider itself bound by the provisions of article 66 of the Vienna Convention on the Law of Treaties and declares that submission of a dispute concerning the application or the interpretation of article 53 or 64 to the International Court of Justice for a decision or submission of a dispute concerning the application or the interpretation of any articles in Part V of the Convention to a conciliation commission for consideration shall be subject to the consent of all the parties to the dispute and that the conciliators constituting the conciliation commission shall have been nominated exclusively with the common consent of the parties to the dispute.

<sup>14</sup> In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation made upon accession, which reads as follows:

1. The Mongolian People's Republic does not consider itself bound by the provisions of article 66 of the Convention.

The Mongolian People's Republic declares that submission of any dispute concerning the application or the interpretation of articles 53 and 64 to the International Court of Justice for a decision as well as submission of any dispute concerning the application or the interpretation of any other articles in Part V of the Convention to a conciliation commission for consideration shall be subject to the consent of all the parties to the dispute in each separate case, and that the conciliators constituting the conciliation commission shall be appointed by the parties to the dispute by common consent.

2. The Mongolian People's Republic is not obligated by the provisions of article 45 (b) of the Vienna Convention on the Law of Treaties, since they are contrary to established international practice.

<sup>15</sup> The nomination of the conciliators listed hereinafter was not renewed after five years. For the date of their nomination and their titles, see the preceding editions of the present publication:

<i>State</i>	<i>Conciliators</i>
Australia	Mr. Patrick Brazil
Austria	Professor Stephen Verosta M. Criton Tomaritis - Mr. Michalakis Triantafillides -
Cyprus	Mrs. Stella Soulioti
Denmark	Ambassador Paul Fischer
Finland	Professor Isi Foighel - Professor Erik Castrén
Germany*	Professor Thomas Oppermann -
Iran (Islamic Republic of)	Professor Günther Jaenicke Mr. Morteza Kalantarian
Italy	Professor Riccardo Monaco - Professor Luigi Ferrari-Bravo
Japan	Professor Shigejiro Tabata - Professor Shigejiro Tabata -
Kenya	Judge Masato Fujisaki Professor Shigejiro Tabata - Judge Masato Fujisaki
Mexico	Mr. Antonio Gomez Robledo - Mr. César Sepúlveda - Ambassador Alfonso de Rosenzweig-Díaz
Morocco	Mr. Abdelaziz Amine Filali - Mr. Ibrahim Keddara -
Netherlands	Mr. Abdelaziz Benjhelloun Professor W. Riphagen - Professor A.M. Stuyt

<i>State</i>	<i>Conciliators</i>
Panama	Mr. Jorge E. Illueca - Mr. Nanader A. Pitty Velasquez
Spain	Professor Manuel Díez de VelascoVallejo Professor Julio Diego González Campos - Mr. Gunnar Lagergren - Mr. Ivan Wallenberg
Sweden	Professor R.Y. Jennings -
United Kingdom of Great Britain and Northern Ireland	Sir Ian Sinclair Dr. Milan Bulajic - Dr. Milivoj Despot - Dr. Budislav Vukas - Dr. Borut Bohte
Yugoslavia	
*See note 5 above.	

<sup>16</sup> Designation renewed on that date for a term of five years.

<sup>17</sup> On 24 February 1998, the Secretary-General received from the Government of Guatemala the following communication:

Guatemala maintains a territorial dispute over the illegal occupation of part of its territory by the Government of the United Kingdom of Great Britain and Northern Ireland, succeeded by the Government of Belize, and Guatemala therefore continues to assert a valid claim based on international law which must be settled by restoring to it the territory which historically and legally belongs to it.

## 2. VIENNA CONVENTION ON SUCCESSION OF STATES IN RESPECT OF TREATIES

*Vienna, 23 August 1978*

**ENTRY INTO FORCE:** 6 November 1996, in accordance with article 49 (1).  
**REGISTRATION:** 6 November 1996, No. 33356.  
**STATUS:** Signatories: 20. Parties: 17.  
**TEXT:** Doc. United Nations Conference on the Succession of States in respect of treaties--Official Documents--Volume III--Conference Documents (United Nations publications, Sales No. F.79.V.10).

*Note:* The Convention was adopted on 22 August 1978 by the United Nations Conference on the Succession of States in respect of Treaties and was opened for signature at Vienna from 23 August 1978 to 28 February 1979, then at the Headquarters of the United Nations, in New York until 31 August 1979. The Conference was convened pursuant to General Assembly resolution 3496 (XXX)<sup>1</sup> of 15 December 1975. The Conference held two sessions, both at the Neue Hofburg in Vienna, the first session from 4 April to 6 May 1977 and the second session from 31 July to 23 August 1978. In addition to the Convention, the Conference adopted the Final Act and certain resolutions, which are annexed to that Act. By unanimous decisions of the Conference, the original of the Final Act was deposited in the archives of the Federal Ministry for Foreign Affairs of Austria.

<i>Participant<sup>2</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>2</sup></i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Succession (d)</i>
Angola . . . . .	23 Aug 1978		Pakistan . . . . .	10 Jan 1979	
Bosnia and Herzegovina . . . . .		22 Jul 1993 d	Paraguay . . . . .	31 Aug 1979	
Brazil . . . . .	23 Aug 1978		Peru . . . . .	30 Aug 1978	
Chile . . . . .	23 Aug 1978		Poland . . . . .	16 Aug 1979	
Côte d'Ivoire . . . . .	23 Aug 1978		Saint Vincent and the Grenadines . . . . .		27 Apr 1999 a
Croatia . . . . .		22 Oct 1992 d	Senegal . . . . .	23 Aug 1978	
Czech Republic <sup>3</sup> . . . . .	22 Feb 1993 d	26 Jul 1999	Seychelles . . . . .		22 Feb 1980 a
Democratic Republic of the Congo . . . . .	23 Aug 1978		Slovakia <sup>3</sup> . . . . .	28 May 1993 d	24 Apr 1995
Dominica . . . . .		24 Jun 1988 a	Slovenia . . . . .		6 Jul 1992 d
Egypt . . . . .		17 Jul 1986 a	Sudan . . . . .	23 Aug 1978	
Estonia . . . . .		21 Oct 1991 a	the former Yugoslav Republic of Macedonia . . . . .		7 Oct 1996 d
Ethiopia . . . . .	23 Aug 1978	28 May 1980	Tunisia . . . . .		16 Sep 1981 a
Holy See . . . . .	23 Aug 1978		Ukraine . . . . .		26 Oct 1992 a
Iraq . . . . .	23 May 1979	5 Dec 1979	Uruguay . . . . .	23 Aug 1978	
Madagascar . . . . .	23 Aug 1978		Yugoslavia . . . . .	6 Feb 1979	28 Apr 1980
Morocco . . . . .		31 Mar 1983 a			
Niger . . . . .	23 Aug 1978				

### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

#### **CZECH REPUBLIC**

Pursuant to Article 7, paragraph 2 and 3, of the Vienna Convention on Succession of States in respect of Treaties, adopted in Vienna on August 23, 1978, the Czech Republic declares that it will apply the provisions of the Convention in respect of its own succession of States which has occurred before the entry into force of the Convention in relation to any other Contracting State of State Party to the Convention accepting the declaration.

The Czech Republic simultaneously declares its acceptance or the declaration made by the Slovak Republic at the time of its ratification of the Convention pursuant to Article 7, paragraph 2 and 3 thereof.

#### **IRAQ<sup>4</sup>**

"Entry into the above Convention by the Republic of Iraq shall, however, in no way signify recognition of Israel or entry into any agreement therewith."

#### **MOROCCO<sup>4</sup>**

##### *Reservation:*

The accession of Morocco to this Convention does not mean in any way recognition of Israel by the Government of the Kingdom of Morocco and that furthermore, no treaty relations will arise between the State of Morocco and Israel.

## SLOVAKIA

### *Declaration:*

The Slovak Republic declares, under article 7, paragraphs 2 and 3 of [the said] Convention, that it will apply the provisions of the Convention in respect of its own succession which has

occurred before the entry into force of the Convention in relation to any signatory State (paragraph 3), contracting State or State Party (paragraphs 2 and 3) which makes a declaration accepting the declaration of the successor State.

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### *Notes:*

<sup>1</sup> *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10 (A/9610/Rev.1).*

<sup>2</sup> The German Democratic Republic had signed the Convention on 22 August 1979. See also note 14 in chapter I.2.

<sup>3</sup> Czechoslovakia had signed the Convention on 30 August 1979. See also note 11 in chapter I.2.

<sup>4</sup> The Secretary-General received on 23 June 1980 from the Government of Israel the following communication concerning this declaration:

"The Government of Israel has noted the political character of the statement made by the Government of Iraq. In the view of the

Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions. Insofar as concerns the substance of the matter, the Government of Israel will adopt towards the Government of Iraq an attitude of complete reciprocity."

Subsequently, on 23 May 1983, the Secretary-General received from the Government of Israel a declaration concerning the declaration made by Morocco, identical in essence, *mutatis mutandis*, as the one made regarding the declaration made by Iraq.

**3. VIENNA CONVENTION ON THE LAW OF TREATIES BETWEEN STATES AND  
INTERNATIONAL ORGANIZATIONS OR BETWEEN INTERNATIONAL ORGANIZATIONS**

*Vienna, 21 March 1986*

**NOT YET IN FORCE:** [see article 85(1)].  
**STATUS:** Signatories: 38. Parties: 26.  
**TEXT:** Doc. A/CONF.129/15.

*Note:* The Convention was open for signature by all States, Namibia and international organizations invited to the Conference, until 31 December 1986 at the Federal Ministry for Foreign Affairs of the Republic of Austria, and subsequently, until 30 June 1987, at the United Nations Headquarters in New York.

<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Formal confirmation (c), Succession (d)</i>	<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Accession (a), Formal confirmation (c), Succession (d)</i>
Argentina.....	30 Jan 1987	17 Aug 1990	Italy.....	17 Dec 1986	20 Jun 1991
Australia.....		16 Jun 1993 a	Japan.....	24 Apr 1987	
Austria.....	21 Mar 1986	26 Aug 1987	Liechtenstein.....		8 Feb 1990 a
Belgium.....	9 Jun 1987	1 Sep 1992	Malawi.....	30 Jun 1987	
Benin.....	24 Jun 1987		Mexico.....	21 Mar 1986	10 Mar 1988
Bosnia and Herzegovi- na.....	12 Jan 1994 d		Morocco.....	21 Mar 1986	
Brazil.....	21 Mar 1986	10 Mar 1988 a	Netherlands <sup>3</sup> .....	12 Jun 1987	18 Sep 1997
Bulgaria.....			Republic of Korea... Republic of Moldova.	29 Jun 1987	26 Jan 1993 a
Burkina Faso.....	21 Mar 1986		Senegal.....	9 Jul 1986	6 Aug 1987
Côte d'Ivoire.....	21 Mar 1986		Slovakia <sup>1</sup> .....		28 May 1993 d
Council of Europe... Croatia.....	11 May 1987	11 Apr 1994 a	Spain.....		24 Jul 1990 a
Cyprus.....	29 Jun 1987	5 Nov 1991	Sudan.....	21 Mar 1986	
Czech Republic <sup>1</sup> .....		22 Feb 1993 d	Sweden.....	18 Jun 1987	10 Feb 1988
Democratic Republic of the Congo....	21 Mar 1986		Switzerland.....		7 May 1990 a
Denmark.....	8 Jun 1987	26 Jul 1994	United Kingdom of Great Britain and Northern Ireland .	24 Feb 1987	20 Jun 1991
Egypt.....	21 Mar 1986	21 Oct 1991 a	United Nations.....	12 Feb 1987	21 Dec 1998 c
Estonia.....			United Nations Educa- tional, Scientific and Cultural Orga- nization.....	23 Jun 1987	
Food and Agriculture Organization of the United Nations... Germany <sup>2</sup> .....	29 Jun 1987	20 Jun 1991	United States of Amer- ica.....	26 Jun 1987	10 Mar 1999 a
Greece.....	27 Apr 1987	28 Jan 1992	Uruguay.....		
Hungary.....	15 Jul 1986	17 Aug 1988 a	World Health Organi- zation.....	30 Apr 1987	
International Civil Avi- ation Organization	29 Jun 1987		World Meteorological Organization....	30 Jun 1987	
International Labour Organisation....	31 Mar 1987		Yugoslavia.....	21 Mar 1986	
International Maritime Organization....	30 Jun 1987		Zambia.....	21 Mar 1986	
International Telecom- munication Union	29 Jun 1987				

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification,  
accession or formal confirmation. For objections thereto, see hereinafter.)*

**BELGIUM<sup>4</sup>**

21 June 1993

the Convention with regard to any party which, in formulating a reservation concerning article 66 (2), objects to the settlement procedure established by this article.

**Reservation:**

The Belgian State will not be bound by articles 53 and 64 of

## BULGARIA<sup>5</sup>

### *Declaration on article 2, paragraph 1, sub-paragraph j:*

The People's Republic of Bulgaria considers that the practice of an individual International Organization may be considered as established according to article 2, paragraph 1, sub-paragraph j, only when it has been adopted as such by all Member States of this Organization.

### *Declaration on article 62, paragraph 2:*

The People's Republic of Bulgaria considers that the term "Boundary" as it is used in the text of article 62, paragraph 2, means State Boundary and it may be established only by States.

### *Declaration on article 74, paragraph 3:*

The People's Republic of Bulgaria considers that a treaty which an International Organization is a party to, may establish obligations for Members States of this Organization only if the Member States have expressed their consent in advance in each individual case.

## DENMARK

### *Reservation:*

... Where parties formulate reservations or partial reservations with respect to the provisions of article 66 of the Convention concerning the obligatory settlement of certain disputes, Denmark does not consider itself bound by the provisions of Part V of the Convention whereby the procedures for settlement set forth in article 66 shall not be applied if reservations have been formulated by other parties.

## GERMANY

### *Declarations:*

1. The Federal Republic of Germany presumes that the jurisdiction of the International Court of Justice brought about by consent of States outside the [said] Convention cannot be ex-

cluded by invoking the provisions of article 66, paragraph 4 of the Convention.

2. The Federal Republic of Germany interprets "measures taken in conformity with the Charter of the United Nations" as referred to in article 76 of the [said] Convention to mean decisions taken in future by the United Nations Security Council in conformity with Chapter VII of the Charter on the maintenance of international peace and security.

## HUNGARY<sup>6</sup>

## NETHERLANDS

### *Declaration:*

"The Kingdom of the Netherlands does not regard the provisions of article 66 (b), (c) and (d) of the Convention as providing 'some other method of peaceful settlement' within the meaning of the declaration of the Kingdom of the Netherlands accepting as compulsory the jurisdiction of the International Court of Justice which was deposited with the Secretary-General of the United Nations on 1 August 1956;

The Kingdom of the Netherlands is of the opinion that the provisions regarding the settlement of disputes, as laid down in article 66 of the Convention, are in important part of the Convention and that they cannot be separated from the substantive rules with which they are connected."

## SENEGAL

### *Upon signature:*

In signing this Convention, [the Government of Senegal declares] that the completion of this formality shall not be interpreted in so far as Senegal is concerned as a recognition of the right of international organizations to appear as parties before the International Court of Justice.

### *Objections*

*(Unless otherwise indicated, the objections were made upon ratification, accession or formal confirmation.)*

## GERMANY

The Federal Republic of Germany rejects the reservation made by the Republic of Bulgaria with regard to article 66, paragraph 2 of the Vienna Convention on the Law of Treaties between States and International Organizations or between

International Organizations as incompatible with the object and purpose of the said Convention. In this connection it wishes to point out that the Federal Republic of Germany considers articles 53 and 64 of the Convention, on the one hand, and article 66, paragraph 2, on the other, to be inextricably linked.

### *Notes:*

<sup>1</sup> Czechoslovakia had acceded to the Convention on 19 October 1990. See also note 11 in chapter I.2.

<sup>2</sup> See note 14 in chapter I.2.

<sup>3</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>4</sup> On 18 February 1993, the Government of Belgium notified the Secretary-General that its instrument of ratification should have specified that the said ratification was made subject to the said reservation. None of the Contracting Parties to the Agreement having notified the Secretary-General of an objection either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of its circulation (23 March 1993), the reservation is deemed to have been accepted.

<sup>5</sup> In a notification received on 6 May 1994, the Government of Bulgaria notified the Secretary-General that it had decided to withdraw the reservation made upon accession with regard to article 66, which reads as follows:

The People's Republic of Bulgaria does not consider itself bound by the provisions of article 66, paragraph 2 of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations under the terms of which each party to a dispute concerning the interpretation and application of article 53 and 64 may submit it to the International Court of Justice for a decision. The Government of the People's Republic of Bulgaria declares that submission of such dispute to the International Court of Justice requires the preliminary consent of all parties to it in each individual case.

<sup>6</sup> In a communication received by the Secretary-General on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw its reservation to the Convention with regard to article 66 which reads as follows:

The Hungarian People's Republic does not consider itself bound by the provisions of paragraph 2 (a) of article 66 of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations and declares that submission of



a dispute concerning the application or the interpretation of articles 53 or 64 to the International Court of Justice for a decision or submission of a dispute concerning the application or the interpretation of any articles in Part V of the Convention to a conciliation commission for

consideration shall be subject to the consent of all the parties to the dispute and the conciliators constituting the conciliation commission shall have been nominated exclusively with the common consent of the parties to the dispute.



## CHAPTER XXIV

### OUTER SPACE

#### I. CONVENTION ON REGISTRATION OF OBJECTS LAUNCHED INTO OUTER SPACE

*New York, 12 November 1974*

**ENTRY INTO FORCE:** 15 September 1976, in accordance with article VIII (3).  
**REGISTRATION:** 15 September 1976, No. 15020.  
**STATUS:** Signatories: 25. Parties: 42.  
**TEXT:** United Nations, Treaty Series, vol. 1023, p. 15.

*Note:* The Convention was adopted by resolution 3235 (XXIX)<sup>1</sup> of the General Assembly dated 12 November 1974, pursuant to resolution 3182 (XXVIII)<sup>2</sup> dated 18 December 1973 and taking into account the report of the Committee on the Pacific Uses of Outer Space. The Convention was opened for signature on 14 January 1975.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Antigua and Barbuda.		13 Dec 1988 d	Netherlands <sup>7</sup> . . . . .		26 Jan 1981 a
Argentina . . . . .	26 Mar 1975	5 May 1993	Nicaragua . . . . .	13 May 1975	
Australia . . . . .		11 Mar 1986 a	Niger . . . . .	5 Aug 1976	22 Dec 1976
Austria . . . . .	14 Oct 1975	6 Mar 1980	Norway . . . . .		28 Jun 1995 a
Belarus . . . . .	30 Jun 1975	26 Jan 1978	Pakistan . . . . .	1 Dec 1975	27 Feb 1986
Belgium . . . . .	19 Mar 1975	24 Feb 1977	Peru . . . . .		21 Mar 1979 a
Bulgaria . . . . .	4 Feb 1976	11 May 1976	Poland . . . . .	4 Dec 1975	22 Nov 1978
Burundi . . . . .	13 Nov 1975		Republic of Korea . . .		14 Oct 1981 a
Canada . . . . .	14 Feb 1975	4 Aug 1976	Russian Federation . .	17 Jun 1975	13 Jan 1978
Chile . . . . .		17 Sep 1981 a	Saint Vincent and the Grenadines . . . . .		27 Apr 1999 d
China <sup>3</sup> . . . . .		12 Dec 1988 a	Seychelles . . . . .		28 Dec 1977 a
Cuba . . . . .		10 Apr 1978 a	Singapore . . . . .	31 Aug 1976	
Cyprus . . . . .		6 Jul 1978 a	Slovakia <sup>4</sup> . . . . .		28 May 1993 d
Czech Republic <sup>4</sup> . . . .		22 Feb 1993 d	Spain . . . . .		20 Dec 1978 a
Denmark . . . . .	12 Dec 1975	1 Apr 1977	Sweden . . . . .	9 Jun 1976	9 Jun 1976
France . . . . .	14 Jan 1975	17 Dec 1975	Switzerland . . . . .	14 Apr 1975	15 Feb 1978
Germany <sup>5,6</sup> . . . . .	2 Mar 1976	16 Oct 1979	Ukraine . . . . .	11 Jul 1975	14 Sep 1977
Hungary . . . . .	13 Oct 1975	26 Oct 1977	United Kingdom of Great Britain and Northern Ireland . .	6 May 1975	30 Mar 1978
India . . . . .		18 Jan 1982 a	United States of Amer- ica . . . . .	24 Jan 1975	15 Sep 1976
Indonesia . . . . .		16 Jul 1997 a	Uruguay . . . . .		13 Aug 1977 a
Iran (Islamic Republic of) . . . . .	27 May 1975		Yugoslavia . . . . .		24 Feb 1978 a
Japan . . . . .		20 Jun 1983 a			
Liechtenstein . . . . .		26 Feb 1999 a			
Mexico . . . . .	19 Dec 1975	1 Mar 1977			
Mongolia . . . . .	30 Oct 1975	10 Apr 1985			

#### *Organizations having declared acceptance of the rights and obligations of the Convention (article VII)*

<i>Organization</i>	<i>Date of receipt of the notification</i>
European Space Agency	2 Jan 1979
European Organisation for the Exploitation of Meteorological Satellites	10 Jul 1997

***Territorial Application***

<b><i>Participant</i></b>	<b><i>Date of receipt of the notification</i></b>	<b><i>Territories</i></b>
United Kingdom <sup>3</sup>	30 Mar 1978	Associated States (Antigua, Dominica, St. Kitts Nevis-Anguilla, St. Lucia and St. Vincent). Territories under the territorial sovereignty of the United Kingdom, Solomon Islands, the State of Brunei

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***Notes:***

<sup>1</sup> *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 (A/9631)*, p. 16.

<sup>2</sup> *Ibid.*, Supplement No. 30 (A/9030), p. 19.

<sup>3</sup> On 6 and 10 June 1977, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 4 in chapter IV.1.]*

<sup>4</sup> Czechoslovakia had signed and ratified the Convention on 5 April 1976 and 26 July 1977, respectively. See also note 11 in chapter I.2.

<sup>5</sup> The German Democratic Republic had signed and ratified the Convention on 27 August 1975 and 12 May 1977, respectively. See also note 14 in chapter I.2.

<sup>6</sup> In a communication accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

See also note 5 above.

<sup>7</sup> For the Kingdom in Europe and the Netherlands Antilles. See also note 8 in chapter I.1.

**2. AGREEMENT GOVERNING THE ACTIVITIES OF STATES ON THE MOON AND OTHER  
CELESTIAL BODIES**

*New York, 5 December 1979*

**ENTRY INTO FORCE:** 11 July 1984, in accordance with article 19 (3).  
**REGISTRATION:** 11 July 1984, No. 23002.  
**STATUS:** Signatories: 11. Parties: 9.  
**TEXT:** United Nations, Treaty Series, vol. 1363, p. 3; and depositary notification  
 C.N.107.1981.TREATIES-2 of 27 May 1981 [procès-verbal of rectification of the English  
 authentic text of article 5 (1)].

*Note:* The Agreement was adopted by resolution 34/68<sup>1</sup> of the General Assembly of the United Nations dated 5 December 1979. It was opened for signature on 18 December 1979.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Australia .....		7 Jul 1986 a	Netherlands <sup>2</sup> .....	27 Jan 1981	17 Feb 1983
Austria .....	21 May 1980	11 Jun 1984	Pakistan .....		27 Feb 1986 a
Chile .....	3 Jan 1980	12 Nov 1981	Peru .....	23 Jun 1981	
France .....	29 Jan 1980		Philippines .....	23 Apr 1980	26 May 1981
Guatemala .....	20 Nov 1980		Romania .....	17 Apr 1980	
India .....	18 Jan 1982		Uruguay .....	1 Jun 1981	9 Nov 1981
Mexico .....		11 Oct 1991 a			
Morocco .....	25 Jul 1980	21 Jan 1993			

***Declarations and Reservations***  
*(Unless otherwise indicated, the declarations and reservations were made  
upon ratification or accession.)*

**FRANCE**

*Upon signature:*

*Interpretative statement:*

France is of the view that the provisions of article 3, paragraph 2, of the Agreement relating to the use or threat of force

cannot be construed as anything other than a reaffirmation, for the purposes of the field of endeavour covered by the Agreement, of the principle of the prohibition of the threat or use of force, which States are obliged to observe in their international relations, as set forth in the United Nations Charter.

**Notes:**

<sup>1</sup> Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 46 (A/34/46), p. 77.

<sup>2</sup> For the Kingdom in Europe and the Netherlands Antilles. See also note 8 in chapter I.1.



**CHAPTER XXV**  
**TELECOMMUNICATIONS**

**I. CONVENTION RELATING TO THE DISTRIBUTION OF PROGRAMME-CARRYING  
SIGNALS TRANSMITTED BY SATELLITE**

*Brussels, 21 May 1974*

**ENTRY INTO FORCE:** 25 August 1979, in accordance with article 10 (1).  
**REGISTRATION:** 25 August 1979, No. 17949.  
**STATUS:** Signatories: 19. Parties: 24.  
**TEXT:** United Nations, Treaty Series, vol. 1144, p. 3.

*Note:* The Convention was adopted by the International Conference of States on the Distribution of Programme-Carrying Signals, transmitted by Satellite, convened jointly by the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization. The Conference held discussions on the basis of the Draft Convention drawn up by the Committee of Governmental Experts on Problems in the Field of Copyright and of the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Raised by Transmission via Space Satellites held at Nairobi (Kenya) from 2 to 11 July 1973.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Argentina.....	26 Mar 1975		Mexico.....	21 May 1974	18 Mar 1976
Armenia.....		13 Sep 1993 a	Morocco.....	21 May 1974	31 Mar 1983
Australia.....		26 Jul 1990 a	Nicaragua.....		1 Dec 1975 a
Austria.....	26 Mar 1975	6 May 1982	Panama.....		25 Jun 1985 a
Belgium.....	21 May 1974		Peru.....		7 May 1985 a
Bosnia and Herzegovi- na.....		12 Jan 1994 d	Portugal.....		11 Dec 1995 a
Brazil.....	21 May 1974		Russian Federation ..		20 Oct 1988 a
Costa Rica.....		25 Mar 1999 a	Senegal.....	21 May 1974	
Côte d'Ivoire.....	21 May 1974		Slovenia.....		3 Nov 1992 d
Croatia.....		26 Jul 1993 d	Spain.....	21 May 1974	
Cyprus.....	21 May 1974		Switzerland.....	21 May 1974	24 Jun 1993
France.....	27 Mar 1975		the former Yugoslav Republic of Mace- donia.....		2 Sep 1997 d
Germany <sup>1,2</sup> .....	21 May 1974	25 May 1979	Trinidad and Tobago .		1 Aug 1996 a
Greece.....		22 Jul 1991 a	United States of Amer- ica.....	21 May 1974	7 Dec 1984
Israel.....	21 May 1974		Yugoslavia.....	31 Mar 1975	29 Dec 1976
Italy.....	21 May 1974	7 Apr 1981			
Jamaica.....		12 Oct 1999 a			
Kenya.....	21 May 1974	6 Jan 1976			
Lebanon.....	21 May 1974				

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon  
ratification, accession or succession.)*

**ARGENTINA**

With reference to article 8 (2) the Government of the Argentine Republic states that the words "where the originating organization is a national of another Contracting State" appearing in article 2 (1) are to be considered as if they were replaced by the words "where the signal is emitted from the territory of another Contracting State".

**GERMANY<sup>1</sup>**

The Government of the Federal Republic of Germany herewith declares in pursuance of article 2 (2) of the Convention that the protection accorded pursuant to article 2 (1) is restricted in its territory to a period of 25 years after the expiry of the calendar year in which the transmission by satellite has occurred.

## ITALY

The Italian Government declares, in accordance with the provisions of article 2 (2) of the Convention, that the protection accorded pursuant to article 2 (1) shall be limited in its territory to a period of 25 years following the end of the year in which the satellite transmission took place.

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### *Notes:*

- <sup>1</sup> See note 14 in chapter I.2.
- <sup>2</sup> In a declaration accompanying the instrument of ratification, the Government of the Federal Republic of Germany stated that the Con-

## TRINIDAD AND TOBAGO

### *Declaration:*

"The Government of the Republic of Trinidad and Tobago has decided that the duration of time referred to in article 2 of the said Convention shall be twenty (20) years."

vention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 1 above.



## 2. CONSTITUTION OF THE ASIA-PACIFIC TELECOMMUNITY

*Bangkok, 27 March 1976*

**ENTRY INTO FORCE:** 25 February 1979, in accordance with article 18.  
**REGISTRATION:** 25 February 1979, No. 17583.  
**STATUS:** Signatories: 18. Parties: 34.<sup>1</sup>  
**TEXT:** United Nations, Treaty Series, vol. 1129, p. 3.

*Note:* The Constitution of the Asia-Pacific Telecommunity was adopted on 27 March 1976 by resolution 163 (XXXII)<sup>2</sup> of the Economic and Social Commission for Asia and the Pacific at its thirty-second session, which took place at Bangkok, Thailand, from 24 March 1976 to 2 April 1976. The Constitution was open for signature at Bangkok from 1 April 1976 to 31 October 1976 and at the Headquarters of the United Nations in New York from 1 November 1976 to 24 February 1979.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a)</i>
Afghanistan .....	12 Jan 1977	17 May 1977	Mongolia .....		14 Aug 1991 a
Australia .....	26 Jul 1977	26 Jul 1977	Myanmar .....	20 Oct 1976	9 Dec 1976
Bangladesh .....	1 Apr 1976	22 Oct 1976	Nauru .....	1 Apr 1976	22 Nov 1976
Bhutan .....		23 Jun 1998 a	Nepal .....	15 Sep 1976	12 May 1977
Brunei Darussalam <sup>3</sup> ..		27 Mar 1986 a	New Zealand <sup>4</sup> .....		13 Jan 1993 a
China .....	25 Oct 1976	2 Jun 1977 A	Niue <sup>5</sup> .....		14 Nov 1994 a
Cook Islands .....		21 Jul 1987 a	Pakistan .....	25 Jan 1977	1 Jul 1977
Democratic People's Republic of Korea		22 Feb 1994 a	Palau .....		19 Jun 1996 a
Fiji .....		29 Nov 1999 a	Papua New Guinea ..	29 Sep 1976	17 Dec 1992
India .....	28 Oct 1976	26 Nov 1976	Philippines .....	28 Oct 1976	17 Jun 1977
Indonesia .....		29 Apr 1985 a	Republic of Korea ...	8 Jul 1977	8 Jul 1977
Iran (Islamic Republic of) .....	15 Sep 1976	3 Mar 1980	Singapore .....	23 Jun 1977	6 Oct 1977
Japan .....	22 Mar 1977	25 Nov 1977 A	Sri Lanka .....		3 Oct 1979 a
Lao People's Democratic Republic ...		20 Oct 1989 a	Thailand .....	15 Sep 1976	26 Jan 1979
Malaysia .....	23 Jun 1977	23 Jun 1977	Tonga .....		14 Feb 1992 a
Maldives .....		17 Mar 1980 a	United Kingdom of Great Britain and Northern Ireland <sup>6</sup> ..	31 Aug 1977	31 Aug 1977
Micronesia (Federated States of) .....		28 Dec 1993 a	Viet Nam .....		11 Sep 1979 a

### Notes:

<sup>1</sup> In addition, Macau is an associate Member. The deposit of the instrument of accession on 9 February 1993 was accompanied by a declaration made by the Government of Portugal in accordance with article 20 of the Constitution to the effect that:

...The Government of the Portuguese Republic confirms that Macau, as an associate member of ESCAP, is authorized to be a party to the Constitution of the Asia Pacific Telecommunity and to assume the rights and obligations contained therein. ... In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed in Beijing, on April 13, 1987, the People's Republic of China will resume the exercise of sovereignty over Macau from December 20 1999, while the Government of the Portuguese Republic remains responsible for the external relations of Macau until December 19, 1999.

Also, on 9 February 1993, and in relation to the said deposit, the Secretary-General received from the Government of the Republic of China, the following communication:

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau signed in Beijing on 13 April 1987, the People's Republic of China will resume the exercise of sovereignty over Macau as of 20 December 1999. Macau, as a part of the territory

of the People's Republic of China, will thereupon become a special administrative region of the People's Republic of China and its foreign affairs will be the responsibility of the People's Republic of China.

The People's Republic of China is one of the founding members of the Asia Pacific Telecommunity.

The Government of the People's Republic of China hereby declares that as of 20 December 1999, the Macau Special Administrative Region of the People's Republic of China may continue to stay in the Asia Pacific Telecommunity as an associate member in the name of "Macau, China" as it still meets the essential requirements for such a membership."

<sup>2</sup> *Official Records of the Economic and Social Commission for Asia and the Pacific, Sixty-first Session, Supplement No. 9 (E/S786) p. 40.*

<sup>3</sup> Brunei Darussalam had been admitted as an associate Member from 2 March 1981. Upon becoming an associate Member, it had declared that it wished to be regarded as having been an associate member of the Asia-Pacific Telecommunity with effect from 1 January 1980, the date upon which it became a financial contributor.

<sup>4</sup> With a declaration of non-application to Niue and Tokelau.

<sup>5</sup> As an associate member.

<sup>6</sup> On behalf of Hong Kong.

**2. a) Amendment to article 11, paragraph 2 (a), of the Constitution of the Asia-Pacific Telecommunity**

*Bangkok, 13 November 1981*

**ENTRY INTO FORCE:** 2 January 1985, in accordance with article 22 (3) of the Constitution, for all Members of the Telecommunity.  
**REGISTRATION:** 2 January 1985, No. 17583.  
**STATUS:** Parties: 18.  
**TEXT:** United Nations, Treaty Series, vol. 1388, p. 371.

<i>Participant</i>	<i>Ratification, Acceptance (A), Participation (P)</i>	<i>Participant</i>	<i>Ratification, Acceptance (A), Participation (P)</i>
Afghanistan.....	22 Jul 1983	Myanmar .....	27 Sep 1984
Australia .....	16 Aug 1983 A	Nepal .....	3 Dec 1984
Bangladesh .....	9 Feb 1988 A	Pakistan .....	24 Aug 1984 A
Bhutan.....	23 Jun 1998 P	Republic of Korea .....	2 Jul 1982 A
China.....	26 Jul 1982 A	Singapore .....	22 Jul 1982 A
Fiji.....	29 Nov 1999 P	Sri Lanka .....	26 Mar 1982 A
India .....	15 Jul 1983	Thailand .....	1 Nov 1982
Iran (Islamic Republic of) .....	10 Apr 1986	Viet Nam .....	28 Dec 1983 A
Malaysia .....	7 Jan 1986 A		
Maldives .....	28 May 1982 A		

**2. b) Amendments to articles 3 (5) and 9 (8) of the Constitution of the Asia-Pacific Telecommunity**

**Colombo, 29 November 1991**

**NOT YET IN FORCE:** [see article 22 (3) of the Constitution].  
**STATUS:** Parties: 16.  
**TEXT:** Doc. APT/LE/2 of 17 April 1992.

<i>Participant</i>	<i>Ratification, Acceptance (A), Accession (a)</i>	<i>Participant</i>	<i>Ratification, Acceptance (A), Accession (a)</i>
Australia .....	11 Mar 1996	Palau .....	12 Oct 1998 A
Bhutan .....	8 Dec 1998	Republic of Korea .....	18 Feb 1993
Brunei Darussalam .....	4 Feb 1994	Singapore .....	6 Nov 1998 A
China .....	25 May 1993 A	Sri Lanka .....	9 Dec 1998 A
Indonesia .....	26 Sep 1994	Thailand .....	14 Jan 1994
Malaysia .....	6 May 1997 A	Tonga .....	5 Feb 1998
Maldives .....	3 Feb 1993 A	Viet Nam .....	7 Jan 1997 A
Mongolia .....	7 Jan 1999 A		
New Zealand .....	10 Apr 1996 A		

### 3. AGREEMENT ESTABLISHING THE ASIA-PACIFIC INSTITUTE FOR BROADCASTING DEVELOPMENT

*Kuala Lumpur, 12 August 1977*

**ENTRY INTO FORCE:** 6 March 1981, in accordance with article 16.  
**REGISTRATION:** 6 March 1981, No. 19609.  
**STATUS:** Signatories: 14. Parties: 22.  
**TEXT:** United Nations, *Treaty Series*, vol. 1216, p. 81<sup>1</sup>; depositary notifications C.N.130.1986.TREATIES-1 of 13 June 1986 (amended authentic text in Chinese, English, French and Russian)<sup>2</sup>; and C.N.707.1999.TREATIES-1 of 6 August 1999 [amendments (*see chapter XXV.3 a*)].

*Note:* The Agreement was adopted on 12 August 1977 by the Intergovernmental Meeting on the Asia-Pacific Institute for Broadcasting Development convened by the United Nations Development Programme at Kuala Lumpur, Malaysia, from 10 to 12 August 1977.

According to paragraph 3 of its article 14, the Agreement was to remain open for signature at the UNESCO Headquarters in Paris until 31 March 1978 and would then be transmitted for deposit to the Secretary-General of the United Nations. Instead, signatures on behalf of 11 States were affixed individually during the period 12 September 1977 - 11 October 1978 on separate copies of the text of the Agreement established by the Asia-Pacific Institute for Broadcasting Development which were transmitted to the Secretary-General in June 1979. By depositary notification of 3 August 1979, the Secretary-General, in his capacity as the designated depositary, submitted for approval by all States having participated in the adoption of the Agreement or having signed the separate copies, the original text of the Agreement, similar to the text adopted at Kuala Lumpur on 12 August 1977 except for minor changes in the formal clauses as were warranted by the circumstances. No objection having been received from the States concerned within ninety days from the notification, the original of the Agreement was deposited with the Secretary-General on 2 November 1979.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>
Afghanistan.....	23 Aug 1978	23 Dec 1999 A	Micronesia (Federated States of).....		28 Dec 1993 a
Bangladesh.....	14 Sep 1977	11 Aug 1981	Myanmar.....		29 Jul 1999 a
Brunei Darussalam...		6 Dec 1988 a	Nepal.....	15 May 1980	11 Sep 1980
China.....		5 Feb 1988 a	Pakistan.....	10 Apr 1978	7 Jul 1981
Fiji.....	2 Jun 1978	26 Mar 1981	Papua New Guinea...	9 Mar 1978	1 May 1980
France.....		14 Dec 1988 a	Philippines.....	12 Sep 1977	
India.....	20 May 1980	25 Feb 1986	Republic of Korea...	11 Oct 1978	6 Mar 1981
Indonesia.....	12 Aug 1978	31 Aug 1989	Samoa.....		25 Nov 1999 a
Iran (Islamic Republic of).....		18 Nov 1996 a	Singapore.....		29 Jun 1982 a
Lao People's Democratic Republic...			Sri Lanka.....	15 Sep 1978	7 Nov 1988
Malaysia.....	11 Oct 1978	12 Sep 1986 a	Thailand.....	25 Apr 1981	
Maldives.....		10 Nov 1980	Viet Nam.....	8 Sep 1978	23 Feb 1981 A
		25 Jun 1985 a			

#### *Declarations and Reservations* (Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or acceptance.)

#### FRANCE<sup>3</sup>

*With regard to paragraph 2 (a) (iv) of article 11:*

1. Whether the remuneration of employees of the Institute is exempted from the tax levied in France shall depend on the establishment by the Institute of an internal tax on such remuneration;

2. This exemption shall not apply to pensions and like income;

3. Salaries and emoluments may be taken into account for purposes of calculating the tax due on income from other sources.

#### *Notes:*

<sup>1</sup> Published as a UNESCO and WIPO document (vol. 19609). The signatures were affixed on separate copies of the Agreement (see

"Note" above). In accordance with the provision of article 14 (3) of the Agreement in the text established by the Secretary-General and accept-

ed by the signatory States, these signatures were considered, in the absence of notification to the contrary, as tantamount to signatures under paragraph 1 of the same article 14.

<sup>2</sup> In accordance with a request made by the Governing Council of the Asia-Pacific Institute for Broadcasting Development the Secretary-General circulated on 13 June 1986 a proposed amended text of the Agreement (drawn up in Chinese, English, French and Russian) which was deemed adopted in the absence within 90 days of objections to the proposed amended text or to the amendment procedure thus adopted.

<sup>3</sup> In connection with "the question of imposition of taxes on the income earned by the French nationals and the permanent residents in France while working at AIBD, the Council noted the position that in view of the articles 12.2 (a) (ii) and (iv) of the Agreement establishing AIBD and the article V.1. (B) of the supplementary Agreement signed by AIBD and the Government of Malaysia, the French nationals and the permanent residents of France will enjoy tax free benefits on the emoluments earned while working at AIBD and further recognised the right of the Government of France to levy taxes on such incomes derived by the French nationals and permanent residents in France during their secondment to, or employment at the AIBDSZ".

**3. a) Amendments to the Agreement establishing the Asia-Pacific Institute for Broadcasting Development**

*Islamabad, 21 July 1999*

**NOT YET IN FORCE:** (see article 14).

**STATUS:** Parties: 3.

**TEXTE:** Depositary notification C.N.503.1999.TREATIES-1 of 14 June 1999.

*Note:* On 21 July 1999, the Governing Council adopted unanimously, at its meeting in Islamabad, the Amendments proposed by the Government of Iran to the above Agreement. The Council also determined under article 14 (2) that the Amendments were of such a nature as to require implementation by all Contracting Parties.

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<i>Participant</i>	<i>Acceptance (A)</i>
Afghanistan .....	23 Dec 1999 A
Iran (Islamic Republic of) .....	30 Nov 1999 A
Sri Lanka .....	20 Aug 1999 A

**4. TAMPERE CONVENTION ON THE PROVISION OF TELECOMMUNICATION  
RESOURCES FOR DISASTER MITIGATION AND RELIEF OPERATIONS**

*Tampere, 18 June 1998*

**NOT YET IN FORCE:** (see article 12).  
**STATUS:** Signatories: 45. Parties: 4.  
**TEXT:** Depository notifications C.N.603.1998.TREATIES-8 of 4 December 1998; and  
 C.N.782.1999.TREATIES-13 of 28 September 1999 (rectification of the Convention and  
 transmission of relevant procès-verbal).

*Note:* The Convention was opened for signature at Tampere by all States Members of the United Nations or of the International  
 Telecommunication Union on 18 June 1998, and thereafter at the United Nations Headquarters in New York from 22 June 1998  
 where it will remain open until 21 June 2003, in accordance with its article 12.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Argentina.....	11 May 1999		Marshall Islands ....	11 Nov 1998	
Benin.....	18 Jun 1998		Mauritania.....	18 Jun 1998	
Brazil.....	12 Mar 1999		Mongolia.....	18 Jun 1998	
Bulgaria.....	22 Sep 1999		Morocco.....	1 Dec 1998	
Burundi.....	18 Jun 1998		Nepal.....	23 Apr 1999	
Canada.....	15 Jun 1999		Nicaragua.....	18 Jun 1998	18 Nov 1999
Chad.....	20 Oct 1999		Niger.....	18 Jun 1998	
Chile.....	18 Jun 1998		Oman.....	19 Aug 1999	
Congo.....	18 Jun 1998		Peru.....	14 Jan 1999	
Cyprus.....	18 Jun 1998		Poland.....	18 Jun 1998	
Denmark.....	18 Jun 1998		Portugal.....	18 Jun 1998	
Estonia.....	25 May 1999		Romania.....	18 Jun 1998	
Finland.....	18 Jun 1998	1 Apr 1999 A	Senegal.....	20 Nov 1998	
Germany.....	18 Jun 1998		Sri Lanka.....	5 Aug 1999	13 Oct 1999
Ghana.....	18 Jun 1998		Sudan.....	4 Dec 1998	
Haiti.....	11 Feb 1999		Switzerland.....	18 Jun 1998	
Honduras.....	25 Feb 1999		Tajikistan.....	18 Jun 1998	
India.....	29 Nov 1999	29 Nov 1999	the former Yugoslav Republic of Mace- donia.....	3 Dec 1998	
Italy.....	18 Jun 1998		Uganda.....	28 Oct 1998	
Kenya.....	18 Jun 1998		United States of Amer- ica.....	17 Nov 1998	
Kuwait.....	18 Jun 1998		Uzbekistan.....	6 Oct 1998	
Lebanon.....	17 Nov 1998				
Mali.....	18 Jun 1998				
Malta.....	18 Jun 1998				





**CHAPTER XXVI**  
**DISARMAMENT**

**I. CONVENTION ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES**

*New York, 10 December 1976*

**ENTRY INTO FORCE:** 5 October 1978, in accordance with article IX (3).  
**REGISTRATION:** 5 October 1978, No. 17119.  
**STATUS:** Signatories: 48. Parties: 66.  
**TEXT:** United Nations, Treaty Series, vol. 1108, p. 151 and depositary notification C.N.263.1978.TREATIES-12 of 27 October 1978 (rectification of the English text).

*Note:* The Convention was approved by the General Assembly of the United Nations in its resolution 31/72<sup>1</sup> of 10 December 1976. In application of paragraph 2 of the said resolution, the Secretary-General decided to open the Convention for signature and ratification by States from 18 to 31 May 1977 at Geneva, Switzerland. Subsequently, the Convention was transmitted to the Headquarters of the Organization of the United Nations at New York, where it was open for signature by States until 4 October 1978.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Afghanistan . . . . .		22 Oct 1985 a	Iran (Islamic Republic of) . . . . .	18 May 1977	
Algeria . . . . .		19 Dec 1991 a	Iraq . . . . .	15 Aug 1977	
Antigua and Barbuda . . . . .		25 Oct 1988 d	Ireland . . . . .	18 May 1977	16 Dec 1982
Argentina . . . . .		20 Mar 1987 a	Italy . . . . .	18 May 1977	27 Nov 1981
Australia . . . . .	31 May 1978	7 Sep 1984	Japan . . . . .		9 Jun 1982 a
Austria . . . . .		17 Jan 1990 a	Kuwait . . . . .		2 Jan 1980 a
Bangladesh . . . . .		3 Oct 1979 a	Lao People's Demo- cratic Republic . . . . .	13 Apr 1978	5 Oct 1978
Belarus . . . . .	18 May 1977	7 Jun 1978	Lebanon . . . . .	18 May 1977	
Belgium . . . . .	18 May 1977	12 Jul 1982	Liberia . . . . .	18 May 1977	
Benin . . . . .	10 Jun 1977	30 Jun 1986	Luxembourg . . . . .	18 May 1977	
Bolivia . . . . .	18 May 1977		Malawi . . . . .		5 Oct 1978 a
Brazil . . . . .	9 Nov 1977	12 Oct 1984	Mauritius . . . . .		9 Dec 1992 a
Bulgaria . . . . .	18 May 1977	31 May 1978	Mongolia . . . . .	18 May 1977	19 May 1978
Canada . . . . .	18 May 1977	11 Jun 1981	Morocco . . . . .	18 May 1977	
Cape Verde . . . . .		3 Oct 1979 a	Netherlands <sup>5</sup> . . . . .	18 May 1977	15 Apr 1983
Chile . . . . .		26 Apr 1994 a	New Zealand <sup>6</sup> . . . . .		7 Sep 1984 a
Costa Rica . . . . .		7 Feb 1996 a	Nicaragua . . . . .	11 Aug 1977	
Cuba . . . . .	23 Sep 1977	10 Apr 1978	Niger . . . . .		17 Feb 1993 a
Cyprus . . . . .	7 Oct 1977	12 Apr 1978	Norway . . . . .	18 May 1977	15 Feb 1979
Czech Republic <sup>2</sup> . . . . .		22 Feb 1993 d	Pakistan . . . . .		27 Feb 1986 a
Democratic People's Republic of Korea . . . . .		8 Nov 1984 a	Papua New Guinea . . . . .		28 Oct 1980 a
Democratic Republic of the Congo . . . . .	28 Feb 1978		Poland . . . . .	18 May 1977	8 Jun 1978
Denmark . . . . .	18 May 1977	19 Apr 1978	Portugal . . . . .	18 May 1977	
Dominica . . . . .		9 Nov 1992 d	Republic of Korea . . . . .		2 Dec 1986 a
Egypt . . . . .		1 Apr 1982 a	Romania . . . . .	18 May 1977	6 May 1983
Ethiopia . . . . .	18 May 1977		Russian Federation . . . . .	18 May 1977	30 May 1978
Finland . . . . .	18 May 1977	12 May 1978	Saint Lucia . . . . .		27 May 1993 d
Germany <sup>3,4</sup> . . . . .	18 May 1977	24 May 1983	Saint Vincent and the Grenadines . . . . .		27 Apr 1999 d
Ghana . . . . .	21 Mar 1978	22 Jun 1978	Sao Tome and Principe . . . . .		5 Oct 1979 a
Greece . . . . .		23 Aug 1983 a	Sierra Leone . . . . .	12 Apr 1978	
Guatemala . . . . .		21 Mar 1988 a	Slovakia <sup>2</sup> . . . . .		28 May 1993 d
Holy See . . . . .	27 May 1977		Solomon Islands . . . . .		19 Jun 1981 d
Hungary . . . . .	18 May 1977	19 Apr 1978	Spain . . . . .	18 May 1977	19 Jul 1978
Iceland . . . . .	18 May 1977		Sri Lanka . . . . .	8 Jun 1977	25 Apr 1978
India . . . . .	15 Dec 1977	15 Dec 1978			

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Sweden . . . . .		27 Apr 1984 a	United Kingdom of Great Britain and Northern Ireland . .	18 May 1977	16 May 1978
Switzerland . . . . .		5 Aug 1988 a	United States of Amer- ica . . . . .	18 May 1977	17 Jan 1980
Syrian Arab Republic .	4 Aug 1977		Uruguay . . . . .		16 Sep 1993 a
Tajikistan . . . . .		12 Oct 1999 a	Uzbekistan . . . . .		26 May 1993 a
Tunisia . . . . .	11 May 1978	11 May 1978	Viet Nam . . . . .		26 Aug 1980 a
Turkey . . . . .	18 May 1977		Yemen <sup>7</sup> . . . . .	18 May 1977	20 Jul 1977
Uganda . . . . .	18 May 1977				
Ukraine . . . . .	18 May 1977	13 Jun 1978			

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

**ARGENTINA<sup>8</sup>**

The Argentine Republic interprets the terms "widespread, long-lasting or severe effects" in article I, paragraph 1, of the Convention in accordance with the definitions agreed upon in the understanding on that article. It likewise interprets articles II, III and VIII in accordance with the relevant understandings.

**AUSTRIA**

*Reservation:*

"Considering the obligations resulting from its status as a permanently neutral state, the Republic of Austria declares a reservation to the effect that its co-operation within the frame work of this Convention cannot exceed the limits determined by the Status of permanent neutrality and membership with the United Nations."

**GERMANY<sup>3</sup>**

*Upon signature:*

"With the proviso that the correct designation of the Federal Republic of Germany in the Russian language is 'Federativnuju Respubliku Germaniju'."

16 June 1977

"The correct designation of the Federal Republic of Germany in the Russian language following the preposition 'sa' in the Russian text was spelled out in the afore-mentioned proviso as 'Federativnuju Respubliku Germaniju'."

**GUATEMALA**

*Reservation:*

Guatemala accepts the text of article III, on condition that the use of environmental modification techniques for peaceful purposes does not adversely affect its territory or the use of its natural resources.

**KUWAIT<sup>9</sup>**

*Reservation:*

This Convention binds the State of Kuwait only towards States Parties thereto. Its obligatory character shall *ipso facto* terminate with respect to any hostile state which does not abide by the prohibition contained therein.

*Understanding:*

"It is understood that accession to the Convention on the Prohibition of Military or any other hostile use of Environmen-

tal Modification Techniques, done in Geneva, 1977, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relation will arise between the State of Kuwait and Israel."

**NETHERLANDS**

*Declaration:*

"The Kingdom of the Netherlands accepts the obligations laid down in article 1 of the said Convention as extending to states which are not a party to the Convention and which act in conformity with article 1 of the Convention."

**NEW ZEALAND**

"The Government of New Zealand hereby declares its interpretation that nothing in the Convention detracts from or limits the obligations of States to refrain from military or any other hostile use of environmental modification techniques which are contrary to international law".

**REPUBLIC OF KOREA**

"It is the understanding of the Government of the Republic of Korea that any technique for deliberately changing the natural state of rivers falls within the meaning of the term 'environmental modification techniques' as defined in article II of the Convention.

"It is further understood that military or any other hostile use of such techniques, which could cause flooding, inundation, reduction in the water-level, drying up, destruction of hydrotechnical installations or other harmful consequences, comes within the scope of the Convention, provided it meets the criteria set out in article I therefore."

**SWITZERLAND**

Because of the obligation incumbent upon it by virtue of its status of perpetual neutrality, Switzerland must make a general reservation specifying that its co-operation in the framework of this Convention cannot go beyond the limits imposed by this status. This reservation refers, in particular, to article V, paragraph 5, of the Convention, and to any similar clause which may replace or supplement this provision in the Convention (or in any other arrangement).

## TURKEY

Upon signature:

Interpretative statement:

"In the opinion of the Turkish Government the terms 'wide-spread', 'long lasting' and 'severe effects' contained in the Convention need to be clearly defined. So long as this clarification is not made the Government of Turkey will be compelled to in-

terpret itself the terms in question and consequently it reserves the right to do so as and when required.

"Furthermore, the Government of Turkey believes that the difference between 'military or any other hostile purposes' and 'peaceful purposes' should be more clearly defined so as to prevent subjective evaluations."

### Territorial Application

Participant	Date of receipt of the notification	Territories
United Kingdom <sup>10</sup>	16 May 1978	Associated States (Antigua, Dominica, St. Kitts Nevis-Anguilla, St. Lucia and St. Vincent), Territories under the territorial sovereignty of the United Kingdom, the Solomon Islands, State of Brunei, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus

### Notes:

<sup>1</sup> Official Records of the General Assembly, Thirty-first Session, Supplement No. 39 (A/31/39), p. 36.

<sup>2</sup> Czechoslovakia had signed and ratified the Convention on 18 May 1977 and 12 May 1978, respectively. See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had signed and ratified the Convention on 18 May 1977 and 25 May 1978, respectively. See also note 14 in chapter I.2.

<sup>4</sup> With effect from the day on which the Convention enters into force for the Federal Republic of Germany it shall also apply to Berlin (West) subject to the rights and responsibilities of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America including those relating to disarmament and demilitarization.

In this regard, the Secretary-General received on the dates indicated, the following communications:

#### *Union of Soviet Socialist Republics (5 December 1983):*

The declaration by the Government of the Federal Republic of Germany that the application of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques extends to Berlin (West) is illegal. The aforesaid Convention, in all of its substance, directly affects agreements and arrangements whose application the Federal Republic of Germany, in accordance with the Quadripartite Agreement of 3 September 1971, has no right to extend to Berlin (West).

The stipulation contained in the declaration of the Government of the Federal Republic of Germany to the effect that the Convention shall also apply to Berlin (West), subject to the rights and responsibilities of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America, including those relating to disarmament and demilitarization is pointless, since all the main provisions of the Convention relate to questions of disarmament and demilitarization. This stipulation is intended merely to mask the illegality of the declaration made by the Government of the Federal Republic of Germany, which is nothing but a flagrant violation of the Quadripartite Agreement and cannot, of course, have any legal force.

As is known, the relevant Allied provisions relating to demilitarization, which were confirmed upon the signature of the Quadripartite Agreement and the responsibility for whose practical observance lies with the authorities of France, United Kingdom and the United States, still remain in force in Berlin (West). This, of course, inevitably includes questions relating to the prohibition of the military use of environmental modification techniques.

A communication, identical in essence, *mutatis mutandis*, was received on 23 January 1984 by the Secretary-General from the Government of the German Democratic Republic.

*France, the United Kingdom and the United States of America (2 July 1984):*

"In a communication to the Government of the Union of Soviet Socialist Republics, which is an integral part (Annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom and the United States, without prejudice to the maintenance of their rights and responsibilities relating to the representation abroad of the interests of the western sectors of Berlin, confirmed that, provided that matters of security and status are not affected and provided that the extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the western sectors of Berlin in accordance with established procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of the three powers which is similarly an integral part (Annex IV B) of the Quadripartite Agreement, affirmed that it would raise no objections to such extension.

The established procedures referred to above, which were endorsed in the Quadripartite Agreement, are designed *inter alia* to afford the authorities of the three powers the opportunity to ensure that international agreements and arrangements entered into by the Federal Republic of Germany which are to be extended to the western sectors of Berlin are extended in such a way that matters of security and status are not affected.

When authorizing the extension of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques to the western sectors of Berlin, the authorities of the three powers took such steps as were necessary to ensure that matters of security and status were not affected. Accordingly, the Berlin declaration made by the Federal Republic of Germany in accordance with established procedures is valid and the Convention applies to the western sectors of Berlin, subject to Allied Rights and Responsibilities, including those in the Area of Disarmament and Demilitarization.

The three Governments wish further to recall that Quadripartite Legislation on Demilitarization applies to the whole of Greater Berlin.

With reference to the communication received on 23 January 1984 from the Government of the German Democratic Republic (. . .), the three Governments wish to point out that States which are not parties to the Quadripartite Agreement of 3 September 1971 are not competent to comment authoritatively on its provisions. They do not consider it necessary, and do not intend, to respond to further communication on this matter from States which are not parties to the Quadripartite Agreement. This should not be taken to imply any change in the position of the three Governments in this matter."

*Federal Republic of Germany (5 June 1985):*

"By their note of 2 July 1984, disseminated [. . .] on 20 July 1984, the Governments of France, the United Kingdom of Great Britain and

Northern Ireland and the United States of America answered the assertions made in the communication referred to above. The Government of the Federal Republic of Germany wishes to confirm the position as set out by the three Powers in the above-mentioned note."

*Union of Soviet Socialist Republics (2 December 1985):*

The extension of the application of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques of 10 December 1976 to Berlin (West) is a gross violation of the Quadripartite Agreement of 3 September 1971 and therefore cannot have any legal effect.

At the same time, the Soviet side would like to draw attention to the fact that the Powers party to the Quadripartite Agreement of 3 September 1971 have formulated decisions in respect of Berlin (West) which have universal effect under international law. The extension of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques to Berlin (West) by the Federal Republic of Germany naturally affects the interests of the other parties to it, which have the right to express their opinion on this matter. That right cannot be disputed by anyone.

In this connection, the Soviet side rejects as unfounded the communication from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America with respect to the declaration of the German Democratic Republic. The view set forth in that declaration by the Government of the German Democratic Republic as a party to the above-mentioned Convention is entirely in conformity with the Quadripartite Agreement of 3 September 1971.

As to the assertions about "Greater Berlin" in the same communication from the three Powers, they are pointless in that there has been no "Greater Berlin" for a long time. There is Berlin, capital of the German Democratic Republic, which is an inseparable component of the Republic and has the same status as any other territory of the German Democratic Republic, and there is Berlin (West) a city with a special status where the occupation régime still remains. It is from these *de jure* and *de facto* realities that the Quadripartite Agreement of 3 September 1971 stems.

*France, United Kingdom and United States of America (6 October 1986)*

"The Government of the three powers reaffirm the statement in the note from the Permanent Representative of France of 28 June 1984 that the declaration made by the Federal Republic of Germany concerning the extension of the application of the Convention on the Prohibition of military or any other hostile use of environmental modification techniques of 10 December 1976 to the western sectors of Berlin is valid and that the Convention applies to the western sectors of Berlin, subject to allied rights and responsibilities, including those in the area of disarmament and demilitarization.

The Government of France, the United Kingdom and the United States further reaffirm the statement in the same note of 28 June 1984

that States which are not parties to the quadripartite agreement are not competent to comment authoritatively on its provisions.

The quadripartite agreement of 3 September 1971 is an international agreement concluded between the four contracting parties and not open to participation by any other State. In concluding this agreement, the four powers acted on the basis of their quadripartite rights and responsibilities, and the corresponding wartime and post-war agreements and decisions of the four powers, which are not affected. The quadripartite agreement is a part of conventional and not customary international law.

The Governments of France, the United Kingdom and the United States cannot accept the assertions by the Permanent Mission of the Union of Soviet Socialist Republics that greater Berlin no longer exists and that Berlin is the capital of the German Democratic Republic.

The position of the Three governments on the continuing quadripartite status of greater Berlin is well known and was set out for example in a letter to the Secretary-General of the United Nations of 14 April 1975."

See also note 3 above.

<sup>5</sup> For the Kingdom in Europe and the Netherlands Antilles. See also note 8 in chapter I.1.

<sup>6</sup> The accession shall also apply to the Cook Islands and Niue.

<sup>7</sup> Democratic Yemen had acceded to the Convention on 12 June 1979. See also note 33 in chapter I.2.

<sup>8</sup> The Government of Argentina has specified that the understandings referred to in the declaration are the Understandings adopted as part of the report of the Conference of the Committee on Disarmament to the General Assembly at its thirty-first session, published under the symbol A/31/27. [Report of the Conference of the Committee on Disarmament to the General Assembly (Volume I, Annex I).]

<sup>9</sup> On 23 June 1980, the Secretary-General received from the Government of Israel the following communication concerning the above-mentioned understanding:

"The Government of Israel has noted the political character of the statement made by the Government of Kuwait. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Kuwait, under general international law or under particular conventions. Insofar as concerns the substance of the matter, the Government of Israel will adopt towards the Government of Kuwait an attitude of complete reciprocity."

<sup>10</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notification as the one made under note 4 in chapter IV.1.]

**2. CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN  
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS  
OR TO HAVE INDISCRIMINATE EFFECTS**

*Geneva, 10 October 1980*

**ENTRY INTO FORCE:** 2 December 1983 in accordance with article 5 (1) and (3).  
**REGISTRATION:** 2 December 1983, No. 22495.  
**STATUS:** Signatories: 51. Parties: 75.  
**TEXT:** United Nations, Treaty Series, vol. 1342, p. 137; depositary notifications C.N.356.1981.  
TREATIES-7 of 14 January 1982 (procès-verbal of rectification of the Chinese authentic text)  
and C.N.320.1982. TREATIES-11 of 21 January 1983 (procès-verbal of rectification of the  
Final Act).

*Note:* The Convention and its annexed Protocols were adopted by the United Nations Conference on Prohibitions or Restrictions of the Use of Certain Conventional Weapons Which May Be Deemed Excessively Injurious or to Have Indiscriminate Effects, held in Geneva from 10 to 28 September 1979 and from 15 September to 10 October 1980. The Conference was convened pursuant to General Assembly resolutions 32/152 of 19 December 1977 and 33/70 of 14 December 1978. The original of the Convention with the annexed Protocols, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, is deposited with the Secretary-General of the United Nations. The Convention was open for signature by all States at United Nations Headquarters in New York for a period of twelve months from 10 April 1981.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Afghanistan	10 Apr 1981		Japan	22 Sep 1981	9 Jun 1982 A
Argentina	2 Dec 1981	2 Oct 1995	Jordan		19 Oct 1995 a
Australia	8 Apr 1982	29 Sep 1983	Lao People's Democ- ratic Republic <sup>4</sup>		3 Jan 1983 a
Austria	10 Apr 1981	14 Mar 1983	Latvia		4 Jan 1993 a
Belarus	10 Apr 1981	23 Jun 1982	Liechtenstein	11 Feb 1982	16 Aug 1989
Belgium	10 Apr 1981	7 Feb 1995	Lithuania		3 Jun 1998 a
Benin		27 Mar 1989 a	Luxembourg	10 Apr 1981	21 May 1996
Bosnia and Herzegovi- na		1 Sep 1993 d	Malta		26 Jun 1995 a
Brazil		3 Oct 1995 a	Mauritius		6 May 1996 a
Bulgaria	10 Apr 1981	15 Oct 1982	Mexico	10 Apr 1981	11 Feb 1982
Cambodia		25 Mar 1997 a	Monaco		12 Aug 1997 a
Canada	10 Apr 1981	24 Jun 1994	Mongolia	10 Apr 1981	8 Jun 1982
Cape Verde		16 Sep 1997 a	Morocco	10 Apr 1981	
China	14 Sep 1981	7 Apr 1982	Netherlands <sup>5</sup>	10 Apr 1981	18 Jun 1987 A
Costa Rica		17 Dec 1998 a	New Zealand	10 Apr 1981	18 Oct 1993
Croatia		2 Dec 1993 d	Nicaragua	20 May 1981	
Cuba	10 Apr 1981	2 Mar 1987	Niger		10 Nov 1992 a
Cyprus		12 Dec 1988 a	Nigeria	26 Jan 1982	
Czech Republic <sup>2</sup>		22 Feb 1993 d	Norway	10 Apr 1981	7 Jun 1983
Denmark	10 Apr 1981	7 Jul 1982	Pakistan	26 Jan 1982	1 Apr 1985
Djibouti		29 Jul 1996 a	Panama		26 Mar 1997 a
Ecuador	9 Sep 1981	4 May 1982	Peru		3 Jul 1997 a
Egypt	10 Apr 1981		Philippines	15 May 1981	15 Jul 1996
Finland	10 Apr 1981	8 Apr 1982	Poland	10 Apr 1981	2 Jun 1983
France	10 Apr 1981	4 Mar 1988	Portugal	10 Apr 1981	4 Apr 1997
Georgia		29 Apr 1996 a	Romania	8 Apr 1982	26 Jul 1995
Germany <sup>3</sup>	10 Apr 1981	25 Nov 1992	Russian Federation	10 Apr 1981	10 Jun 1982
Greece	10 Apr 1981	28 Jan 1992	Senegal		29 Nov 1999 a
Guatemala		21 Jul 1983 a	Sierra Leone	1 May 1981	
Holy See		22 Jul 1997 a	Slovakia <sup>2</sup>		28 May 1993 d
Hungary	10 Apr 1981	14 Jun 1982	Slovenia		6 Jul 1992 d
Iceland	10 Apr 1981		South Africa		13 Sep 1995 a
India	15 May 1981	1 Mar 1984	Spain	10 Apr 1981	29 Dec 1993
Ireland	10 Apr 1981	13 Mar 1995	Sudan	10 Apr 1981	
Israel		22 Mar 1995 a	Sweden	10 Apr 1981	7 Jul 1982
Italy	10 Apr 1981	20 Jan 1995	Switzerland	18 Jun 1981	20 Aug 1982
			Tajikistan		12 Oct 1999 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
the former Yugoslav Republic of Macedonia .....		30 Dec 1996 d	United Kingdom of Great Britain and Northern Ireland ..	10 Apr 1981	13 Feb 1995
Togo .....	15 Sep 1981	4 Dec 1995 A	United States of America .....	8 Apr 1982	24 Mar 1995
Tunisia .....		15 May 1987 a	Uruguay .....		6 Oct 1994 a
Turkey .....	26 Mar 1982		Uzbekistan .....		29 Sep 1997 a
Uganda .....		14 Nov 1995 a	Viet Nam .....	10 Apr 1981	
Ukraine .....	10 Apr 1981	23 Jun 1982	Yugoslavia .....	5 May 1981	24 May 1983

*Consent to be bound pursuant to article 4, paragraphs 3 and 4<sup>1</sup>*

<i>Participant</i>	<i>Protocol I</i>	<i>Protocol II</i>	<i>Protocol III</i>	<i>Participant</i>	<i>Protocol I</i>	<i>Protocol II</i>	<i>Protocol III</i>
Afghanistan	x	x	x	Luxembourg	x	x	x
Argentina	x	x	x	Malta	x	x	x
Australia	x	x	x	Mauritius	x	x	x
Austria	x	x	x	Mexico	x	x	x
Belarus	x	x	x	Monaco	x		
Belgium	x	x	x	Mongolia	x	x	x
Benin	x		x	Netherlands	x	x	x
Bosnia and Herzegovina	x	x	x	New Zealand	x	x	x
Brazil	x	x	x	Niger	x	x	x
Bulgaria	x	x	x	Norway	x	x	x
Cambodia	x	x	x	Pakistan	x	x	x
Canada	x	x	x	Panama	x	x	x
Cape Verde	x	x	x	Peru	x		x
China	x	x	x	Philippines	x	x	x
Costa Rica	x	x	x	Poland	x	x	x
Croatia	x	x	x	Portugal	x	x	x
Cuba	x	x	x	Romania	x	x	x
Cyprus	x	x	x	Russian Federation	x	x	x
Czech Republic	x	x	x	Senegal			x
Denmark	x	x	x	Slovakia	x	x	x
Djibouti	x	x	x	Slovenia	x	x	x
Ecuador	x	x	x	South Africa	x	x	x
Finland	x	x	x	Spain	x	x	x
France	x	x		Sweden	x	x	x
Georgia	x	x	x	Switzerland	x	x	x
Germany	x	x	x	the former Yugoslav Republic of Macedonia	x	x	x
Greece	x	x	x	Togo	x	x	x
Guatemala	x	x	x	Tunisia	x	x	x
Holy See	x	x	x	Turkey	x	x	x
Hungary	x	x	x	Uganda	x	x	x
India	x	x	x	Ukraine	x	x	x
Ireland	x	x	x	United Kingdom of Great Britain and Northern Ireland			
Israel	x	x		United States of America	x	x	x
Italy	x	x	x	Uruguay	x	x	x
Japan	x	x	x	Uzbekistan	x	x	x
Jordan	x		x	Viet Nam	x	x	x
Lao People's Democratic Republic	x		x	Yugoslavia	x	x	x
Latvia	x	x	x				
Liechtenstein	x	x	x				
Lithuania	x		x				

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)*

**ARGENTINA**

*Reservation:*

The Argentine Republic makes the express reservation that any references to the 1977 Protocols Additional to the Geneva Conventions of 1949 that are contained in the [said Convention and its Protocols I, II and III] shall be interpreted in the light of the interpretative declarations in the instrument of accession of the Argentine Republic to the afore-mentioned additional Protocols of 1977.

**CANADA**

*Declarations:*

"1. It is the understanding of the Government of Canada that:

(a) The compliance of commanders and others responsible for planning, deciding upon, or executing attacks to which the Convention and its Protocols apply cannot be judged on the basis of information which subsequently comes to light but must be assessed on the basis of the information available to them at the time that such actions were taken; and

(b) Where terms are not defined in the present Convention and its Protocols they shall, so far as is relevant, be construed in the same sense as terms contained in additional Protocol I to the Geneva Conventions of August 12, 1949.

2. With respect to Protocol I, it is the understanding of the Government of Canada that the use of plastics or similar materials for detonators or other weapons parts not designed to cause injury is not prohibited.

3. With respect to Protocol II, it is the understanding of the Government of Canada that:

(a) Any obligation to record the location of remotely delivered mines pursuant to sub-paragraph 1 (a) of article 5 refers to the location of mine fields and not to the location of individual remotely delivered mines;

(b) The term 'pre-planned', as used in sub-paragraph 1 (a) of article 7 means that the position of the minefield in question should have been determined in advance so that an accurate record of the location of the minefield, when laid, can be made;

(c) The phrase 'similar functions' used in article 8, includes the concepts of 'peace-making, preventive peace-keeping and peace enforcement' as defined in an agenda for peace (United Nations document A/47/277 S/2411 of 17 June 1992).

4. With respect to Protocol III, it is the understanding of the Government of Canada that the expression 'clearly separated' in paragraph 3 of article 2 includes both spatial separation or separation by means of an effective physical barrier between the military objective and the concentration of civilians."

**CHINA**

*Upon signature:*

*Statement:*

1. The Government of the People's Republic of China has decided to sign the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects adopted at the United Nations Conference held in Geneva on 10 October 1980.

2. The Government of the People's Republic of China deems that the basic spirit of the Convention reflects the reasonable demand and good intention of numerous countries and peoples of the world regarding prohibitions or restrictions on the

use of certain conventional weapons which are excessively injurious or have indiscriminate effects. This basic spirit conforms to China's consistent position and serves the interest of opposing aggression and maintaining peace.

3. However, it should be pointed out that the Convention fails to provide for supervision or verification of any violation of its clauses, thus weakening its binding force. The Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices fails to lay down strict restrictions on the use of such weapons by the aggressor on the territory of his victim and to provide adequately for the right of a state victim of an aggression to defend itself by all necessary means. The Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons does not stipulate restrictions on the use of such weapons against combat personnel. Furthermore, the Chinese texts of the Convention and Protocol are not accurate or satisfactory enough. It is the hope of the Chinese Government that these inadequacies can be remedied in due course.

**CYPRUS**

*Declaration:*

"The provisions of article 7 of paragraph (3b) and article 8 of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II) will be interpreted in such a way that neither the status of peace-keeping forces or missions of the United Nations in Cyprus will be affected nor will additional rights be, *ipso jure*, granted to them."

**FRANCE**

*Upon signature:*

*Declaration:*

After signing the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, the French Government, as it has already had occasion to state

-through its representative to the United Nations Conference on Prohibitions or Restrictions on the Use of Certain Conventional Weapons in Geneva, during the discussion of the proposal concerning verification arrangements submitted by the delegation of the Federal Republic of Germany and of which the French Government became a sponsor, and at the final meeting on 10 October 1980;

-on 20 November 1980 through the representative of the Netherlands, speaking on behalf of the nine States members of the European Community in the First Committee at the thirty-fifth session of the United Nations General Assembly;

Regrets that thus far it has not been possible for the States which participated in the negotiation of the Convention to reach agreement on the provisions concerning the verification of facts which might be alleged and which might constitute violations of the undertakings subscribed to.

It therefore reserves the right to submit, possibly in association with other States, proposals aimed at filling that gap at the first conference to be held pursuant to article 8 of the Convention and to utilize, as appropriate, procedures that would make it possible to bring before the international community facts and information which, if verified, could constitute violations of the provisions of the Convention and the Protocols annexed thereto.

*Interpretative statement*

The application of this Convention will have no effect on the legal status of the parties to a conflict.

*Reservation:*

France, which is not bound by Additional Protocol I of 10 June 1977 to the Geneva Conventions of 12 August 1949:

Considers that the fourth paragraph of the preamble to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which reproduces the provisions of article 35, paragraph 3, of Additional Protocol I, applies only to States parties to that Protocol;

States, with reference to the scope of application defined in article 1 of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, that it will apply the provisions of the Convention and its three Protocols to all the armed conflicts referred to in articles 2 and 3 common to the Geneva Conventions of 12 August 1949;

States that as regards the Geneva Conventions of 12 August 1949, the declaration of acceptance and application provided for in article 7, paragraph 4 (b), of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons will have no effects other than those provided for in article 3 common to the Geneva Conventions, in so far as that article is applicable.

**ISRAEL**

*Declarations:*

"(a) With reference to the scope of application defined in article 1 of the Convention, the Government of the State of Israel will apply the provisions of the Convention and those annexed Protocols to which Israel has agreed become bound to all armed conflicts involving regular armed forces of States referred to in article 2 common to the General Conventions of 12 August 1949, as well as to all armed conflicts referred to in article 3 common to the Geneva Conventions of 12 August 1949.

(b) Article 7, paragraph 4 of the Convention will have no effect.

(c) The application of this Convention will have no effect on the legal status of the parties to a conflict.

*Understandings:*

(a) [It is the understanding of the Government of the State of Israel that the compliance of commanders and others responsible for planning, deciding upon, or executing attacks to which the Convention and its Protocols apply, cannot be judged on the basis of information which subsequently comes to light, but must be assessed on the basis of the information available to them at the time that such actions were taken.

(b) With respect to Protocol I, it is the understanding of the Government of Israel that the use of plastics or similar materials for detonators or other weapon parts not designed to cause injury is not prohibited.

(c) With respect to Protocol I, it is the understanding of the Government of Israel that:

(i) Any obligation to record the location of remotely delivered mines pursuant to sub-paragraph 1 (a) of article 5 refers to the location of mine fields and not to the location of individual remotely delivered mines;

(ii) The term pre-planned, as used in sub-paragraph 1 (a) of article 7 means that the position of the minefield in question should have been determined in advance so that an accurate record of the location of the minefield, when laid, can be made."

**HOLY SEE**

*Declaration:*

"The Holy See, as a signatory of the [said Convention and annexed Protocols], in keeping with its proper nature and with the particular condition of Vatican City State, intends to renew its encouragement to the International Community to continue

on the path it has taken for the reduction of human suffering caused by armed conflict.

Every step in this direction contributes to increasing awareness that war and the cruelty of war must be done away with in order to resolve tensions by dialogue and negotiation, and also by ensuring that international law is respected.

The Holy See, while maintaining that the above-mentioned Convention and Protocols constitute an important instrument for humanitarian international law, reiterates the objective hoped for by many parties: an agreement that would totally ban anti-personnel mines, the effects of which are tragically well-known.

In this regard, the Holy See considers that the modifications made so far in the second Protocol are insufficient and inadequate. It wishes, by means of its own accession to the Convention, to offer support to every effort aimed at effectively banning anti-personnel mines, in the conviction that all possible means must be used in order to build a safer and more fraternal world."

**ITALY**

*Upon signature:*

*Declaration:*

On 10 October 1980 in Geneva, the representative of Italy at the Conference speaking at the closing meeting, emphasized that the Conference, in an effort to reach a compromise between what was desirable and what was possible, had probably achieved the maximum results feasible in the circumstances prevailing at that time.

However, he observed in his statement that one of the objectives which had not been achieved at the Conference, to his Government's great regret, was the inclusion in the text of the Convention, in accordance with a proposal originated by the Federal Republic of Germany, of an article on the establishment of a consultative committee of experts competent to verify facts which might be alleged and which might constitute violations of the undertakings subscribed to.

On the same occasion, the representative of Italy expressed the wish that the proposal, which was aimed at strengthening the credibility and effectiveness of the Convention, should be reconsidered at the earliest opportunity within the framework of the mechanisms for the amendment of the Convention expressly provided for in that instrument.

Subsequently, through the representative of the Netherlands, speaking on behalf of nine States members of the European Community in the First Committee of the United Nations General Assembly on 20 November 1980, when it adopted draft resolution A/C.1/31/L.15 (subsequently adopted as General Assembly Resolution 35/153), Italy once again expressed regret that the States which had participated in the preparation of the texts of the Convention and its Protocols had been unable to reach agreement on provisions that would ensure respect for the obligations deriving from those texts.

In the same spirit, Italy - which has just signed the Convention in accordance with the wishes expressed by the General Assembly in its resolution 35/153 - wishes to confirm solemnly that it intends to undertake active efforts to ensure that the problem of the establishment of a mechanism that would make it possible to fill a gap in the Convention and thus ensure that it achieves maximum effectiveness and maximum credibility vis-à-vis the international community is taken up again at the earliest opportunity in every competent forum.

**NETHERLANDS**

"1. With regard to article 2, paragraph 4, of Protocol II: It is the understanding of the Government of the Kingdom of the



Netherlands that a specific area of land may also be a military objective if, because of its location or other reasons specified in paragraph 4, its total or partial destruction, capture, or neutralization in the circumstances ruling at the time, offers a definitive military advantage;

"2. With regard to article 3, paragraph 3, under c, of Protocol II: It is the understanding of the Government of the Kingdom of the Netherlands that military advantage refers to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack;

"3. With regard to article 8, paragraph 1, of Protocol II: It is the understanding of the Government of the Kingdom of the Netherlands that the words 'as far as it is able' mean 'as far as it is technically able'.

"4. With regard to article 1, paragraph 3, of Protocol III: It is the understanding of the Government of the Kingdom of the Netherlands that a specific area of land may also be a military objective if, because of its location or other reasons specified in paragraph 3, its total or partial destruction, capture, or neutralization in the circumstances ruling at the time, offers a definitive military advantage."

#### ROMANIA

*Upon signature:*

2. Romania considers that the Convention and the three Protocols annexed thereto constitute a positive step within the framework of the efforts which have been made for the gradual development of international humanitarian law applicable during armed conflicts and which aim at providing very broad and reliable protection for the civilian population and the combatants.

3. At the same time, Romania would like to emphasize that the provisions of the Convention and its Protocols have a restricted character and do not ensure adequate protection either to the civilian population or to the combatants as the fundamental principles of international humanitarian law require.

4. The Romanian Government wishes to state on this occasion also that real and effective protection for each individual and for peoples and assurance of their right to a free and independent life necessarily presuppose the elimination of all acts of aggression and the renunciation once and for all of the use of force and the threat of the use of force, of intervention in the domestic affairs of other States and of the policy of domination and diktat and strict observation of the sovereignty and independence of peoples and their legitimate right to self-determination.

In the present circumstances, when a vast quantity of nuclear weapons has been accumulated in the world, the protection of each individual and of all peoples is closely linked with the struggle for peace and disarmament and with the adoption of authentic measures to halt the arms race and ensure the gradual reduction of nuclear weapons until they are totally eliminated.

5. The Romanian Government states once again its decision to act, together with other States, to ensure the prohibition or restriction of all conventional weapons which are excessively injurious or have indiscriminate effects, and the adoption of urgent and effective measures for nuclear disarmament which would protect peoples from the nuclear war which seriously threatens their right to life--a fundamental condition for the protection which international humanitarian law must ensure for the individual, the civilian population and the combatants.

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Upon signature:*

"The Government of the United Kingdom of Great Britain and Northern Ireland will give further consideration to certain

provisions of the Convention, particularly in relation to the provisions of Protocol I additional to the Geneva Conventions of 12 August 1949, and may wish to make formal declarations in relation to these provisions at the time of ratification."

*Upon ratification:*

(a) *Generally*

(i) The term "armed conflict" of itself and in its context denotes a situation of a kind which is not constituted by the commission of ordinary crimes, including acts of terrorism, whether concerted or in isolation.

(ii) The United Kingdom will not, in relation to any situation in which it is involved, consider itself bound in consequence of any declaration purporting to be made for the purposes of article 7 (4), unless the United Kingdom shall have expressly recognised that it has been made by a body which is genuinely an authority representing a people engaged in an armed conflict of the type to which that paragraph applies.

(iii) The terms "civilian" and "civilian population" have the same meaning as in article 50 of the 1st Additional Protocol of 1977 to the 1949 Geneva Conventions. Civilians shall enjoy the protection afforded by this Convention unless and for such time as they take a direct part in hostilities.

(iv) Military commanders and others responsible for planning, deciding upon, or executing attacks necessarily have to reach decisions on the basis of their assessment of the information from all sources which is reasonably available to them at the relevant time.

(b) *Re: Protocol II, article 2; and Protocol III, article 1*

A specific area of land may be a military objective if, because of its location or other reasons specified in this article, its total or partial destruction, capture or neutralisation in the circumstances ruling at the time offers a definite military advantage.

(c) *Re: Protocol II, article 3*

In the view of the United Kingdom, the military advantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack.

(d) *Re: Protocol III, article 2*

The United Kingdom accepts the provisions of article 2 (2) and (3) on the understanding that the terms of those paragraphs of that article do not imply that the air-delivery of incendiary weapons, or of any other weapons, projectiles or munitions, is less accurate or less capable of being carried out discriminately than all or any other means of delivery.

#### UNITED STATES OF AMERICA

*Upon signature:*

"The United States Government welcomes the adoption of this Convention, and hopes that all States will give the most serious consideration to ratification or accession. We believe that the Convention represents a positive step forward in efforts to minimize injury or damage to the civilian population in time of armed conflict. Our signature of this Convention reflects the general willingness of the United States to adopt practical and reasonable provisions concerning the conduct of military operations, for the purpose of protecting noncombatants.

"At the same time, we want to emphasize that formal adherence by States to agreements restricting the use of weapons in armed conflict would be of little purpose if the parties were not firmly committed to taking every appropriate step to ensure compliance with those restrictions after their entry into force. It would be the firm intention of the United States and, we trust, all other parties to utilize the procedures and remedies provided by this Convention, and by the general laws of war, to see to it that all parties to the Convention meet their obligations under it. The United States strongly supported proposals by other coun-

tries during the Conference to include special procedures for dealing with compliance matters, and reserves the right to propose at a later date additional procedures and remedies, should this prove necessary, to deal with such problems.

"In addition, the United States of course reserves the right, at the time of ratification, to exercise the option provided by article 4 (3) of the Convention, and to make statements of understanding and/or reservations, to the extent that it may deem that to be necessary to ensure that the Convention and its Protocols conform to humanitarian and military requirements. As indicated in the negotiating record of the 1980 Conference, the prohibitions and restrictions contained in the Convention and its Protocols are of course new contractual rules (with the exception of certain provisions which restate existing international law) which will only bind States upon their ratification of, or accession to, the Convention and their consent to be bound by the Protocols in question."

*Upon ratification:*

*Reservation:*

"Article 7 (4) (b) of the Convention shall not apply with respect to the United States.

*Declaration:*

The United States declares, with reference to the scope of application defined in article 1 of the Convention, that the United States will apply the provisions of the Convention, Protocol I, and Protocol II to all armed conflicts referred to in articles 2 and 3 common to the Geneva Conventions for the Protection of War Victims of August 12, 1949.

*Understandings :*

The United States understands that article 6 (1) of the Protocol II does not prohibit the adaptation for use as booby-traps of portable objects created for a purpose other than as a booby-trap if the adaptation does not violate paragraph (1)(b) of the article.

The United States considers that the fourth paragraph of the preamble to the Convention, which refers to the substance of provisions of article 35 (3) and article 55 (1) of additional Protocol I to the Geneva Conventions for the Protection of War Victims of August 12, 1949, applies only to States which have accepted those provisions.

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*Notes:*

<sup>1</sup> The protocols concerned are:

–Protocol on non-detectable fragments (Protocol I);

–Protocol on prohibitions or restrictions on the use of mines, booby-traps and other devices (Protocol II);

–Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III).

Each participant must consent to be bound by any two or more of the Protocols. Acceptance of a Protocol is denoted by an "X". Unless otherwise indicated, acceptance was notified upon ratification, acceptance, approval of, accession or succession to the Convention.

<sup>2</sup> Czechoslovakia had signed and ratified the Convention accepting Protocols I, II and III, on 10 April 1981 and 31 August 1982, respectively. See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had signed and ratified the Convention on 10 April 1981 and 20 July 1982, respectively, accepting all three Protocols. See also note 14 in chapter I.2.

<sup>4</sup> A signature was affixed on behalf of the Lao People's Democratic Republic on 2 November 1982, i.e. after the time-limit of 10 April 1982 prescribed by article 3 of the Convention, as a result of an administrative oversight. The signature was cancelled; the Government of the Lao People's Democratic Republic subsequently acceded (on 3 January 1983) to the Convention, accepting the three Protocols.

<sup>5</sup> For the Kingdom in Europe.

**2. a) Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, entitled Protocol on Blinding Laser Weapons)**

*Vienna, 13 October 1995*

**ENTRY INTO FORCE:** 30 July 1998, in accordance with article 2 of the Additional Protocol.  
**REGISTRATION:** 30 July 1998, No. 22495.  
**STATUS:** Parties: 45.  
**TEXT:** Doc. CCW/CONF.I/16 Part I).

*Note:* At its 8<sup>th</sup> plenary meeting on 13 October 1995, the Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects adopted pursuant to article 8.3 (b) of the Convention an additional Protocol entitled "Protocol on Blinding Laser Weapons (Protocol IV)".

<i>Participant</i>	<i>Consent to be bound (P)</i>	<i>Participant</i>	<i>Consent to be bound (P)</i>
Argentina . . . . .	21 Oct 1998 P	Liechtenstein . . . . .	19 Nov 1997 P
Australia . . . . .	22 Aug 1997 P	Lithuania . . . . .	3 Jun 1998 P
Austria . . . . .	27 Jul 1998 P	Luxembourg . . . . .	5 Aug 1999 P
Belgium . . . . .	10 Mar 1999 P	Mexico . . . . .	10 Mar 1998 P
Brazil . . . . .	4 Oct 1999 P	Mongolia . . . . .	6 Apr 1999 P
Bulgaria . . . . .	3 Dec 1998 P	Netherlands <sup>2</sup> . . . . .	25 Mar 1999 P
Cambodia . . . . .	25 Mar 1997 P	New Zealand . . . . .	8 Jan 1998 P
Canada . . . . .	5 Jan 1998 P	Norway . . . . .	20 Apr 1998 P
Cape Verde . . . . .	16 Sep 1997 P	Panama . . . . .	26 Mar 1997 P
China . . . . .	4 Nov 1998 P	Peru . . . . .	3 Jul 1997 P
Costa Rica . . . . .	17 Dec 1998 P	Philippines . . . . .	12 Jun 1997 P
Czech Republic . . . . .	10 Aug 1998 P	Russian Federation . . . . .	9 Sep 1999 P
Denmark . . . . .	30 Apr 1997 P	Slovakia . . . . .	30 Nov 1999 P
Finland . . . . .	11 Jan 1996 P	South Africa . . . . .	26 Jun 1998 P
France . . . . .	30 Jun 1998 P	Spain . . . . .	19 Jan 1998 P
Germany . . . . .	27 Jun 1997 P	Sweden . . . . .	15 Jan 1997 P
Greece . . . . .	5 Aug 1997 P	Switzerland . . . . .	24 Mar 1998 P
Holy See . . . . .	22 Jul 1997 P	Tajikistan . . . . .	12 Oct 1999 P
Hungary . . . . .	30 Jan 1998 P	United Kingdom of Great Britain and Northern Ireland . . . . .	11 Feb 1999 P
India . . . . .	2 Sep 1999 P	Uruguay . . . . .	18 Sep 1998 P
Ireland . . . . .	27 Mar 1997 P	Uzbekistan . . . . .	29 Sep 1997 P
Italy . . . . .	13 Jan 1999 P		
Japan . . . . .	10 Jun 1997 P		
Latvia . . . . .	11 Mar 1998 P		

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon acceptance.)*

**AUSTRALIA**

**Declaration:**

"It is the understanding of the Government of Australia that the provisions of Protocol IV shall apply in all circumstances."

**AUSTRIA**

**Declaration:**

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

**BELGIUM**

**Declaration:**

It is the understanding of the Government of the Kingdom of Belgium that the provisions of Protocol IV which by their contents or nature may also be applied in peacetime, shall be observed at all times.

**CANADA<sup>1</sup>**

19 October 1999

**Declaration:**

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### GERMANY

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### GREECE

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### IRELAND

*Declaration in relation to article 1:*

"It is the understanding of Ireland that the provisions of the Additional Protocol which by their contents or nature may also be applied in peacetime, shall be observed at all times."

#### ITALY

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### LIECHTENSTEIN

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### NETHERLANDS

*Declaration:*

*With regard to Article 1:*

"The Government of the Kingdom of the Netherlands takes the view that the provisions of Protocol IV which, given their

content or nature, can also be applied in peacetime must be observed in all circumstances."

#### SOUTH AFRICA

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

#### SWEDEN

*Declarations:*

--Sweden intends to apply the Protocol to all types of armed conflict;

--Sweden intends to pursue an international agreement by which the provisions of the Protocol shall be applicable to all types of armed conflict;

--Sweden has since long strived for explicit prohibition of the use of blinding laser which would risk causing permanent blindness to soldiers. Such an effect, in Sweden's view is contrary to the principle of international law prohibiting means and methods of warfare which cause unnecessary suffering."

#### SWITZERLAND

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Australia.]*

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Declaration:*

"In relation to Protocol IV, the Government of the United Kingdom declare that their application of its provisions will not be limited to the situations set out in Article 1 of the [1980] Convention."

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#### Notes:

<sup>1</sup> In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the declaration for deposit in the absence of any objection on the part of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of its circulation (i.e. 21 July 1998). None of the Contracting Parties to the Protocol having notified the Secretary-

General of an objection within the 90 days period, the declaration was deemed to have been accepted for deposit upon the expiration of the 90 day period in question, i.e. on 19 October 1998.

<sup>2</sup> For the Kingdom in Europe.

**2. b) Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects**

*Geneva, 3 May 1996*

**ENTRY INTO FORCE:** 3 December 1998, in accordance with article 2 of the Protocol.  
**REGISTRATION:** 3 December 1998, No. 22495.  
**STATUS:** Parties: 46.  
**TEXT:** Doc. CCW/CONF.I/16 (Part I).

*Note:* At its 14th plenary meeting on 3 May 1996, the Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects concluded at Geneva on 10 October 1980 adopted, pursuant to article 8 (1) (b) of the Convention, Protocol II, as amended.

<i>Participant</i>	<i>Consent to be bound (P)</i>	<i>Participant</i>	<i>Consent to be bound (P)</i>
Argentina	21 Oct 1998 P	Lithuania	3 Jun 1998 P
Australia	22 Aug 1997 P	Luxembourg	5 Aug 1999 P
Austria	27 Jul 1998 P	Monaco	12 Aug 1997 P
Belgium	10 Mar 1999 P	Netherlands	25 Mar 1999 P
Brazil	4 Oct 1999 P	New Zealand	8 Jan 1998 P
Bulgaria	3 Dec 1998 P	Norway	20 Apr 1998 P
Cambodia	25 Mar 1997 P	Pakistan	9 Mar 1999 P
Canada	5 Jan 1998 P	Panama	3 Nov 1999 P
Cape Verde	16 Sep 1997 P	Peru	3 Jul 1997 P
China	4 Nov 1998 P	Philippines	12 Jun 1997 P
Costa Rica	17 Dec 1998 P	Portugal	31 Mar 1999 P
Czech Republic	10 Aug 1998 P	Senegal	29 Nov 1999 P
Denmark	30 Apr 1997 P	Slovakia	30 Nov 1999 P
Finland	3 Apr 1998 P	South Africa	26 Jun 1998 P
France	23 Jul 1998 P	Spain	27 Jan 1998 P
Germany	2 May 1997 P	Sweden	16 Jul 1997 P
Greece	20 Jan 1999 P	Switzerland	24 Mar 1998 P
Holy See	22 Jul 1997 P	Tajikistan	12 Oct 1999 P
Hungary	30 Jan 1998 P	Ukraine	15 Dec 1999 P
India	2 Sep 1999 P	United Kingdom of Great Britain and Northern Ireland	11 Feb 1999 P
Ireland	27 Mar 1997 P	United States of America	24 May 1999 P
Italy	13 Jan 1999 P	Uruguay	18 Aug 1998 P
Japan	10 Jun 1997 P		
Liechtenstein	19 Nov 1997 P		

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon acceptance.)*

**AUSTRIA**

*Declaration in respect of article 1:*  
*[Same declaration, mutatis mutandis, as the one made by Ireland.]*  
*Declaration in respect of article 2 (3):*  
*[Same declaration, mutatis mutandis, as the one made by*

*Ireland.]*

**BELGIUM**

*Interpretative declarations:*

*Article 1:*

It is the understanding of the Government of the Kingdom of Belgium that the provisions of Protocol II as amended which by their contents or nature may be applied also in peacetime, shall be observed at all times.

*Article 2:*

It is the understanding of the Government of the Kingdom of Belgium that the word 'primarily' is included in article 2, par-

agraph 3 of amended Protocol II to clarify that mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.

## CANADA<sup>1</sup>

19 October 1999

### *Reservation:*

"Canada reserves the right to transfer and use a small number of mines prohibited under this Protocol to be used exclusively for training and testing purposes. Canada will ensure that the number of such mines shall not exceed that absolutely necessary for such purposes."

### *Statements of Understanding:*

"1. It is understood that the provisions of Amended Protocol II shall, as the context requires, be observed at all times.

2. It is understood that the word "primarily" is included in Article 2, paragraph 3 of Amended Protocol II to clarify that mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.

3. It is understood that the maintenance of a minefield referred to in Article 10, in accordance with the standards on marking, monitoring and protection by fencing or other means set out in Amended Protocol II, would not be considered as a use of the mines contained therein."

## CHINA

### *Declaration:*

1. According to the provisions contained in Technical Annex 2 (c) and 3 (c) of the Amended Protocol II, China will defer compliance with 2 (b), 3 (a) and 3 (b);

### *Declaration in respect of article 2 (3):*

[Same declaration, *mutatis mutandis*, as the one made by Ireland.]

## DENMARK

### *Declarations:*

[Same declarations, *mutatis mutandis*, as those made by Ireland.]

## FINLAND

### *Declarations:*

[Same declarations, *mutatis mutandis*, as those made by Ireland.]

## FRANCE

### *Declarations concerning the scope of amended Protocol II:*

[Same declarations, *mutatis mutandis*, as those made by Ireland in regard to article 1 and 2 of the Protocol.]

### *Article 4:*

France takes it that article 4 and Technical Annex to amended Protocol II do not require the removal or replacement of mines that have already been laid.

### *Declaration concerning standards on marking, monitoring and protection:*

The provisions of amended Protocol II such as those concerning the marking, monitoring and protection of zones which contain anti-personnel mines and are under the control of a par-

ty, are applicable to all zones containing mines, irrespective of the date on which those mines were laid.

## GERMANY

### *Declarations in respect of articles 1 and 2:*

[Same declarations, *mutatis mutandis*, as those made by Ireland.]

### *Declaration:*

#### *Article 5 paragraph 2 (b):*

It is understood that article 5, paragraph 2 (b) does not preclude agreement among the states concerned, in connection with peace treaties or similar arrangements, to allocate responsibilities under paragraph 2 (b) in another manner which nevertheless respects the essential spirit and purpose of the article.

## GREECE

### *Declaration in respect of article 1:*

"It is understood that the provisions of the protocol shall, as the context requires, be observed at all times."

### *Declaration in respect of article 2 (3):*

[Same declaration, *mutatis mutandis*, as the one made by Ireland.]

### *Declaration in respect of article 5, paragraph 2 (b):*

[Same declaration, *mutatis mutandis*, as the one made by Germany.]

## HUNGARY

### *Declaration:*

#### The Republic of Hungary

1) declines to observe the 9 year period of deferral on compliance as allowed for in Paragraphs 2 (c) and 3 (c) of the Technical Annex to Amended Protocol II, and even prior to the entry into force of Amended Protocol II intends to be bound by its implementation measures as stipulated therein, as well as the rules of procedure regarding record keeping, detectability, self-destruction and self-deactivation and perimeter marking as stipulated in the Technical Annex;

2) intends to eliminate and eventually destroy its entire stockpile of anti-personnel landmines by December 31, 2000 the latest, in addition to the already undertaken destruction of stockpiled landmines, as initiated in August of 1996 and completed in 40%;

3) refrains from the emplacement of anti-personnel landmines and, for the duration of their complete destruction, intends to designate a central storage facility to pool the remainder stock of anti-personnel landmines as a way to facilitate inspection by international monitors;

4) announces a total ban on the development, production, acquisition, export and transfer of all types of anti-personnel landmines;

5) refrains from the operational use of anti-personnel landmines, unless a policy-revision becomes necessitated by a significant deterioration in the national security environment of the country, in which case due attention shall be paid to compliance with laws governing international warfare;

6) stands ready to engage in implementing appropriate confidence building measures, as a way to be enabled to present the implementation of the measures announced unilaterally by the Republic of Hungary in the course of joint military, educational, and training and other cooperational activities conducted with other armed forces;

7) offers appropriate technical and training assistance to international organizations engaged in de-mining activities;

8) urges her neighbours and other countries in the region to seek unilateral or coordinated measures designed to achieve the total elimination of all types of anti-personnel landmines from the weapons arsenal of the countries in the region, and expresses her readiness to engage in further negotiations to advance this cause;

9) reiterates her commitment to promote the early conclusion of and wide adherence to an international convention stipulating a total and comprehensive ban on anti-personnel landmines, by reaffirming her determination to contribute actively to the success of international efforts furthering this goal.

## IRELAND

*Declarations:*

*Article 1 :*

"It is the understanding of Ireland that the provisions of the amended Protocol which by their contents or nature may be applied also in peacetime, shall be observed at all times."

*Article 2 (3):*

"It is the understanding of Ireland that the word 'primarily' is included in article 2, paragraph 3 of the amended Protocol to clarify that mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipittaly

## ITALY

*Declaration in respect of article 1:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

*Declaration in respect of article 2:*

"Under article 2 of the amended Protocol II, in order to fully address the humanitarian concerns raised by anti-personnel land-mines, the Italian Parliament has enacted and brought into force a legislation containing a far more stringent definition of those devices. In this regard, while reaffirming its commitment to promote the further development of international humanitarian law, the Italian Government confirms its understanding that the word 'primarily' is included in article 2, paragraph 3 of the amended Protocol II to clarify that mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped."

*Declaration in respect of article 5, paragraph 2 (b):*

"Under article 5 of the amended Protocol II, it is the understanding of the Italian Government that article 5 (paragraph 2) does not preclude agreement in connection with peace treaties and related agreements among concerned states to allocate responsibilities under this paragraph in another manner which reflects the spirit and purpose of the article."

## LIECHTENSTEIN

*Declaration in respect of article 1:*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

## NETHERLANDS

*Declarations:*

*With regard to Article 1, paragraph 2:*

"The Government of the Kingdom of the Netherlands takes the view that the provisions of the Protocol which, given their

content or nature, can also be applied in peacetime, must be observed in all circumstances."

*With regard to Article 2, paragraph 3:*

"The Government of the Kingdom of the Netherlands takes the view that the word 'primarily' means only that mines that are designed to be exploded by the presence, proximity or contact of a vehicle and that are equipped with an anti-handling device are not regarded as anti-personnel mines because of that device."

*With regard to Article 2, paragraph 6:*

"The Government of the Kingdom of the Netherlands takes the view that a specific area of land may also be a military objective if, because of its location or other reasons specified in paragraph six, its total or partial destruction, capture, or neutralization in the circumstances ruling at the time, offers a definitive military advantage."

*With regard to Article 3, paragraph 8, under c:*

"The Government of the Kingdom of the Netherlands takes the view that military advantage refers to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack.

*With regard to Article 12, paragraph 2, under b:*

"The Government of the Kingdom of the Netherlands takes the view that the words 'as far as it is able' mean 'as far as it is technically able'."

## PAKISTAN

*Declarations:*

*"Article 1:*

- It is understood that for the purposes of interpretation the provisions of article 1 take precedence over provisions or undertakings in any other article.

- The rights and obligations arising from situations described in article 1 are absolute and immutable and the observance of any other provision of the Protocol cannot be construed, either directly or indirectly, as affecting the right of peoples struggling against colonial or other forms of alien domination and foreign occupation in the exercise of their inalienable right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among states in accordance with the Charter of the United Nations.

- The provisions of the Protocol must be observed at all times, depending on the circumstances.

*Article 2 (Paragraph 3):*

- In the context of the word "primarily", it is understood that such anti-tank mine which use anti-personnel mines as a fuse but do not explode on contact with a person are not anti-personnel mines.

*Article 3 (Paragraph 9):*

- It is understood that an area of land can itself be a legitimate military objective for the purposes of the use of landmines, if its neutralisation or denial, in the circumstances ruling at the time, offers a definite military advantage.

*Sub-para 2(c) and 3(c) of Technical Annex:*

- It is declared that compliance with sub-para 2(b) and 3(a) and (b) is deferred as provided for in sub-para 2(c) and 3(c), respectively."

## SOUTH AFRICA

*Declarations in respect of articles 1 and 2 (3):*

*[Same declarations, mutatis mutandis, as those made by*

*Ireland.]*

*Article 5 paragraph 2 (b):*

"It is understood that Article 5 (2) (b) does not preclude agreement among the States concerned, in connection with peace treaties or similar arrangements, to allocate responsibilities under this paragraph in another manner which nevertheless respects the essential spirit and purpose of the Article."

#### UKRAINE

*Declaration:*

Ukraine declares that it shall defer implementation of the provisions of subparagraphs 3 (a) and (b) of the technical annex for a period of nine years from the date on which this Protocol enters into force.

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Declarations:*

"(a) the [declaration conveying consent to be bound by Protocols I, II and III to the Convention on Prohibitions or Restrictions on the Use of Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects, concluded at Geneva on 10 October 1980], in so far as it applies to Protocol II to the [1980] Convention, continues to apply to Protocol II as amended;

(b) the [declaration dated 28 January 1998 accompanying the United Kingdom's ratification of Additional Protocol I to the Geneva Conventions of 12 August 1949 relating to the Protection of Victims of Armed Conflicts, opened for signature at Geneva on 12 December 1977], in so far as it is relevant, also applies to the provisions of Protocol II as amended;

(c) nothing in the present declaration or in Protocol II as amended shall be taken as limiting the obligations of the United Kingdom under the [Convention on the Prohibition and Transfer of Anti-Personnel Mines and on their Destruction concluded at Oslo on 18 September 1997 (the "Ottawa Convention")] nor its rights in relation to other Parties to that Convention;

(d) Article 2 (14) is interpreted to have the same meaning as Article 2 (3) of the Ottawa Convention;

(e) the references in Article 12 (2) to "force" and "mission" are interpreted as including forces and missions authorised by the United Nations Security Council under Chapter VII or Chapter VIII of the Charter of the United Nations which are deployed by a regional arrangement or agency. This applies to all such forces or missions, whether or not they include contingents contributed by non-member States of the regional arrangement or agency."

#### SWEDEN

*Declarations in respect of articles 1 and 2:*

"Sweden intends to apply the Protocol also in time of peace."

*Declaration in respect of article 2 (3):*

*[Same declaration, mutatis mutandis, as the one made by Ireland.]*

*Declaration in respect of article 5, paragraph 2:*

"Sweden is of the opinion that the obligations ensuing from article 5, paragraph 2 shall not be interpreted to the effect that the High Contracting Parties or parties in a conflict are prevented from entering into an agreement allowing another party to conduct mine clearance."

#### UNITED STATES OF AMERICA

*"I. The senate's advice and consent is subject to the following*

*reservation:*

"The United States reserves the right to use other devices (as defined in Article 2(5) of the Amended Mines Protocol) to destroy any stock of food or drink that is judged likely to be used by an enemy military force, if due precautions are taken for the safety of the civilian population."

*II. The Senate's advice and consent is subject to the following understandings:*

(1) UNITED STATES COMPLIANCE, - The United States understands that -

(A) any decision by any military commander, military personnel, or any other person responsible for planning, authorizing, or executing military action shall only be judged on the basis of that person's assessment of the information reasonably available to the person at the time the person planned, authorized, or executed the action under review, and shall not be judged on the basis of information that comes to light after the action under review was taken; and

(B) Article 14 of the Amended Mines Protocol (insofar as it relates to penal sanctions) shall apply only in a situation in which an individual -

(i) knew, or should have known, that his action was prohibited under the Amended Mines Protocol;

(ii) intended to kill or cause serious injury to a civilian; and

(iii) knew or should have known, that the person he intended to kill or cause serious injury was a civilian.

(2) EFFECTIVE EXCLUSION. - The United States understands that, for the purposes of Article 5(6)(b) of the Amended Mines Protocol, the maintenance of observation over avenues of approach where mines subject to that Article are deployed constitutes one acceptable form of monitoring to ensure the effective exclusion of civilians.

(3) HISTORIC MONUMENTS. - The United States understands that Article 7(1)(i) of the Amended Mines Protocol refers only to a limited class of objects that, because of their clearly recognizable characteristics and because of their widely recognized importance, constitute a part of the cultural or spiritual heritage of peoples.

(4) LEGITIMATE MILITARY OBJECTIVES. - The United States understands that an area of land itself can be a legitimate military objective for the purpose of the use of landmines, if its neutralization or denial, in the circumstances applicable at the time, offers a military advantage.

(5) PEACE TREATIES. - The United States understands that the allocation of responsibilities for landmines in Article 5(2)(b) of the Amended Mines Protocol does not preclude agreement, in connection with peace treaties or similar arrangements, to allocate responsibilities under that Article in a manner that respects the essential spirit and purpose of the Article.

(6) BOOBY-TRAPS AND OTHER DEVICES. - For the purposes of the Amended Mines Protocol, the United States understands that -

(A) the prohibition contained in Article 7(2) of the Amended Mines Protocol does not preclude the expedient adaptation or adaptation in advance of other objects for use as booby-traps or other devices;

(B) a trip-wired hand grenade shall be considered a "booby-trap" under Article 2(4) of the Amended Mines Protocol and shall not be considered a "mine" or an "anti-personnel mine" under Article 2(1) or Article 2(3), respectively; and

(C) none of the provisions of the Amended Mines Protocol, including Article 2(5), applies to hand grenades other than trip-wired hand grenades.

(7) NON-LETHAL CAPABILITIES. - The United States understands that nothing in the Amended Mines Protocol may be construed as restricting or affecting in any way non-lethal weapon technology that is designed to temporarily disable,



stun, signal the presence of a person, or operate in any other fashion, but not to cause permanent incapacity.

**(8) INTERNATIONAL TRIBUNAL JURISDICTION.** - The United States understands that the provisions of Article 14 of the Amended Mines Protocol relating to penal sanctions refer to measures by the authorities of States Parties to the Protocol and do not authorize the trial of any person before an international criminal tribunal. The United States shall not recognize the jurisdiction of any international tribunal to prosecute a United States citizen for a violation of the Protocol or the Convention on Conventional Weapons.

**(9) TECHNICAL COOPERATION AND ASSISTANCE** - The United States understands that -

(A) no provision of the Protocol may be construed as affecting the discretion of the United States to refuse assistance or to restrict or deny permission for the export of equipment, material, or scientific or technological information for any reason; and

(B) the Amended Mines Protocol may not be used as a pretext for the transfer of weapons technology or the provision of assistance to the military mining or military counter-mining capabilities of a State Party to the Protocol."

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**Notes:**

<sup>1</sup> In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the declaration for deposit in the absence of any objection on the part of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of its circulation (i.e. 21 July 1998). None

of the Contracting Parties to the Protocol having notified the Secretary-General of an objection within the 90 days period, the declaration was deemed to have been accepted for deposit upon the expiration of the 90 day period in question, i.e. on 19 October 1998.

**3. CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION,  
STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION**

*Paris, 13 January 1993*

**ENTRY INTO FORCE:** 29 April 1997, in accordance with article XXI (1).  
**REGISTRATION:** 29 April 1997, No. 33757.  
**STATUS:** Signatories: 165. Parties: 129.  
**TEXT:** Doc. CD/CW/WP.400/Rev.1: and depositary notifications C.N.95.1994.TREATIES-1 of 10 May 1994 (correction to the authentic Arabic, Chinese, English, French, Russian and Spanish texts) and C.N.201.1994.TREATIES-4 of 12 July 1994 and C.N.359.1994.TREATIES-8 of 27 January 1995 (addenda); C.N.454.1995.TREATIES-12 of 2 February 1996 (procès-verbal of rectification of the authentic Arabic and Russian texts); C.N.916.1999.TREATIES-7 of 8 October 1999 [acceptance of amendment for a change to Section B of Part VI of the Annex on Implementation and Verification (Verification Annex)]; and C.N.1112.1999.TREATIES-8 of 10 December 1999 [proposal of corrections to the Arabic, Chinese, English, French, Russian and Spanish authentic texts of the Amendment for a change to Section B of Part VI of the Annex on Implementation and Verification ("Verification Annex")].

*Note:* At its 47th session, the General Assembly, by resolution A/RES/47/39<sup>1</sup>, adopted on 30 November 1992, commended the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, as contained in the report of the Conference on Disarmament, dated 3 September 1992. In the same resolution, the General Assembly also welcomed the invitation of the President of the French Republic to participate in a ceremony to sign the Convention in Paris on 13 January 1993 and requested the Secretary-General, as Depositary of the Convention, to open it for signature in Paris on that date. The Convention was opened for signature in Paris, from 13 January to 15 January 1993. Thereafter, it remained open for signature at the Headquarters of the United Nations in New York, until its entry into force, in accordance with article XVIII.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Afghanistan.....	14 Jan 1993		Cook Islands.....	14 Jan 1993	15 Jul 1994
Albania.....	14 Jan 1993	11 May 1994	Costa Rica.....	14 Jan 1993	31 May 1996
Algeria.....	13 Jan 1993	14 Aug 1995	Côte d'Ivoire.....	13 Jan 1993	18 Dec 1995
Argentina.....	13 Jan 1993	2 Oct 1995	Croatia.....	13 Jan 1993	23 May 1995
Armenia.....	19 Mar 1993	27 Jan 1995	Cuba.....	13 Jan 1993	29 Apr 1997
Australia.....	13 Jan 1993	6 May 1994	Cyprus.....	13 Jan 1993	28 Aug 1998
Austria.....	13 Jan 1993	17 Aug 1995	Czech Republic.....	14 Jan 1993	6 Mar 1996
Azerbaijan.....	13 Jan 1993		Democratic Republic of the Congo.....	14 Jan 1993	
Bahamas.....	2 Mar 1994		Denmark.....	14 Jan 1993	13 Jul 1995
Bahrain.....	24 Feb 1993	28 Apr 1997	Djibouti.....	28 Sep 1993	
Bangladesh.....	14 Jan 1993	25 Apr 1997	Dominica.....	2 Aug 1993	
Belarus.....	14 Jan 1993	11 Jul 1996	Dominican Republic..	13 Jan 1993	
Belgium.....	13 Jan 1993	27 Jan 1997	Ecuador.....	14 Jan 1993	6 Sep 1995
Benin.....	14 Jan 1993	14 May 1998	El Salvador.....	14 Jan 1993	30 Oct 1995
Bhutan.....	24 Apr 1997		Equatorial Guinea....	14 Jan 1993	25 Apr 1997
Bolivia.....	14 Jan 1993	14 Aug 1998	Estonia.....	14 Jan 1993	26 May 1999
Bosnia and Herzegovi- na.....	16 Jan 1997	25 Feb 1997	Ethiopia.....	14 Jan 1993	13 May 1996
Botswana.....		31 Aug 1998 a	Fiji.....	14 Jan 1993	20 Jan 1993
Brazil.....	13 Jan 1993	13 Mar 1996	Finland.....	14 Jan 1993	7 Feb 1995
Brunei Darussalam...	13 Jan 1993	28 Jul 1997	France.....	13 Jan 1993	2 Mar 1995
Bulgaria.....	13 Jan 1993	10 Aug 1994	Gabon.....	13 Jan 1993	
Burkina Faso.....	14 Jan 1993	8 Jul 1997	Gambia.....	13 Jan 1993	19 May 1998
Burundi.....	15 Jan 1993	4 Sep 1998	Georgia.....	14 Jan 1993	27 Nov 1995
Cambodia.....	15 Jan 1993		Germany.....	13 Jan 1993	12 Aug 1994
Cameroon.....	14 Jan 1993	16 Sep 1996	Ghana.....	14 Jan 1993	9 Jul 1997
Canada.....	13 Jan 1993	26 Sep 1995	Greece.....	13 Jan 1993	22 Dec 1994
Cape Verde.....	15 Jan 1993		Grenada.....	9 Apr 1997	
Central African Repub- lic.....	14 Jan 1993		Guatemala.....	14 Jan 1993	
Chad.....	11 Oct 1994		Guinea.....	14 Jan 1993	9 Jun 1997
Chile.....	14 Jan 1993	12 Jul 1996	Guinea-Bissau.....	14 Jan 1993	
China.....	13 Jan 1993	25 Apr 1997	Guyana.....	6 Oct 1993	12 Sep 1997
Colombia.....	13 Jan 1993		Haiti.....	14 Jan 1993	
Comoros.....	13 Jan 1993		Holy See.....	14 Jan 1993	12 May 1999
Congo.....	15 Jan 1993		Honduras.....	13 Jan 1993	
			Hungary.....	13 Jan 1993	31 Oct 1996

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a)</i>
Iceland . . . . .	13 Jan 1993	28 Apr 1997	Portugal . . . . .	13 Jan 1993	10 Sep 1996
India . . . . .	14 Jan 1993	3 Sep 1996	Qatar . . . . .	1 Feb 1993	3 Sep 1997
Indonesia . . . . .	13 Jan 1993	12 Nov 1998	Republic of Korea . . .	14 Jan 1993	28 Apr 1997
Iran (Islamic Republic of) . . . . .	13 Jan 1993	3 Nov 1997	Republic of Moldova . .	13 Jan 1993	8 Jul 1996
Ireland . . . . .	14 Jan 1993	24 Jun 1996	Romania . . . . .	13 Jan 1993	15 Feb 1995
Israel . . . . .	13 Jan 1993		Russian Federation . .	13 Jan 1993	5 Nov 1997
Italy . . . . .	13 Jan 1993	8 Dec 1995	Rwanda . . . . .	17 May 1993	
Jamaica . . . . .	18 Apr 1997		Saint Kitts and Nevis .	16 Mar 1994	
Japan . . . . .	13 Jan 1993	15 Sep 1995	Saint Lucia . . . . .	29 Mar 1993	9 Apr 1997
Jordan . . . . .		29 Oct 1997 a	Saint Vincent and the Grenadines . . . . .	20 Sep 1993	
Kazakhstan . . . . .	14 Jan 1993		Samoa . . . . .	14 Jan 1993	
Kenya . . . . .	15 Jan 1993	25 Apr 1997	San Marino . . . . .	13 Jan 1993	10 Dec 1999
Kuwait . . . . .	27 Jan 1993	29 May 1997	Saudi Arabia . . . . .	20 Jan 1993	9 Aug 1996
Kyrgyzstan . . . . .	22 Feb 1993		Senegal . . . . .	13 Jan 1993	20 Jul 1998
Lao People's Demo- cratic Republic . . .	13 May 1993	25 Feb 1997	Seychelles . . . . .	15 Jan 1993	7 Apr 1993
Latvia . . . . .	6 May 1993	23 Jul 1996	Sierra Leone . . . . .	15 Jan 1993	
Lesotho . . . . .	7 Dec 1994	7 Dec 1994	Singapore . . . . .	14 Jan 1993	21 May 1997
Liberia . . . . .	15 Jan 1993		Slovakia . . . . .	14 Jan 1993	27 Oct 1995
Liechtenstein . . . . .	21 Jul 1993	24 Nov 1999	Slovenia . . . . .	14 Jan 1993	11 Jun 1997
Lithuania . . . . .	13 Jan 1993	15 Apr 1998	South Africa . . . . .	14 Jan 1993	13 Sep 1995
Luxembourg . . . . .	13 Jan 1993	15 Apr 1997	Spain . . . . .	13 Jan 1993	3 Aug 1994
Madagascar . . . . .	15 Jan 1993		Sri Lanka . . . . .	14 Jan 1993	19 Aug 1994
Malawi . . . . .	14 Jan 1993	11 Jun 1998	Sudan . . . . .		24 May 1999 a
Malaysia . . . . .	13 Jan 1993		Suriname . . . . .	28 Apr 1997	28 Apr 1997
Maldives . . . . .	4 Oct 1993	31 May 1994	Swaziland . . . . .	23 Sep 1993	20 Nov 1996
Mali . . . . .	13 Jan 1993	28 Apr 1997	Sweden . . . . .	13 Jan 1993	17 Jun 1993
Malta . . . . .	13 Jan 1993	28 Apr 1997	Switzerland . . . . .	14 Jan 1993	10 Mar 1995
Marshall Islands . . .	13 Jan 1993		Tajikistan . . . . .	14 Jan 1993	11 Jan 1995
Mauritania . . . . .	13 Jan 1993	9 Feb 1998	Thailand . . . . .	14 Jan 1993	
Mauritius . . . . .	14 Jan 1993	9 Feb 1993	the former Yugoslav Republic of Mace- donia . . . . .		20 Jun 1997 a
Mexico . . . . .	13 Jan 1993	29 Aug 1994	Togo . . . . .	13 Jan 1993	23 Apr 1997
Micronesia (Federated States of) . . . . .	13 Jan 1993	21 Jun 1999	Trinidad and Tobago .		24 Jun 1997 a
Monaco . . . . .	13 Jan 1993	1 Jun 1995	Tunisia . . . . .	13 Jan 1993	15 Apr 1997
Mongolia . . . . .	14 Jan 1993	17 Jan 1995	Turkey . . . . .	14 Jan 1993	12 May 1997
Morocco . . . . .	13 Jan 1993	28 Dec 1995	Turkmenistan . . . . .	12 Oct 1993	29 Sep 1994
Myanmar . . . . .	14 Jan 1993		Uganda . . . . .	14 Jan 1993	
Namibia . . . . .	13 Jan 1993	24 Nov 1995	Ukraine . . . . .	13 Jan 1993	16 Oct 1998
Nauru . . . . .	13 Jan 1993		United Arab Emirates	2 Feb 1993	
Nepal . . . . .	19 Jan 1993	18 Nov 1997	United Kingdom of Great Britain and Northern Ireland .	13 Jan 1993	13 May 1996
Netherlands <sup>2</sup> . . . . .	14 Jan 1993	30 Jun 1995	United Republic of Tanzania . . . . .	25 Feb 1994	25 Jun 1998
New Zealand . . . . .	14 Jan 1993	15 Jul 1996	United States of Amer- ica . . . . .	13 Jan 1993	25 Apr 1997
Nicaragua . . . . .	9 Mar 1993	5 Nov 1999	Uruguay . . . . .	15 Jan 1993	6 Oct 1994
Niger . . . . .	14 Jan 1993	9 Apr 1997	Uzbekistan . . . . .	24 Nov 1995	23 Jul 1996
Nigeria . . . . .	13 Jan 1993	20 May 1999	Venezuela . . . . .	14 Jan 1993	3 Dec 1997
Norway . . . . .	13 Jan 1993	7 Apr 1994	Viet Nam . . . . .	13 Jan 1993	30 Sep 1998
Oman . . . . .	2 Feb 1993	8 Feb 1995	Yemen . . . . .	8 Feb 1993	
Pakistan . . . . .	13 Jan 1993	28 Oct 1997	Zambia . . . . .	13 Jan 1993	
Panama . . . . .	16 Jun 1993	7 Oct 1998	Zimbabwe . . . . .	13 Jan 1993	25 Apr 1997
Papua New Guinea . .	14 Jan 1993	17 Apr 1996			
Paraguay . . . . .	14 Jan 1993	1 Dec 1994			
Peru . . . . .	14 Jan 1993	20 Jul 1995			
Philippines . . . . .	13 Jan 1993	11 Dec 1996			
Poland . . . . .	13 Jan 1993	23 Aug 1995			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations  
were made upon ratification or accession.)*

**AUSTRIA**

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

**BELGIUM**

*Declaration made upon signature and confirmed upon ratification:*

As a Member State of the European Community, the Government of Belgium will implement the provisions of the Convention on the Prohibition of Chemical Weapons, in accordance with its obligations arising from the rules of the Treaties establishing the European Communities to the extent that such rules are applicable.

**CHINA**

*Upon signature:*

*Declarations:*

"I. China has consistently stood for the complete prohibition and thorough destruction of all chemical weapons and their production facilities. The Convention constitutes the legal basis for the realization of this goal. China therefore supports the object and purpose and principles of the Convention.

II. The object and purpose and principles of the Convention should be strictly abided by. The relevant provisions on challenge inspection should not be abused to the detriment of the security interests of States Parties unrelated to chemical weapons. Otherwise, the universality of the Convention is bound to be adversely affected.

III. States Parties that have abandoned chemical weapons on the territories of other States parties should implement in earnest the relevant provisions of the Convention and undertake the obligation to destroy the abandoned chemical weapons.

IV. The Convention should effectively facilitate trade, scientific and technological exchanges and cooperation in the field of chemistry for peaceful purposes. All export controls inconsistent with the Convention should be abolished."

*Upon ratification:*

*Declarations:*

1. China has always stood for complete prohibition and thorough destruction of chemical weapons. As CWC has laid an international legal foundation for the realization of this goal, China supports the purpose, objectives and principles of the CWC.

2. China calls upon the countries with the largest chemical weapons arsenals to ratify CWC without delay with a view to attaining its purposes and objectives at an early date.

3. The purposes, objectives and principles of CWC should be strictly observed. The provisions concerning challenge inspection shall not be abused and the national security interests of States parties not related to chemical weapons shall not be compromised. China is firmly opposed to any act of abusing the verification provisions which endangers its sovereignty and security.

4. Any country which has abandoned chemical weapons on the territory of another country should effectively implement the relevant CWC provisions, undertake the obligations to destroy those chemical weapons and ensure the earliest complete destruction of all the chemical weapons it has abandoned on another state's territory.

5. CWC should play a sound role in promoting international trade, scientific and technological exchanges and cooperation for peaceful purposes in the field of chemical industry. It should become the effective legal basis for regulating trade and exchange among the states parties in the field of chemical industry.

**CUBA**

*Declarations:*

The Government of the Republic of Cuba declares, in conformity with article III (a) (iii) of the Convention, that there is a colonial enclave in its territory - the Guantanamo Naval Base - a part of Cuban national territory over which the Cuban State does not exercise its rightful jurisdiction, owing to its illegal occupation by the United States of America by reason of a deceitful and fraudulent Treaty.

Consequently, for the purposes of the Convention, the Government of the Republic of Cuba does not assume any responsibility with respect to the aforesaid territory, since it does not know whether or not the United States has installed, possesses, maintains or intends to possess chemical weapons in the part of Cuban territory that it illegally occupies.

The Government of the Republic of Cuba also considers that it has the right to require that the entry of any inspection group mandated by the Organization for the Prohibition of Chemical Weapons, to carry out in the territory of Guantanamo Naval Base the verification activities provided for in the Convention, should be effected through a point of entry in Cuban national territory to be determined by the Cuban Government.

The Government of the Republic of Cuba considers that, under the provisions of article XI of the Convention, the unilateral application by a State party to the Convention against another State party of any restriction which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical or other purposes not prohibited under the Convention, would be incompatible with the object and purpose of the Convention.

The Government of Cuba designates the Ministry of Science, Technology and Environment, in its capacity as the national authority of the Republic of Cuba for the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, as the body of the central administration of the State responsible for organizing, directing, monitoring and supervising the activities aimed at preparing the Republic of Cuba to fulfil the obligations it is assuming as a State party to the aforementioned Convention.

**DENMARK**

*Upon signature:*

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

**FRANCE**

*Upon signature:*

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## GERMANY

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## GREECE

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## HOLY SEE

*Declaration:*

[...] the Holy See, in conformity with the nature and particular condition of Vatican City State, intends to renew its encouragement to the International Community to continue on the path towards a situation of general and complete disarmament, capable of promoting peace and cooperation at world level.

Dialogue and multilateral negotiation are essential values in this process. Through the instruments of international law, they facilitate the peaceful resolution of controversies and help better mutual understanding. In this way they promote the effective affirmation of the culture of life and peace.

While not possessing chemical weapons of any kind, the Holy See accedes to the solemn act of ratification of the Convention in order to lend its moral support to this important area of international relations which seeks to ban weapons which are particularly cruel and inhuman and aimed at producing long-term traumatic effects among the defenceless civilian population."

## IRAN (ISLAMIC REPUBLIC OF)

*Declarations:*

"The Islamic Republic of Iran, on the basis of the Islamic principles and beliefs, considers chemical weapons inhuman, and has consistently been on the vanguard of the international efforts to abolish these weapons and prevent their use.

1. The Islamic Consultative Assembly (the Parliament) of the Islamic Republic of Iran approved the bill presented by the Government to join the [said Convention] on 27 July 1997, and the Guardian Council found the legislation compatible with the Constitution and the Islamic Tenets on 30 July 1997, in accordance with its required Constitutional process. The Islamic Consultative Assembly decided that:

The Government is hereby authorized, at an appropriate time, to accede to the [said Convention] - as annexed to this legislation and to deposit its relevant instrument.

The Ministry of Foreign Affairs must pursue in all negotiations and within the framework of the Organization of the Convention, the full and indiscriminate implementation of the Convention, particularly in the areas of inspection and transfer of technology and chemicals for peaceful purposes. In case the afore-mentioned requirements are not materialized, upon the recommendation of the Cabinet and approval of the Supreme National Security Council, steps aimed at withdrawing from the Convention will be put in motion.

2. The Islamic Republic of Iran attaches vital significance to the full, unconditional and indiscriminate implementation of all provisions of the Convention. It reserves the right to withdraw from the Convention under the following circumstances:

-- non-compliance with the principle of equal treatment of all States Parties in implementation of all relevant provisions of the Convention;

-- disclosure of its confidential information contrary to the provisions of the Convention;

-- imposition of restrictions incompatible with the obligations under the Convention.

3. As stipulated in article XI, exclusive and non-transparent regimes impeding free international trade in chemicals and chemical technology for peaceful purposes should be disbanded. The Islamic Republic of Iran rejects any chemical export control mechanism not envisaged in the Convention.

4. The Organization for Prohibition of Chemical Weapons (OPCW) is the sole international authority to determine the compliance of States Parties regarding chemical weapons. Accusations by States Parties against other States Parties in the absence of a determination of non-compliance by OPCW will seriously undermine the Convention and its repetition may make the Convention meaningless.

5. One of the objectives of the Convention as stipulated in its preamble is to 'promote free trade in chemicals as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under the Convention in order to enhance the economic and technological development of all States Parties.' This fundamental objective of the Convention should be respected and embraced by all States Parties to the Convention. Any form of undermining, either in words or in action, of this overriding objective is considered by the Islamic Republic of Iran a grave breach of the provisions of the Convention.

6. In line with the provisions of the Convention regarding non-discriminatory treatment of States Parties:

- inspection equipment should be commercially available to all States Parties without condition or limitation.

- the OPCW should maintain its international character by ensuring fair and balanced geographical distribution of the personnel of its Technical Secretariat, provision of assistance to and cooperation with States Parties, and equitable membership of States Parties in subsidiary organs of the Organization,

7. The implementation of the Convention should contribute to international peace and security and should not in any way diminish or harm national security or territorial integrity of the States Parties."

## IRELAND

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## ITALY

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## LUXEMBOURG

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## NETHERLANDS

*Upon signature:*

*Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## PAKISTAN

### *Declaration:*

"1. Pakistan has consistently stood for the complete prohibition and thorough destruction of all chemical weapons and their production facilities. The Convention constitutes an international legal framework for the realization of this goal. Pakistan, therefore, supports the objectives and purposes of the Convention.

2. The objectives and purposes of the Convention must be strictly adhered to by all states. The relevant provisions on Challenge Inspections must not be abused to the detriment of the economic and security interests of the States Parties unrelated to chemical weapons. Otherwise, the universality and effectiveness of the Convention is bound to be jeopardized.

3. Abuse of the verification provisions of the Convention, for purposes unrelated to the Convention, will not be acceptable. Pakistan will never allow its sovereignty and national security to be compromised.

4. The Convention should effectively facilitate trade, scientific and technological exchanges and co-operation in the field of chemistry for peaceful purposes. All export control regimes inconsistent with the Convention must be abolished."

## PORTUGAL

*Declaration made upon signature and confirmed upon ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## SPAIN

*Declaration made upon signature and confirmed upon*

### *ratification:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## SUDAN

### *Declaration of understanding:*

Firstly, the unilateral application by a State Party to the Convention, runs counter to the objectives and purposes of the Convention.

Secondly, the Convention must be fully and indiscriminately implemented particularly in the areas of inspection and transfer of technology for peaceful purposes.

Thirdly, no restrictions incompatible with the obligations under the Convention shall be imposed.

Fourthly, the Organization for Prohibition of Chemical Weapons (OPCW), is the sole international authority to determine the compliance of States Parties with the provisions of the Convention."

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

### *Upon signature:*

### *Declaration:*

*[Same declaration, mutatis mutandis, as the one made by Belgium.]*

## UNITED STATES OF AMERICA

"Subject to the condition which relates to the Annex on Implementation and Verification, that no sample collected in the United States pursuant to the Convention will be transferred for analysis to any laboratory outside the territory of the United States."

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### *Notes:*

<sup>1</sup> *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 49 (A/47/49), p. 54.*

<sup>2</sup> For the Kingdom in Europe. On 28 April 1997: For the Netherlands Antilles and Aruba.

#### 4. COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

*New York, 10 September 1996*

**NOT YET IN FORCE:** [see article XIV (1)].  
**STATUS:** Signatories: 155. Parties: 51.  
**TEXT:** Doc. A/50/1027.

*Note:* At its 50th session, the General Assembly adopted, on 10 September 1996 by resolution A/RES/50/245 the Comprehensive Nuclear-Test-Ban Treaty as contained in document A/50/1027. In the same resolution, the General Assembly requested the Secretary-General, as depositary of the Treaty, to open it for signature at United Nations Headquarters in New York at the earliest possible date. The Treaty was opened for signature on 24 September 1996 and it will remain open for signature until its entry into force, in accordance with article XI.

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Albania . . . . .	27 Sep 1996		Finland . . . . .	24 Sep 1996	15 Jan 1999
Algeria . . . . .	15 Oct 1996		France . . . . .	24 Sep 1996	6 Apr 1998
Andorra . . . . .	24 Sep 1996		Gabon . . . . .	7 Oct 1996	
Angola . . . . .	27 Sep 1996		Georgia . . . . .	24 Sep 1996	
Antigua and Barbuda .	16 Apr 1997		Germany . . . . .	24 Sep 1996	20 Aug 1998
Argentina . . . . .	24 Sep 1996	4 Dec 1998	Ghana . . . . .	3 Oct 1996	
Armenia . . . . .	1 Oct 1996		Greece . . . . .	24 Sep 1996	21 Apr 1999
Australia . . . . .	24 Sep 1996	9 Jul 1998	Grenada . . . . .	10 Oct 1996	19 Aug 1998
Austria . . . . .	24 Sep 1996	13 Mar 1998	Guatemala . . . . .	20 Sep 1999	
Azerbaijan . . . . .	28 Jul 1997	2 Feb 1999	Guinea . . . . .	3 Oct 1996	
Bahrain . . . . .	24 Sep 1996		Guinea-Bissau . . . . .	11 Apr 1997	
Bangladesh . . . . .	24 Oct 1996		Haiti . . . . .	24 Sep 1996	
Belarus . . . . .	24 Sep 1996		Holy See . . . . .	24 Sep 1996	
Belgium . . . . .	24 Sep 1996	29 Jun 1999	Honduras . . . . .	25 Sep 1996	
Benin . . . . .	27 Sep 1996		Hungary . . . . .	25 Sep 1996	13 Jul 1999
Bolivia . . . . .	24 Sep 1996	4 Oct 1999	Iceland . . . . .	24 Sep 1996	
Bosnia and Herzegovi- na . . . . .	24 Sep 1996		Indonesia . . . . .	24 Sep 1996	
Brazil . . . . .	24 Sep 1996	24 Jul 1998	Iran (Islamic Republic of) . . . . .	24 Sep 1996	
Brunei Darussalam . .	22 Jan 1997		Ireland . . . . .	24 Sep 1996	15 Jul 1999
Bulgaria . . . . .	24 Sep 1996	29 Sep 1999	Israel . . . . .	25 Sep 1996	
Burkina Faso . . . . .	27 Sep 1996		Italy . . . . .	24 Sep 1996	1 Feb 1999
Burundi . . . . .	24 Sep 1996		Jamaica . . . . .	11 Nov 1996	
Cambodia . . . . .	26 Sep 1996		Japan . . . . .	24 Sep 1996	8 Jul 1997
Canada . . . . .	24 Sep 1996	18 Dec 1998	Jordan . . . . .	26 Sep 1996	25 Aug 1998
Cape Verde . . . . .	1 Oct 1996		Kazakhstan . . . . .	30 Sep 1996	
Chad . . . . .	8 Oct 1996		Kenya . . . . .	14 Nov 1996	
Chile . . . . .	24 Sep 1996		Kuwait . . . . .	24 Sep 1996	
China . . . . .	24 Sep 1996		Kyrgyzstan . . . . .	8 Oct 1996	
Colombia . . . . .	24 Sep 1996		Lao People's Demo- cratic Republic . . .	30 Jul 1997	
Comoros . . . . .	12 Dec 1996		Latvia . . . . .	24 Sep 1996	
Congo . . . . .	11 Feb 1997		Lesotho . . . . .	30 Sep 1996	14 Sep 1999
Cook Islands . . . . .	5 Dec 1997		Liberia . . . . .	1 Oct 1996	
Costa Rica . . . . .	24 Sep 1996		Liechtenstein . . . . .	27 Sep 1996	
Côte d'Ivoire . . . . .	25 Sep 1996		Luxembourg . . . . .	24 Sep 1996	26 May 1999
Croatia . . . . .	24 Sep 1996		Madagascar . . . . .	9 Oct 1996	
Cyprus . . . . .	24 Sep 1996		Malawi . . . . .	9 Oct 1996	
Czech Republic . . . .	12 Nov 1996	11 Sep 1997	Malaysia . . . . .	23 Jul 1998	
Democratic Republic of the Congo . . . . .	4 Oct 1996		Maldives . . . . .	1 Oct 1997	
Denmark . . . . .	24 Sep 1996	21 Dec 1998	Mali . . . . .	18 Feb 1997	4 Aug 1999
Djibouti . . . . .	21 Oct 1996		Malta . . . . .	24 Sep 1996	
Dominican Republic .	3 Oct 1996		Marshall Islands . . .	24 Sep 1996	
Ecuador . . . . .	24 Sep 1996		Mauritania . . . . .	24 Sep 1996	
Egypt . . . . .	14 Oct 1996		Mexico . . . . .	24 Sep 1996	5 Oct 1999
El Salvador . . . . .	24 Sep 1996	11 Sep 1998	Micronesia (Federated States of) . . . . .	24 Sep 1996	25 Jul 1997
Equatorial Guinea . . .	9 Oct 1996		Monaco . . . . .	1 Oct 1996	18 Dec 1998
Estonia . . . . .	20 Nov 1996	13 Aug 1999	Mongolia . . . . .	1 Oct 1996	8 Aug 1997
Ethiopia . . . . .	25 Sep 1996		Morocco . . . . .	24 Sep 1996	
Fiji . . . . .	24 Sep 1996	10 Oct 1996			

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Mozambique.....	26 Sep 1996		Spain.....	24 Sep 1996	31 Jul 1998
Myanmar.....	25 Nov 1996		Sri Lanka.....	24 Oct 1996	
Namibia.....	24 Sep 1996		Suriname.....	14 Jan 1997	
Nepal.....	8 Oct 1996		Swaziland.....	24 Sep 1996	
Netherlands.....	24 Sep 1996	23 Mar 1999	Sweden.....	24 Sep 1996	2 Dec 1998
New Zealand.....	27 Sep 1996	19 Mar 1999	Switzerland.....	24 Sep 1996	1 Oct 1999
Nicaragua.....	24 Sep 1996		Tajikistan.....	7 Oct 1996	10 Jun 1998
Niger.....	3 Oct 1996		Thailand.....	12 Nov 1996	
Norway.....	24 Sep 1996	15 Jul 1999	the former Yugoslav Republic of Mace- donia.....	29 Oct 1998	
Oman.....	23 Sep 1999		Togo.....	2 Oct 1996	
Panama.....	24 Sep 1996	23 Mar 1999	Tunisia.....	16 Oct 1996	
Papua New Guinea...	25 Sep 1996		Turkey.....	24 Sep 1996	
Paraguay.....	25 Sep 1996		Turkmenistan.....	24 Sep 1996	20 Feb 1998
Peru.....	25 Sep 1996	12 Nov 1997	Uganda.....	7 Nov 1996	
Philippines.....	24 Sep 1996		Ukraine.....	27 Sep 1996	
Poland.....	24 Sep 1996	25 May 1999	United Arab Emirates.	25 Sep 1996	
Portugal.....	24 Sep 1996		United Kingdom of Great Britain and Northern Ireland..	24 Sep 1996	6 Apr 1998
Qatar.....	24 Sep 1996	3 Mar 1997	United States of Amer- ica.....	24 Sep 1996	
Republic of Korea... .	24 Sep 1996	24 Sep 1999	Uruguay.....	24 Sep 1996	
Republic of Moldova .	24 Sep 1997		Uzbekistan.....	3 Oct 1996	29 May 1997
Romania.....	24 Sep 1996	5 Oct 1999	Vanuatu.....	24 Sep 1996	
Russian Federation... .	24 Sep 1996		Venezuela.....	3 Oct 1996	
Saint Lucia.....	4 Oct 1996		Viet Nam.....	24 Sep 1996	
Samoa.....	9 Oct 1996		Yemen.....	30 Sep 1996	
San Marino.....	7 Oct 1996		Zambia.....	3 Dec 1996	
Sao Tome and Principe	26 Sep 1996		Zimbabwe.....	13 Oct 1999	
Senegal.....	26 Sep 1996	9 Jun 1999			
Seychelles.....	24 Sep 1996				
Singapore.....	14 Jan 1999				
Slovakia.....	30 Sep 1996	3 Mar 1998			
Slovenia.....	24 Sep 1996	31 Aug 1999			
Solomon Islands.....	3 Oct 1996				
South Africa.....	24 Sep 1996	30 Mar 1999			

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification.)*

#### **CHINA**

##### *Declarations made upon signature:*

1. China has all along stood for the complete prohibition and thorough destruction of nuclear weapons and the realization of a nuclear-weapon-free world. It is in favor of a comprehensive ban on nuclear weapon test explosions in the process towards this objective. China is deeply convinced that the CTBT will facilitate nuclear disarmament and nuclear non-proliferation. Therefore, China supports the conclusion, through negotiation, of a fair, reasonable and verifiable treaty with universal adherence and unlimited duration and is ready to take active measures to promote its ratification and entry into force.

2. Meanwhile, the Chinese Government solemnly makes the following appeals:

(1) Major nuclear weapon states should abandon their policy of nuclear deterrence. States with huge nuclear arsenals should continue to drastically reduce their nuclear stockpiles.

(2) All countries that have deployed nuclear weapons on foreign soil should withdraw all of them to their own land. All nuclear weapon states should undertake not to be the first to use nuclear weapons at any time and under any circumstances, commit themselves unconditionally to the non-use or threat of use of nuclear weapons against non-nuclear weapon states or nuclear-weapon-free zones, and conclude, at an early date, international legal instruments to this effect.

(3) All nuclear weapon states should pledge their support to proposals for the establishment of nuclear-weapon-free zones, respect their status as such and undertake corresponding obligations.

(4) No country should develop or deploy space weapon systems or missile defence systems undermining strategic security and stability.

(5) An international convention on the complete prohibition and thorough destruction of nuclear weapons should be concluded through negotiations.

3. The Chinese Government endorses the application of verification measures consistent with the provisions of the CTBT to ensure its faithful implementation and at the same time it firmly opposes the abuse of verification rights by any country, including the use of espionage or human intelligence, to infringe upon the sovereignty of China and impair its legitimate security interests in violation of universally recognized principles of international law.

4. In the present day world where huge nuclear arsenals and nuclear deterrence policy based on the first use of nuclear weapons still exist, the supreme national interests of China demand that it ensure the safety, reliability and effectiveness of its nuclear weapons before the goal of eliminating all nuclear weapons is achieved.

5. The Chinese Government and people are ready to continue to work together with governments and peoples of other



countries for an early realization of the lofty goal of the complete prohibition and thorough destruction of nuclear weapons.

#### GERMANY

*Declaration made upon signature:*

It is the understanding of the German Government that nothing in this Treaty shall ever be interpreted or applied in such a way as to prejudice or prevent research into and development of controlled thermonuclear fusion and its economic use.

#### HOLY SEE

*Declarations upon signature:*

"The Holy See is convinced that in the sphere of nuclear weapons, the banning of tests and of the further development of these weapons, disarmament and non-proliferation are closely linked and must be achieved as quickly as possible under effective international controls.

Furthermore, the Holy See understands that these are steps towards a general and total disarmament which the international community as a whole should accomplish without delay."

#### IRAN (ISLAMIC REPUBLIC OF)<sup>2</sup>

*Declarations upon signature:*

"1. The Islamic Republic of Iran considers that the Treaty does not meet nuclear disarmament criteria as originally intend-

ed. We had not perceived a CTBT only as non-proliferation instrument. The Treaty must have terminated fully and comprehensive further development of nuclear weapons. However, the Treaty bans explosions, thus limiting such development only in certain aspects, while leaving others avenues wide open. We see no other way for the CTBT to be meaningful, however, unless it is considered as a step towards a phased program for nuclear disarmament with specific time frames through negotiations on a consecutive series of subsequent treaties.

2. On National Technical Means, based on the deliberation that took place on the issues in the relevant Ad Hoc Committee of the Conference on Disarmament in Geneva, we interpret the text as according a complementary role to them and reiterate that they should be phased out with further development of the International Monitoring System. National Technical Means should not be interpreted to include information received from espionage and human intelligence.

3. The inclusion of Israel in the MESA grouping constitutes a politically-motivated aberration from UN practice and is thus objectionable. We express our strong reservation on the matter and believe that it will impede the implementation of the Treaty, as the confrontation of the States in this regional group would make it tremendously difficult for the Executive Council to form. The Conference of the States Parties would eventually be compelled to find a way to redress this problem."

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#### Notes:

<sup>1</sup> On behalf of the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>2</sup> On 29 January 1997, the Secretary-General received from the Government of Israel the following communication with regard to the declaration contained in paragraph 3:

"Israel considers that Iran's declaration on this matter has no legal basis and is entirely motivated by political reasons extraneous to the CTBT.

The Iranian declaration attempts to undermine the implementation of the treaty and is incompatible with both the Treaty and its spirit, as well as with the U.N. Charter principle of sovereign equality of all states.

Israel, by geography, is part of the Middle-East region, and no objection will change this.

Israel calls upon other signatories of the CTBT to express their rejection of the Iranian reservation to Israel's inclusion in the MESA Geographic region, as well as the threat contained therein."

**5. CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND  
TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION**

*Oslo, 18 September 1997*

**ENTRY INTO FORCE:** 1 March 1999, in accordance with article 17 (1).  
**REGISTRATION:** 1 March 1999, No. 35597.  
**STATUS:** Signatories: 133. Parties: 90.  
**TEXT:** Depository notification C.N.473.1997.TREATIES-2 of 15 December 1997.

*Note:* The Convention was concluded by the Diplomatic Conference on an International Total Ban on Anti-Personnel Land Mines at Oslo on 18 September 1997. In accordance with its article 15, the Convention was opened for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and will remain open thereafter at the United Nations Headquarters in New York until its entry into force. By resolution 52/38/A, the General Assembly of the United Nations welcomed the conclusion of the Convention at Oslo and requested the Secretary-General of the United Nations to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Albania	8 Sep 1998		Fiji	3 Dec 1997	10 Jun 1998
Algeria	3 Dec 1997		France	3 Dec 1997	23 Jul 1998
Andorra	3 Dec 1997	29 Jun 1998	Gabon	3 Dec 1997	
Angola	4 Dec 1997		Gambia	4 Dec 1997	
Antigua and Barbuda	3 Dec 1997	3 May 1999	Germany	3 Dec 1997	23 Jul 1998
Argentina	4 Dec 1997	14 Sep 1999	Ghana	4 Dec 1997	
Australia	3 Dec 1997	14 Jan 1999	Greece	3 Dec 1997	
Austria	3 Dec 1997	29 Jun 1998	Grenada	3 Dec 1997	19 Aug 1998
Bahamas	3 Dec 1997	31 Jul 1998	Guatemala	3 Dec 1997	26 Mar 1998
Bangladesh	7 May 1998		Guinea	4 Dec 1997	8 Oct 1998
Barbados	3 Dec 1997	26 Jan 1999	Guinea-Bissau	3 Dec 1997	
Belgium	3 Dec 1997	4 Sep 1998	Guyana	4 Dec 1997	
Belize	27 Feb 1998	23 Apr 1998	Haiti	3 Dec 1997	
Benin	3 Dec 1997	25 Sep 1998	Holy See	4 Dec 1997	17 Feb 1998
Bolivia	3 Dec 1997	9 Jun 1998	Honduras	3 Dec 1997	24 Sep 1998
Bosnia and Herzegovina	3 Dec 1997	8 Sep 1998	Hungary	3 Dec 1997	6 Apr 1998
Botswana	3 Dec 1997		Iceland	4 Dec 1997	5 May 1999
Brazil	3 Dec 1997	30 Apr 1999	Indonesia	4 Dec 1997	
Brunei Darussalam	4 Dec 1997		Ireland	3 Dec 1997	3 Dec 1997
Bulgaria	3 Dec 1997	4 Sep 1998	Italy	3 Dec 1997	23 Apr 1999
Burkina Faso	3 Dec 1997	16 Sep 1998	Jamaica	3 Dec 1997	17 Jul 1998
Burundi	3 Dec 1997		Japan	3 Dec 1997	30 Sep 1998 A
Cambodia	3 Dec 1997	28 Jul 1999	Jordan	11 Aug 1998	13 Nov 1998
Cameroon	3 Dec 1997		Kenya	5 Dec 1997	
Canada	3 Dec 1997	3 Dec 1997	Lesotho	4 Dec 1997	2 Dec 1998
Cape Verde	4 Dec 1997		Liberia		23 Dec 1999 a
Chad	6 Jul 1998	6 May 1999	Liechtenstein	3 Dec 1997	5 Oct 1999
Chile	3 Dec 1997		Lithuania	26 Feb 1999	
Colombia	3 Dec 1997		Luxembourg	4 Dec 1997	14 Jun 1999
Cook Islands	3 Dec 1997		Madagascar	4 Dec 1997	16 Sep 1999
Costa Rica	3 Dec 1997	17 Mar 1999	Malawi	4 Dec 1997	13 Aug 1998
Côte d'Ivoire	3 Dec 1997		Malaysia	3 Dec 1997	22 Apr 1999
Croatia	4 Dec 1997	20 May 1998	Maldives	1 Oct 1998	
Cyprus	4 Dec 1997		Mali	3 Dec 1997	2 Jun 1998
Czech Republic	3 Dec 1997	26 Oct 1999	Malta	4 Dec 1997	
Denmark	4 Dec 1997	8 Jun 1998	Marshall Islands	4 Dec 1997	
Djibouti	3 Dec 1997	18 May 1998	Mauritania	3 Dec 1997	
Dominica	3 Dec 1997	26 Mar 1999	Mauritius	3 Dec 1997	3 Dec 1997
Dominican Republic	3 Dec 1997		Mexico	3 Dec 1997	9 Jun 1998
Ecuador	4 Dec 1997	29 Apr 1999	Monaco	4 Dec 1997	17 Nov 1998
El Salvador	4 Dec 1997	27 Jan 1999	Mozambique	3 Dec 1997	25 Aug 1998
Equatorial Guinea		16 Sep 1998 a	Namibia	3 Dec 1997	21 Sep 1998
Ethiopia	3 Dec 1997		Netherlands	3 Dec 1997	12 Apr 1999 A
			New Zealand	3 Dec 1997	27 Jan 1999

Participant	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a)		Participant	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a)	
Nicaragua	4 Dec 1997	30 Nov 1998		Sudan	4 Dec 1997		
Niger	4 Dec 1997	23 Mar 1999		Suriname	4 Dec 1997		
Niue	3 Dec 1997	15 Apr 1998		Swaziland	4 Dec 1997	22 Dec 1998	
Norway	3 Dec 1997	9 Jul 1998		Sweden	4 Dec 1997	30 Nov 1998	
Panama	4 Dec 1997	7 Oct 1998		Switzerland	3 Dec 1997	24 Mar 1998	
Paraguay	3 Dec 1997	13 Nov 1998		Tajikistan		12 Oct 1999 a	
Peru	3 Dec 1997	17 Jun 1998		Thailand	3 Dec 1997	27 Nov 1998	
Philippines	3 Dec 1997			the former Yugoslav Republic of Macedonia			9 Sep 1998 a
Poland	4 Dec 1997			Togo	4 Dec 1997		
Portugal	3 Dec 1997	19 Feb 1999		Trinidad and Tobago	4 Dec 1997	27 Apr 1998	
Qatar	4 Dec 1997	13 Oct 1998		Tunisia	4 Dec 1997	9 Jul 1999	
Republic of Moldova	3 Dec 1997			Turkmenistan	3 Dec 1997	19 Jan 1998	
Romania	3 Dec 1997			Uganda	3 Dec 1997	25 Feb 1999	
Rwanda	3 Dec 1997			Ukraine	24 Feb 1999		
Saint Kitts and Nevis	3 Dec 1997	2 Dec 1998		United Kingdom of Great Britain and Northern Ireland	3 Dec 1997	31 Jul 1998	
Saint Lucia	3 Dec 1997	13 Apr 1999		United Republic of Tanzania	3 Dec 1997		
Saint Vincent and the Grenadines	3 Dec 1997			Uruguay	3 Dec 1997		
Samoa	3 Dec 1997	23 Jul 1998		Vanuatu	4 Dec 1997		
San Marino	3 Dec 1997	18 Mar 1998		Venezuela	3 Dec 1997	14 Apr 1999	
Sao Tome and Principe	30 Apr 1998			Yemen	4 Dec 1997	1 Sep 1998	
Senegal	3 Dec 1997	24 Sep 1998		Zambia	12 Dec 1997		
Seychelles	4 Dec 1997			Zimbabwe	3 Dec 1997	18 Jun 1998	
Sierra Leone	29 Jul 1998						
Slovakia	3 Dec 1997	25 Feb 1999 AA					
Slovenia	3 Dec 1997	27 Oct 1998					
Solomon Islands	4 Dec 1997	26 Jan 1999					
South Africa	3 Dec 1997	26 Jun 1998					
Spain	3 Dec 1997	19 Jan 1999					

### Declarations

(Unless otherwise indicated, the declarations were made upon ratification, acceptance, approval or accession.)

#### ARGENTINA

##### Interpretative declaration:

The Argentine Republic declares that in its territory, in the Malvinas, there are anti-personnel mines. This situation was brought to the attention of the Secretary-General of the United Nations when providing information within the framework of General Assembly resolutions 48/7; 49/215; 50/82; and 51/149 concerning "Assistance in mine clearance".

Since this part of the Argentine territory is under illegal occupation by the United Kingdom of Great Britain and Northern Ireland, the Argentine Republic is effectively prevented from having access to the anti-personnel mines placed in the Malvinas in order to fulfil the obligations undertaken in the present Convention.

The United Nations General Assembly has recognized the existence of a dispute concerning sovereignty over the Malvinas, South Georgia and South Sandwich and has urged the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to maintain negotiations in order to find as soon as possible a peaceful and lasting solution to the dispute, with the good offices of the Secretary-General of the United Nations, who is to report to the General Assembly on the progress made (resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25). The Special Committee on decolonization has taken the same position, and has adopted a resolution every year stating that the way to put an end to this colonial situation is the lasting settlement, on a

peaceful and negotiated basis, of the sovereignty dispute, and requesting both Governments to resume negotiations to that end. The most recent of these resolutions was adopted on 1 July 1999.

The Argentine Republic reaffirms its rights of sovereignty over the Malvinas, South Georgia and South Sandwich and the surrounding maritime areas which form an integral part of its national territory.]

#### AUSTRALIA

##### Declarations:

"It is the understanding of Australia that, in the context of operations, exercises or other military activity authorized by the United Nations or otherwise conducted in accordance with international law, the participation by the Australian Defence Force, or individual Australian citizens or residents, in such operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not, by itself, be considered to be in violation of the Convention.

It is the understanding of Australia that, in relation to Article 1(a), the term "use" means the actual physical emplacement of anti-personnel mines and does not include receiving an indirect or incidental benefit from anti-personnel mines laid by another State or person. In Article 1(c) Australia will interpret the word "assist" to mean the actual and direct physical partici-

pation in any activity prohibited by the Convention but does not include permissible indirect support such as the provision of security for the personnel of a State not party to the Convention engaging in such activities, "encourage" to mean the actual request for the commission of any activity prohibited by the Convention, and "induce" to mean the active engagement in the offering of threats or incentives to obtain the commission of any activity prohibited by the Convention.

It is the understanding of Australia that in relation to Article 2(1), the definition of "anti-personnel mines" does not include command detonated munitions.

In relation to Articles 4, 5(1) and (2), and 7(1)(b) and (c), it is the understanding of Australia that the phrase "jurisdiction or control" is intended to mean within the sovereign territory of a State Party or over which it exercises legal responsibility by virtue of a United Nations mandate or arrangement with another State and the ownership or physical possession of anti-personnel mines, but does not include the temporary occupation of, or presence on, foreign territory where anti-personnel mines have been laid by other States or persons."

#### CANADA

##### *Understanding:*

"It is the understanding of the Government of Canada that, in the context of operations, exercises or other military activity sanctioned by the United Nations or otherwise conducted in accordance with international law, the mere participation by the Canadian Forces, or individual Canadians, in operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not, by itself, be considered to be assistance, encouragement or inducement in accordance with the meaning of those terms in article 1, paragraph 1 (c)."

#### CZECH REPUBLIC

##### *Declaration:*

"It is the understanding of the Government of the Czech Republic that the mere participation in the planning or execution

of operations, exercises or other military activities by the Armed Forces of the Czech Republic, or individual Czech Republic nationals, conducted in combination with the armed forces of States not party to the [Convention], which engage in activities prohibited under the Convention, is not, by itself, assistance, encouragement or inducement for the purposes of Article 1, paragraph 1 (c) of the Convention."

#### GREECE

##### *Upon signature:*

##### *Declaration:*

"Greece fully subscribes to the principles enshrined within the [Convention] and declares that ratification of this Convention will take place as soon as conditions relating to the implementation of its relevant provisions are fulfilled."

#### LITHUANIA

##### *Upon signature:*

##### *Declaration:*

"The Republic of Lithuania subscribes to the principles and purposes of the [Convention] and declares that ratification of the Convention will take place as soon as [the] relevant conditions relating to the implementation of the provisions of the Convention are fulfilled."

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

##### *Declaration:*

"It is the understanding of the Government of the United Kingdom that the mere participation in the planning or execution of operations, exercises or other military activity by the United Kingdom's Armed Forces, or individual United Kingdom nationals, conducted in combination with the armed forces of States not party to the [said Convention], which engage in activity prohibited under that Convention, is not, by itself, assistance, encouragement or inducement for the purposes of Article 1, paragraph (c) of the Convention."

#### *Declaration of provisional application of article 1 (1) in accordance with article 18 of the Convention*

#### AUSTRIA

#### MAURITIUS

#### SOUTH AFRICA

#### SWEDEN

#### SWITZERLAND

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##### *Notes:*

<sup>1</sup> For the Kingdom in Europe.

## CHAPTER XXVII

### ENVIRONMENT

#### 1. CONVENTION ON LONG-RANGE TRANSBOUNDARY AIR POLLUTION

*Geneva, 13 November 1979*

**ENTRY INTO FORCE:** 16 March 1983, in accordance with article 16 (1)<sup>1</sup>.  
**REGISTRATION:** 16 March 1983, No. 21623.  
**STATUS:** Signatories: 33. Parties: 45.  
**TEXT:** United Nations, *Treaty Series*, vol. 1302, p. 217.

*Note:* The Convention was adopted on 13 November 1979 by a high-level meeting within the framework of the Economic Commission for Europe on the Protection of the Environment. It was open for signature until 16 November 1979 at the United Nations Office in Geneva.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Armenia.....		21 Feb 1997 a	Malta.....		14 Mar 1997 a
Austria.....	13 Nov 1979	16 Dec 1982	Monaco.....		27 Aug 1999 a
Belarus.....	14 Nov 1979	13 Jun 1980	Netherlands <sup>5</sup> .....	13 Nov 1979	15 Jul 1982 A
Belgium.....	13 Nov 1979	15 Jul 1982	Norway.....	13 Nov 1979	13 Feb 1981
Bosnia and Herzegovi- na.....		1 Sep 1993 d	Poland.....	13 Nov 1979	19 Jul 1985
Bulgaria.....	14 Nov 1979	9 Jun 1981	Portugal.....	14 Nov 1979	29 Sep 1980
Canada.....	13 Nov 1979	15 Dec 1981	Republic of Moldova.		9 Jun 1995 a
Croatia.....		21 Sep 1992 d	Romania.....	14 Nov 1979	27 Feb 1991
Cyprus.....		20 Nov 1991 a	Russian Federation..	13 Nov 1979	22 May 1980
Czech Republic <sup>2</sup> ....		30 Sep 1993 d	San Marino.....	14 Nov 1979	
Denmark.....	14 Nov 1979	18 Jun 1982	Slovakia <sup>2</sup> .....		28 May 1993 d
European Community	14 Nov 1979	15 Jul 1982 AA	Slovenia.....		6 Jul 1992 d
Finland.....	13 Nov 1979	15 Apr 1981	Spain.....	14 Nov 1979	15 Jun 1982
France.....	13 Nov 1979	3 Nov 1981 AA	Sweden.....	13 Nov 1979	12 Feb 1981
Georgia.....		11 Feb 1999 a	Switzerland.....	13 Nov 1979	6 May 1983
Germany <sup>3,4</sup> .....	13 Nov 1979	15 Jul 1982	the former Yugoslav Republic of Mace- donia.....		30 Dec 1997 d
Greece.....	14 Nov 1979	30 Aug 1983	Turkey.....	13 Nov 1979	18 Apr 1983
Holy See.....	14 Nov 1979		Ukraine.....	14 Nov 1979	5 Jun 1980
Hungary.....	13 Nov 1979	22 Sep 1980	United Kingdom of Great Britain and Northern Ireland <sup>6</sup> .	13 Nov 1979	15 Jul 1982
Iceland.....	13 Nov 1979	5 May 1983	United States of Amer- ica.....	13 Nov 1979	30 Nov 1981 A
Ireland.....	13 Nov 1979	15 Jul 1982	Yugoslavia.....	13 Nov 1979	18 Mar 1987
Italy.....	14 Nov 1979	15 Jul 1982			
Latvia.....		15 Jul 1994 a			
Liechtenstein.....	14 Nov 1979	22 Nov 1983			
Lithuania.....		25 Jan 1994 a			
Luxembourg.....	13 Nov 1979	15 Jul 1982			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)*

**ROMANIA**

*Upon signature:*

Romania interprets article 14 of this Convention, concerning the participation of regional economic integration organizations constituted by States members of the Economic

Commission for Europe, to mean that it refers exclusively to international organizations to which States members have transferred their competence in respect of the signature, conclusion

and application on their behalf of international agreements and in respect of the exercise of their rights and responsibilities in the field of transboundary pollution.

#### Notes:

<sup>1</sup> The date of 16 March 1983 has been retained on the basis of the English and Russian authentic texts of article 16 (1) ("... on the ninetyeth day after the date of deposit of the twenty-fourth instrument."), which differ in that respect from the French text ("... le quatre-vingt-dixième jour à compter de la date de dépôt . . .") but are more in accordance with the computation method generally used for multilateral treaties deposited with the Secretary-General.

<sup>2</sup> Czechoslovakia had signed and ratified the Convention on 13 November 1979 and 23 December 1983, respectively. See also note 11 in chapter I.2.

<sup>3</sup> The German Democratic Republic had signed and ratified the Convention on 13 November 1979 and 7 June 1982, respectively. See also note 14 in chapter I.2.

<sup>4</sup> With the following declaration:

The Government of the Federal Republic of Germany declares that the Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

In this regard, the Secretary-General received on 20 April 1983, from the Government of the Union of Soviet Socialist Republics, the following communication:

In connection with the declaration of 15 July 1982 by the Government of the Federal Republic of Germany concerning the extension to West Berlin of the Convention on Long-Range Transboundary Air Pollution of 13 November 1979, the Soviet Union declares that it does not object to the application of the Convention to West Berlin in such measure and to such an extent as is permissible from the standpoint of the Quadripartite Agreement of 3 September 1971, according to which West Berlin is not a constituent part of the Federal Republic of Germany and will not be governed by it in the future.

On the same subject, the Secretary-General received the following communications:

*German Democratic Republic (28 July 1983):*

With regard to the application of the Convention on Long-Range Transboundary Air Pollution of 13 November 1979 to Berlin (West) it is the understanding of the German Democratic Republic that the application of the provisions of the Convention to Berlin (West) is in conformity with the Quadripartite Agreement of 3 September 1971, according to which Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it.

*France, United Kingdom of Great Britain and Northern Ireland and the United States of America (27 April 1984):*

"The Governments of France, United Kingdom of Great Britain and Northern Ireland and the United States of America wish to point out that the Soviet declaration referred to above contains an incomplete and therefore misleading reference to the Quadripartite Agreement of 3 September 1971. The provision of the Quadripartite Agreement to which reference is made states that 'the ties between the Western Sectors of Berlin and the Federal Republic of Germany will be maintained and developed taking into account that these Sectors continue not to be a constituent part of the Federal Republic of Germany and not to be governed by it'.

With regard to the declaration of the German Democratic Republic contained in [ . . . ] of 25 August 1983, the three Governments reaffirm that States which are not parties to the Quadripartite Agreement are not competent to comment authoritatively on its provisions."

*Federal Republic of Germany (13 June 1984):*

"With reference to depositary notification [ . . . ] of May 16, 1984 concerning a communication by the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America in reply to communications from the Governments of the Union of Soviet Socialist Republics and the German Democratic

Republic, disseminated by depositary notifications [ . . . ] of May 13, 1983 and [ . . . ] of August 25, 1983, relating to the application to Berlin (West) of the Convention of November 13, 1979 on Long-Range Transboundary Air Pollution, [the Government of the Federal Republic of Germany] states that [it] supports the position set forth in the communication by the Three Powers."

*Poland (19 July 1985)*

"In connexion with the declaration of 15 July 1982 by the Government of the Federal Republic of Germany concerning the extension of the Convention on Long-Range Transboundary Air Pollution of 13 November 1979 to Berlin (West), the Polish People's Republic declares that it does not object to the application of the Convention to Berlin (West) in such measure and to such an extent as it is in conformity with the Quadripartite Agreement of 3 September 1971, according to which Berlin (West) is not a constituent part of the Federal Republic of Germany and will not be governed by it."

*France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (18 October 1985):*

"With regard to that declaration [by Poland] the Governments of the United Kingdom, the United States and France wish to recall their statement of 4 April 1984 contained in Document [communication received on 27 April 1984] of 16 May 1984.

*Union of Soviet Socialist Republics (2 December 1985):*

The Soviet side does not object to the application of the Convention on Long-Range Transboundary Air Pollution of 13 November 1979 to Berlin (West) in such measure and to such an extent as is permissible from the standpoint of the Quadripartite Agreement of 3 September 1971, according to which Berlin (West) is not a constituent part of the Federal Republic of Germany and will not be governed by it in the future.

At the same time, the Soviet side would like to draw attention to the fact that the Powers party to the Quadripartite Agreement have formulated decisions in respect of Berlin (West) which have universal effect under international law. The extension of the above-mentioned Convention to Berlin (West) by the Federal Republic of Germany naturally affects the interests of the other parties to it, which have the right to express their opinion on that matter. That right cannot be disputed by anyone.

In this connection, the Soviet side rejects as unfounded the communication by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America with respect to the declaration by the German Democratic Republic as a party to the 1979 Convention on Long-Range Transboundary Air Pollution is entirely in conformity with the Quadripartite Agreement of 3 September 1971.

*France, United Kingdom of Great Britain and Northern Ireland and United States of America (28 July 1986):*

"The Quadripartite Agreement of 3 September 1971 is an international agreement concluded between the four Contracting Parties and not open to participation by any other State. In concluding this Agreement, the Four Powers acted on the basis of their quadripartite rights and responsibilities, and the corresponding wartime and post-war agreements and decisions of the Four Powers, which are not affected. The Quadripartite Agreement is part of conventional, not customary international law.

The Governments of France, the United Kingdom and the United States therefore reaffirm the statement in the Note from the Permanent Representative of France of 4 April 1984 [ . . . ] that States which are not parties to the Quadripartite Agreement are not competent to comment authoritatively on its provisions.

Finally, [it is to be pointed out] that the Soviet Note of 29 November 1985 [circulated by depositary notification . . . ] of 6 February 1986, like the Soviet Note of 18 April 1983 [ . . . ], contains an incomplete and consequently misleading reference to the Quadripartite Agreement.

The relevant passage of that Agreement to which the Soviet Note referred provides that the ties between the Western sectors of Berlin and the Federal Republic of Germany will be maintained and developed, taking into account that these Sectors continue not to be [a] constituent part of the Federal Republic of Germany and not to be governed by it."

See also note 3 above.

<sup>5</sup> For the Kingdom in Europe.

<sup>6</sup> Including the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man, Gibraltar, the United Kingdom Sovereign Base Areas of Akrotiri and Dhekhelia in the island of Cyprus.

**1. a) Protocol to the 1979 Convention on long-range transboundary air pollution on long-Term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe (EMEP)**

*Geneva, 28 September 1984*

**ENTRY INTO FORCE:** 28 January 1988 in accordance with article 10 (a) and (b).  
**REGISTRATION:** 28 January 1988, No. 25638.  
**STATUS:** Signatories: 22. Parties: 38.  
**TEXT:** United Nations, *Treaty Series*, vol. 1491, p. 167 and doc. EB.AIR/AC.1/4, Annex, and EB.AIR/CRP.1/Add.4.

*Note:* The Protocol was drawn up within the framework of the Economic Commission for Europe and adopted by the Executive Body for the Convention on Long-Range Transboundary Air Pollution on 27 September 1984. It was opened for signature at Geneva from 28 September to 5 October 1984, and it remained open for signature at the Headquarters of the United Nations in New York until 4 April 1985.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Austria .....		4 Jun 1987 a	Malta .....		14 Mar 1997 a
Belarus .....	28 Sep 1984	4 Oct 1985 A	Monaco .....		27 Aug 1999 a
Belgium .....	25 Feb 1985	5 Aug 1987	Netherlands <sup>4</sup> .....	28 Sep 1984	22 Oct 1985 A
Bosnia and Herzegovina .....			Norway .....	28 Sep 1984	12 Mar 1985 A
Bulgaria .....	4 Apr 1985	1 Sep 1993 d	Poland .....		14 Sep 1988 a
Canada .....	3 Oct 1984	26 Sep 1986 AA	Portugal .....		19 Jan 1989 a
Croatia .....		4 Dec 1985	Russian Federation ...	28 Sep 1984	21 Aug 1985 A
Cyprus .....		21 Sep 1992 d	Slovakia <sup>1</sup> .....		28 May 1993 d
Czech Republic <sup>1</sup> .....		20 Nov 1991 a	Slovenia .....		6 Jul 1992 d
Denmark .....	28 Sep 1984	30 Sep 1993 d	Spain .....		11 Aug 1987 a
European Community.	28 Sep 1984	29 Apr 1986	Sweden .....	28 Sep 1984	12 Aug 1985
Finland .....	7 Dec 1984	17 Jul 1986 AA	Switzerland .....	3 Oct 1984	26 Jul 1985
France .....	22 Feb 1985	24 Jun 1986	Turkey .....	3 Oct 1984	20 Dec 1985
Germany <sup>2,3</sup> .....	26 Feb 1985	30 Oct 1987 AA	Ukraine .....	28 Sep 1984	30 Aug 1985 A
Greece .....		7 Oct 1986	United Kingdom of Great Britain and Northern Ireland ..	20 Nov 1984	12 Aug 1985
Hungary .....	27 Mar 1985	24 Jun 1988 a	United States of America .....	28 Sep 1984	29 Oct 1984 A
Ireland .....	4 Apr 1985	8 May 1985 AA	Yugoslavia .....		28 Oct 1987 a
Italy .....	28 Sep 1984	26 Jun 1987			
Latvia .....		12 Jan 1989			
Liechtenstein .....		18 Feb 1997 a			
Luxembourg .....	21 Nov 1984	1 May 1985 a			
		24 Aug 1987			

**Notes:**

<sup>1</sup> Czechoslovakia had acceded to the Protocol on 26 November 1986. See also note 11 in chapter 1.2.

<sup>2</sup> The German Democratic Republic had acceded to the Protocol on 17 December 1986 with the following declaration:

... In accordance with article 3, paragraph 1 of the Protocol, the German Democratic Republic declares that the contributions of the German Democratic Republic will be made in national currency which can exclusively be used for deliveries and services by the German Democratic Republic.

See also note 14 in chapter 1.2.

<sup>3</sup> In a note accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany. See also note 2 above.

<sup>4</sup> For the Kingdom in Europe.



**1. b) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least  
30 per cent**

*Helsinki, 8 July 1985*

**ENTRY INTO FORCE:** 2 September 1987, in accordance with article 11 (1).  
**REGISTRATION:** 2 September 1987, No. 25247.  
**STATUS:** Signatories: 19. Parties: 21.  
**TEXT:** United Nations, *Treaty Series*, vol. 1480, p. 215.

*Note:* The Protocol was drawn up within the framework of the Economic Commission for Europe and was adopted on 8 July 1985 by the Executive Body for the Convention on Long-Range Transboundary Air Pollution. It was open for signature at Helsinki from 8 to 12 July 1985.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Austria.....	9 Jul 1985	4 Jun 1987	Italy.....	9 Jul 1985	5 Feb 1990
Belarus.....	9 Jul 1985	10 Sep 1986 A	Liechtenstein.....	9 Jul 1985	13 Feb 1986
Belgium.....	9 Jul 1985	9 Jun 1989	Luxembourg.....	9 Jul 1985	24 Aug 1987
Bulgaria.....	9 Jul 1985	26 Sep 1986 AA	Netherlands <sup>4</sup> .....	9 Jul 1985	30 Apr 1986 A
Canada.....	9 Jul 1985	4 Dec 1985	Norway.....	9 Jul 1985	4 Nov 1986
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Russian Federation..	9 Jul 1985	10 Sep 1986 A
Denmark.....	9 Jul 1985	29 Apr 1986	Slovakia <sup>1</sup> .....		28 May 1993 d
Finland.....	9 Jul 1985	24 Jun 1986	Sweden.....	9 Jul 1985	31 Mar 1986
France.....	9 Jul 1985	13 Mar 1986 AA	Switzerland.....	9 Jul 1985	21 Sep 1987
Germany <sup>2,3</sup> .....	9 Jul 1985	3 Mar 1987	Ukraine.....	9 Jul 1985	2 Oct 1986 A
Hungary.....	9 Jul 1985	11 Sep 1986			

**Notes:**

<sup>1</sup> Czechoslovakia had signed and approved the Protocol on 9 July 1985 and 26 November 1986, respectively. See also note 11 in chapter I.2.

<sup>2</sup> The German Democratic Republic had signed and approved the Protocol on 9 July 1985 and 26 November 1986, respectively. See also note 14 in chapter I.2.

<sup>3</sup> In a note accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

See also note 2 above.

<sup>4</sup> For the Kingdom in Europe.

**1. c) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
concerning the Control of Emissions of Nitrogen Oxides or their Transboundary  
Fluxes**

*Sofia, 31 October 1988*

**ENTRY INTO FORCE:** 14 February 1991, in accordance with article 15 (1).  
**REGISTRATION:** 14 February 1991, No. 27874.  
**STATUS:** Signatories: 25. Parties: 26.  
**TEXT:** Depository notification C.N.252.1988.TREATIES-1 of 6 December 1988.

*Note:* The Protocol was drawn up within the framework of the Economic Commission for Europe and was adopted on 31 October 1988 by the Executive Body for the Convention on Long-Range Transboundary Air Pollution. It was open for signature at Sofia from 1 to 4 November 1988 and subsequently, at the Headquarters of the United Nations in New York until 5 May 1989.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Austria .....	1 Nov 1988	15 Jan 1990	Luxembourg .....	1 Nov 1988	4 Oct 1990
Belarus .....	1 Nov 1988	8 Jun 1989 A	Netherlands <sup>7</sup> .....	1 Nov 1988	11 Oct 1989 A
Belgium .....	1 Nov 1988		Norway .....	1 Nov 1988	11 Oct 1989
Bulgaria .....	1 Nov 1988	30 Mar 1989	Poland .....	1 Nov 1988	
Canada .....	1 Nov 1988	25 Jan 1991	Russian Federation ...	1 Nov 1988	21 Jun 1989 A
Czech Republic .....		30 Sep 1993 d	Slovakia <sup>1</sup> .....		28 May 1993 d
Denmark <sup>2</sup> .....	1 Nov 1988	1 Mar 1993 A	Spain .....	1 Nov 1988	4 Dec 1990
European Community.		17 Dec 1993 a	Sweden .....	1 Nov 1988	27 Jul 1990
Finland .....	1 Nov 1988	1 Feb 1990	Switzerland .....	1 Nov 1988	18 Sep 1990
France .....	1 Nov 1988	20 Jul 1989 AA	Ukraine .....	1 Nov 1988	24 Jul 1989 A
Germany <sup>3</sup> .....	1 Nov 1988	16 Nov 1990	United Kingdom of Great Britain and Northern Ireland <sup>5</sup> .	1 Nov 1988	15 Oct 1990
Greece .....	1 Nov 1988	29 Apr 1998	United States of Amer- ica .....	1 Nov 1988	13 Jul 1989 A
Hungary .....	3 May 1989	12 Nov 1991 AA			
Ireland .....	1 May 1989	17 Oct 1994			
Italy .....	1 Nov 1988	19 May 1992			
Liechtenstein .....	1 Nov 1988	24 Mar 1994			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made  
upon ratification, acceptance, approval, accession or succession.)*

**UNITED STATES OF AMERICA**

*Upon signature:*

*Statement:*

"In accordance with Article 2, paragraph 1 of the protocol, the Government of the United States of America specifies 1978 as the applicable calendar year for determining measures to control and/or reduce its national annual emissions of nitrogen oxides or their transboundary fluxes.

The Government of the United States of America believes that there must be a follow-on protocol to establish a control obligation based on scientific, technical and economic factors, including consideration of the protocol's effect on the innovative control technologies program of the United States. If such a protocol is not adopted by 1996, the United States of America will consider withdrawal from this protocol.

The Government of the United States of America understands that nations will have the flexibility to meet the overall requirements of the protocol through the most effective means."

**Notes:**

<sup>1</sup> Czechoslovakia had signed and approved the Protocol on 1 November 1988 and 17 August 1990, respectively.

See also note 11 in chapter I.2.

<sup>2</sup> With a declaration of non-application to the Faroe Islands and Greenland.

<sup>3</sup> The German Democratic Republic had signed the Protocol on 1 November 1988.

See also note 11 in chapter I.2.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> The instrument specifies that the said Protocol is ratified in respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man and the Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus.

**1. d) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
concerning the Control of Emissions of Volatile Organic Compounds or their  
Transboundary Fluxes**

*Geneva, 18 November 1991*

**ENTRY INTO FORCE:** 29 September 1997, in accordance with article 16 (1).  
**REGISTRATION:** 29 September 1997, No. 34322.  
**STATUS:** Signatories: 23. Parties: 18.  
**TEXT:** Doc. ECE/EB.AIR/30.

*Note:* The Protocol was drawn up within the framework of the Economic Commission for Europe and was adopted on 18 November 1991 by the Executive Body for the Convention on Long-Range Transboundary Air Pollution. It was opened for signature at the United Nations Office at Geneva from 18 to 19 November 1991 and thereafter at the Headquarters of the United Nations in New York until 22 May 1992.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Austria.....	19 Nov 1991	23 Aug 1994	Netherlands <sup>2</sup> .....	19 Nov 1991	29 Sep 1993 A
Belgium.....	19 Nov 1991		Norway.....	19 Nov 1991	7 Jan 1993
Bulgaria.....	19 Nov 1991	27 Feb 1998	Portugal.....	2 Apr 1992	
Canada.....	19 Nov 1991		Slovakia.....		15 Dec 1999 a
Czech Republic.....		1 Jul 1997 a	Spain.....	19 Nov 1991	1 Feb 1994
Denmark.....	19 Nov 1991	21 May 1996 A	Sweden.....	19 Nov 1991	8 Jan 1993
European Community	2 Apr 1992		Switzerland.....	19 Nov 1991	21 Mar 1994
Finland.....	19 Nov 1991	11 Jan 1994 A	Ukraine.....	19 Nov 1991	
France.....	19 Nov 1991	12 Jun 1997 AA	United Kingdom of Great Britain and Northern Ireland <sup>3</sup> .	19 Nov 1991	14 Jun 1994
Germany.....	19 Nov 1991	8 Dec 1994	United States of Amer- ica.....	19 Nov 1991	
Greece.....	19 Nov 1991				
Hungary.....	19 Nov 1991	10 Nov 1995			
Italy.....	19 Nov 1991	30 Jun 1995			
Liechtenstein.....	19 Nov 1991	24 Mar 1994			
Luxembourg.....	19 Nov 1991	11 Nov 1993			

***Declarations made in accordance with article 2 (2) of the Protocol  
(Unless otherwise indicated, the declarations were made  
upon ratification, acceptance, approval or accession.)***

**AUSTRIA**

*Declaration made upon signature and confirmed upon ratification:*

"With regard to article 2 (basic obligations) Austria declares to be bound by the provisions of paragraph 2 (a). Furthermore, Austria chooses the year 1988 as a base year with respect to paragraph 2 (a)."

**BELGIUM**

*Upon signature:*

Belgium undertakes to reduce its national annual emissions of VOCs by at least 30 per cent by the year 1999, using 1988 levels as a basis (article 2, paragraph 2 (a)).

**BULGARIA**

*Declaration made upon signature and confirmed upon ratification:*

"Bulgaria declares under article 2, paragraph 2, sub-paragraph (c) that it shall, as soon as possible and as a first step, take

effective measures to ensure at least that at the latest by the year 1999 its national annual emissions of VOCs do not exceed the 1988 levels."

**CANADA**

*Upon signature:*

"Pursuant to article 2, paragraph 2 of the Protocol, Canada is pleased to inform other Parties to the present Protocol that it selects option (b) from among the three options available. Base year: 1988."

**FRANCE**

*Declaration :*

[The Government of the French Republic] undertakes to reduce its national annual emissions of VOC's by at least 30 per cent by the year 1999, using 1988 levels as a basis [article 2, paragraph 2 (a)]

## CZECH REPUBLIC

### *Declaration :*

"[The Government of the Czech Republic] declares that it shall use the 1990 levels as the basis for its reduction of annual emissions of VOCs pursuant to article 2, paragraph 2(a) of the Protocol."

## DENMARK

### *Upon signature:*

"Denmark hereby declares that it will reduce its national annual emissions of VOCs by at least 30% by the year 1999, using 1985 as a basis."

## EUROPEAN COMMUNITY

### *Upon signature:*

"The European Economic community, taking account in particular of the alternatives available to its Member States in application of Article 2 (2) of the Protocol, hereby declares that its obligations under the Protocol with regard to the objectives for reducing VOC emissions may not be greater than the sum of the obligations entered into by its Member States which have ratified the Protocol."

## FINLAND

### *Upon signature:*

"Finland declares that it intends to reduce its annual national emissions of VOCs by at least 30%, using 1988 levels as a basis."

## FRANCE

### *Declaration made upon signature and confirmed upon approval:*

The French Republic undertakes to reduce its national annual emissions of VOCs by at least 30 per cent by the year 1999, using 1988 levels as a basis (article 2, paragraph 2 (a)).

## GERMANY

### *Upon signature:*

"Germany specifies that it shall reduce its national annual emissions of VOCs by at least 30% by the year 1999 using 1988 levels as a basis according to article 2, paragraph 2 (a)."

## GREECE

### *Upon signature:*

"Greece declares under article 2, paragraph 2, sub-paragraph c) that it shall, as soon as possible and as a first step, take effective measures to ensure at least that at the latest by the year 1999 its national annual emissions of VOCs do not exceed the 1988 levels."

## HUNGARY

### *Upon signature:*

"The Republic of Hungary shall control and reduce its national annual emissions of VOCs or their transboundary fluxes in accordance with the provisions of paragraph 2 (c) of article 2 of the Protocol."

## ITALY

### *Upon signature:*

"Italy declares its intention to meet the requirements of article 2.1 of the Protocol in the way specified at article 2, paragraph 2, letter (a) and its intention to indicate as reference year as a basis for reduction: 1990."

## LIECHTENSTEIN

### *Upon signature:*

"As a basis to reduce its annual emissions of VOCs by at least 30% by the year 1999, Liechtenstein will use 1984 levels."

## LUXEMBOURG

### *Upon signature:*

Luxembourg undertakes to reduce its national annual emissions of VOCs by at least 30 per cent by the year 1999, using 1990 levels as a basis (article 2, paragraph 2 (a)).

## NETHERLANDS

### *Declaration made upon signature and confirmed upon acceptance:*

"The Netherlands declares that it intends to reduce its annual national emissions of VOCs by at least 30% using 1988 levels as a basis."

## NORWAY

### *Upon signature:*

"The Government of Norway intends to fulfil the obligations of the VOC Protocol as specified in article 2, paragraph 2 (b). Norway will use the year 1989 as the base year for reductions."

Based on present prognosis of VOC emissions the total Norwegian reduction of VOC will be in the order of 20% by the year 1999.

"Norway will apply equivalent measures based on the best available technologies which are economically feasible, outside the TOMA as inside."

"The Government of Norway will fulfil its obligations in the Exclusive Economic Zone of Norway under the Protocol in conformity with international law."

## PORTUGAL

### *Upon signature:*

"Portugal declares under its article 2, paragraph 2, sub-paragraph a), that it shall control and reduce its national annual emissions of VOC's or their transboundary fluxes in accordance with the way specified at that article."

## SPAIN

### *Upon signature:*

The Government of the Kingdom of Spain declares that it accepts the commitment set forth in article 2 [(2)] (a) to reduce national annual emissions by at least 30 per cent by the year 1999, using 1988 levels as a basis."

## SWEDEN

### *Upon signature:*

"Sweden declares that it intends to reduce its annual national emissions of VOCs by at least 30%, using 1988 levels as a basis."

### *Upon ratification:*

"Sweden declares that it intends to reduce its annual national emissions of VOCs by at least 30% by the year 1999, using 1988 levels as a basis."

## SWITZERLAND

### *Upon signature:*

"As a basis to reduce its annual emissions of VOCs by at least 30% by the year 1999, Switzerland will use 1984 levels."

## UKRAINE

### *Upon signature:*

[The Government of Ukraine] signs [the said Protocol] on the conditions set out in paragraph 2 (b) of article 2 of the Protocol.

In so doing the Government of Ukraine stipulates that the following designated tropospheric ozone management areas (TOMAs) situated in Ukraine should be included in Annex I to the Protocol:

TOMA No. 1: the Poltavian, Dnepropetrovsk, Zaporozhian, Donetsk, Lugansk, Nikolaivian, Khersonian regions (194.3 thousand square kilometres);

TOMA No. 2: Lvovian, Ternopol, Ivano-Frankovsk, Zakarpatian regions (62.3 thousand square kilometres).

### *Notes:*

<sup>1</sup> Upon signature, decision was reserved as concerns the application of the Protocol to the Faroe Islands and Greenland. Upon acceptance, the Government of Denmark declared that "This acceptance does not apply to the Faroe Islands and Greenland."

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

### *Declaration made upon signature and confirmed upon ratification:*

"The Government of the United Kingdom of Great Britain and Northern Ireland declares] that it intends to reduce its annual national emissions of VOCs by at least 30%, using 1988 levels as a basis."

## UNITED STATES OF AMERICA

### *Upon signature:*

"In accordance with article 2, paragraph 2 of the Protocol, the Government of the United States of America specifies 1984 emission levels as the basis for its VOC reductions under this Protocol [article 2, paragraph 2 (a)]."

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> Application to the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man.

**1. e) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
on Further Reduction of Sulphur Emissions**

*Oslo, 14 June 1994*

**ENTRY INTO FORCE:** 5 August 1998, in accordance with article 15 (1).  
**REGISTRATION:** 5 August 1998, No. 21623.  
**STATUS:** Signatories: 28. Parties: 22.  
**TEXT:** Doc. EB.AIR/R.84.

*Note:* The Protocol, adopted on 13 June 1994 by the Executive Body for the Convention on Long-Range Transboundary Air Pollution at its special session held in Oslo on 13 and 14 June 1994, was open for signature at Oslo until 14 June 1994, and thereafter, at United Nations Headquarters, New York, until 12 December 1994, in accordance with its article 12 (1). The Protocol is open to signature by States members of the Economic Commission for Europe as well as States having consultative status with the Commission, pursuant to paragraph 8 of Economic and Social Council Resolution 36 (IV)<sup>1</sup> of 28 March 1947, and by regional economic integration organizations, constituted by sovereign States members of the Commission, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by the Protocol, provided that the States and organizations concerned are Parties to the 1979 Convention.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Austria	14 Jun 1994	27 Aug 1998	Luxembourg	14 Jun 1994	14 Jun 1996
Belgium <sup>2</sup>	14 Jun 1994		Netherlands <sup>3</sup>	14 Jun 1994	30 May 1995 A
Bulgaria	14 Jun 1994		Norway	14 Jun 1994	3 Jul 1995
Canada	14 Jun 1994	8 Jul 1997	Poland	14 Jun 1994	
Croatia	14 Jun 1994	27 Apr 1999 A	Russian Federation	14 Jun 1994	
Czech Republic	14 Jun 1994	19 Jun 1997	Slovakia	14 Jun 1994	1 Apr 1998
Denmark <sup>3</sup>	14 Jun 1994	25 Aug 1997 AA	Slovenia	14 Jun 1994	7 May 1998
European Community	14 Jun 1994	24 Apr 1998 AA	Spain	14 Jun 1994	7 Aug 1997
Finland	14 Jun 1994	8 Jun 1998 A	Sweden	14 Jun 1994	19 Jul 1995
France	14 Jun 1994	12 Jun 1997 AA	Switzerland	14 Jun 1994	23 Jan 1998
Germany	14 Jun 1994	3 Jun 1998	Ukraine	14 Jun 1994	
Greece	14 Jun 1994	24 Feb 1998	United Kingdom of Great Britain and Northern Ireland <sup>5</sup>	14 Jun 1994	17 Dec 1996
Hungary	9 Dec 1994				
Ireland	17 Oct 1994	4 Sep 1998			
Italy	14 Jun 1994	14 Sep 1998			
Liechtenstein	14 Jun 1994	27 Aug 1997 A			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification,  
accession, acceptance or approval.)*

**AUSTRIA**

*Declaration:*

"The Republic of Austria declares, in accordance with paragraph 2 of article 9 of the Protocol that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

**NETHERLANDS**

*Declaration:*

"The Kingdom of the Netherlands declares, in accordance with paragraph 2 of article 9 of the [said Protocol], that it accepts both means of dispute settlement referred to in that para-

graph as compulsory in relation to any Party accepting one or both of these means of dispute settlement."

**EUROPEAN COMMUNITY**

*Declaration:*

"The European Community states that the ceiling for emissions and the weighted average percentage for the European Community ought not to exceed the sum of the obligations of the Member States of the European Union which have ratified the Protocol, while stressing that all its Member States must reduce their SO<sub>2</sub> emissions in accordance with the emission ceilings set in Annex II to the Protocol and in line with the relevant Community legislation."

**Notes:**

<sup>1</sup> United Nations, *Resolutions of the Economic and Social Council*, 4th session, 28-29 March 1942 (E/437), p. 10.

<sup>2</sup> With a declaration to the effect that this signature also commits the Flemish region, the Wallone region and the region of the capital Brussels.

<sup>3</sup> With reservation for the application to the Faroe Islands and Greenland.

<sup>4</sup> For the Kingdom in Europe.

<sup>5</sup> For the United Kingdom of Great Britain and Northern Ireland and the Bailiwick of Jersey.

**1. f) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
on Heavy Metals**

*Aarhus, 24 June 1998*

**NOT YET IN FORCE:** (see article 17).  
**STATUS:** Signatories: 36. Parties: 2.  
**TEXT:** Document of the Economic and Social Council EB.AIR/1998/1.

*Note:* Open for signature at Aarhus (Denmark) from 24 to 25 June 1998, then at United Nations Headquarters until 31 December 1998, by States members of the Economic Commission for Europe as well as States having consultative status with the Commission pursuant to paragraph 8 of Economic and Social Council resolution 36 (IV)<sup>1</sup> of 28 March 1947, and by regional economic integration organizations, constituted by sovereign States members of the Commission, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by the Protocol, provided that the States and organizations concerned are Parties to the Convention.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Armenia .....	18 Dec 1998		Lithuania.....	24 Jun 1998	
Austria .....	24 Jun 1998		Luxembourg.....	24 Jun 1998	
Belgium .....	24 Jun 1998		Netherlands.....	24 Jun 1998	
Bulgaria .....	24 Jun 1998		Norway.....	24 Jun 1998	16 Dec 1999
Canada .....	24 Jun 1998	18 Dec 1998	Poland.....	24 Jun 1998	
Croatia .....	24 Jun 1998		Portugal.....	24 Jun 1998	
Cyprus.....	24 Jun 1998		Republic of Moldova .	24 Jun 1998	
Czech Republic.....	24 Jun 1998		Romania.....	24 Jun 1998	
Denmark.....	24 Jun 1998		Slovakia.....	24 Jun 1998	
European Community.	24 Jun 1998		Slovenia.....	24 Jun 1998	
Finland.....	24 Jun 1998		Spain.....	24 Jun 1998	
France.....	24 Jun 1998		Sweden.....	24 Jun 1998	
Germany.....	24 Jun 1998		Switzerland.....	24 Jun 1998	
Greece.....	24 Jun 1998		Ukraine.....	24 Jun 1998	
Hungary.....	18 Dec 1998		United Kingdom of Great Britain and Northern Ireland..	24 Jun 1998	
Iceland.....	24 Jun 1998		United States of Amer- ica.....	24 Jun 1998	
Ireland.....	24 Jun 1998				
Italy.....	24 Jun 1998				
Latvia.....	24 Jun 1998				
Liechtenstein.....	24 Jun 1998				

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations were made upon ratification, acceptance, approval or accession.)*

**CANADA<sup>2</sup>**

26 October 1999

**Declaration :**

"Canada intends to act in accordance with paragraph 7 of Article 3 of this Protocol."

**NORWAY**

**Declarations:**

"1. With reference to Article 3 no 2 Litra (a) and Annex III, Norway hereby declares that the reference year should be 1990.

2. With reference to Article 11 no 2, Norway hereby declares that, in respect of any dispute concerning the interpretation or application of the Protocol, it recognizes only the following means of dispute settlement as compulsory *ipso facto* and without special agreement, in relation to any Party accepting the same obligation:

a) Submission of the dispute to the International Court of Justice."

**Notes:**

<sup>1</sup> Official Documents of the Economic and Social Council (E/402), p. 10.

<sup>2</sup> On 30 June 1999, the Government of Canada informed the Secretary-General, that its instrument of ratification should have included the declaration. The Secretary-General proposed to receive the decla-

ration in question for deposit in the absence of any objection on the part of one of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of its circulation (28 July 1999). No objection having been received, the declaration was accepted for deposit upon the expiration of the above-stipulated 90-day period, that is on 26 October 1999.



**1. g) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution  
on Persistent Organic Pollutants**

*Aarhus, 24 June 1998*

**NOT YET IN FORCE:** (see article 18).  
**STATUS:** Signatories: 36. Parties: 2.  
**TEXT:** Document of the Economic and Social Council EB.AIR/1998/2.

*Note:* Open for signature at Aarhus (Denmark) from 24 to 25 June 1998, then at United Nations Headquarters until 21 December 1998, by States members of the Economic Commission for Europe as well as States having consultative status with the Commission pursuant to paragraph 8 of Economic and Social Council resolution 36 (IV)<sup>1</sup> of 28 March 1947, and by regional economic integration organizations, constituted by sovereign States members of the Commission, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by the Protocol, provided that the States and organizations concerned are Parties to the Convention.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Armenia . . . . .	18 Dec 1998		Lithuania . . . . .	24 Jun 1998	
Austria . . . . .	24 Jun 1998		Luxembourg . . . . .	24 Jun 1998	
Belgium . . . . .	24 Jun 1998		Netherlands . . . . .	24 Jun 1998	
Bulgaria . . . . .	24 Jun 1998		Norway . . . . .	24 Jun 1998	16 Dec 1999
Canada . . . . .	24 Jun 1998	18 Dec 1998	Poland . . . . .	24 Jun 1998	
Croatia . . . . .	24 Jun 1998		Portugal . . . . .	24 Jun 1998	
Cyprus . . . . .	24 Jun 1998		Republic of Moldova .	24 Jun 1998	
Czech Republic . . . .	24 Jun 1998		Romania . . . . .	24 Jun 1998	
Denmark . . . . .	24 Jun 1998		Slovakia . . . . .	24 Jun 1998	
European Community	24 Jun 1998		Slovenia . . . . .	24 Jun 1998	
Finland . . . . .	24 Jun 1998		Spain . . . . .	24 Jun 1998	
France . . . . .	24 Jun 1998		Sweden . . . . .	24 Jun 1998	
Germany . . . . .	24 Jun 1998		Switzerland . . . . .	24 Jun 1998	
Greece . . . . .	24 Jun 1998		Ukraine . . . . .	24 Jun 1998	
Hungary . . . . .	18 Dec 1998		United Kingdom of Great Britain and Northern Ireland .	24 Jun 1998	
Iceland . . . . .	24 Jun 1998		United States of Amer- ica . . . . .	24 Jun 1998	
Ireland . . . . .	24 Jun 1998				
Italy . . . . .	24 Jun 1998				
Latvia . . . . .	24 Jun 1998				
Liechtenstein . . . . .	24 Jun 1998				

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations were made upon ratification, acceptance, approval or accession.)*

**NORWAY**

**Declarations:**

1. With reference to Article 3 no 5 Litra (a) and Annex III, Norway hereby declares that the reference year should be 1990.
2. With reference to Article 12 no 2, Norway hereby declares that, in respect of any dispute concerning the interpreta-

tion or application of the Protocol, it recognizes only the following means of dispute settlement as compulsory *ipso facto* and without special agreement, in relation to any Party accepting the same obligation:

- a) Submission of the dispute to the International Court of Justice."

**Notes:**

<sup>1</sup> Official Documents of the Economic and Social Council (E/437), p. 36.

**I. h) Protocol to the 1979 Convention on Long-range Transboundary Air Pollution  
to Abate Acidification, Eutrophication and Ground-level Ozone**

*Gothenburg (Sweden), 30 November 1999*

**NOT YET IN FORCE:** (see article 17).  
**STATUS:** Signatories: 27.  
**TEXT:** Document of the Economic and Social Council EB.AIR/1999/1.

*Note:* Open for signature at Gothenburg (Sweden) on 30 November 1999 and 1 December 1999, then at United Nations Headquarters in New York until 30 May 2000, by States members of the Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe pursuant to paragraph 8 of Economic and Social Council resolution 36 (IV)<sup>1</sup> of 28 March 1947, and by regional economic integration organizations, constituted by sovereign States members of the Economic Commission for Europe, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by the Protocol, provided that the States and organizations concerned are Parties to the Convention and are listed in annex II.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Armenia .....	1 Dec 1999		Netherlands.....	1 Dec 1999	
Austria .....	1 Dec 1999		Norway .....	1 Dec 1999	
Bulgaria .....	1 Dec 1999		Portugal .....	1 Dec 1999	
Canada .....	1 Dec 1999		Romania .....	1 Dec 1999	
Croatia .....	1 Dec 1999		Slovakia .....	1 Dec 1999	
Czech Republic.....	1 Dec 1999		Slovenia .....	1 Dec 1999	
Denmark.....	1 Dec 1999		Spain.....	1 Dec 1999	
Finland .....	1 Dec 1999		Sweden .....	1 Dec 1999	
France .....	1 Dec 1999		Switzerland.....	1 Dec 1999	
Germany.....	1 Dec 1999		United Kingdom of Great Britain and Northern Ireland ..	1 Dec 1999	
Hungary .....	1 Dec 1999		United States of Amer- ica .....	1 Dec 1999	
Ireland.....	1 Dec 1999				
Italy.....	1 Dec 1999				
Latvia .....	1 Dec 1999				
Liechtenstein.....	1 Dec 1999				
Luxembourg .....	1 Dec 1999				

**Notes :**

<sup>1</sup> Official Documents of the Economic and Social Council, (E/437), p. 36.

## 2. VIENNA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER

*Vienna, 22 March 1985*

**ENTRY INTO FORCE:** 22 September 1988, in accordance with article 17 (1).  
**REGISTRATION:** 22 September 1988, No. 26164.  
**STATUS:** Signatories: 28. Parties: 173.  
**TEXT:** United Nations, *Treaty Series*, vol. 151<sup>3</sup>, p. 293.

*Note:* The Convention was adopted by the Conference on the Protection of the Ozone Layer and open for signature at Vienna from 22 March 1985 to 21 September 1985, and at the United Nations Headquarters in New York from 22 September 1985 until 21 March 1986.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Albania .....		8 Oct 1999 a	Dominica .....		31 Mar 1993 a
Algeria .....		20 Oct 1992 a	Dominican Republic .		18 May 1993 a
Antigua and Barbuda.		3 Dec 1992 a	Ecuador .....		10 Apr 1990 a
Argentina.....	22 Mar 1985	18 Jan 1990	Egypt.....	22 Mar 1985	9 May 1988
Armenia.....		1 Oct 1999 a	El Salvador .....		2 Oct 1992 a
Australia .....		16 Sep 1987 a	Equatorial Guinea ...		17 Aug 1988 a
Austria .....	16 Sep 1985	19 Aug 1987	Estonia .....		17 Oct 1996 a
Azerbaijan .....		12 Jun 1996 a	Ethiopia .....		11 Oct 1994 a
Bahamas .....		1 Apr 1993 a	European Community	22 Mar 1985	17 Oct 1988 AA
Bahrain .....		27 Apr 1990 a	Fiji .....		23 Oct 1989 a
Bangladesh .....		2 Aug 1990 a	Finland.....	22 Mar 1985	26 Sep 1986
Barbados .....		16 Oct 1992 a	France .....	22 Mar 1985	4 Dec 1987 AA
Belarus.....	22 Mar 1985	20 Jun 1986 A	Gabon .....		9 Feb 1994 a
Belgium.....	22 Mar 1985	17 Oct 1988	Gambia .....		25 Jul 1990 a
Belize.....		6 Jun 1997 a	Georgia .....		21 Mar 1996 a
Benin .....		1 Jul 1993 a	Germany <sup>3,4</sup> .....	22 Mar 1985	30 Sep 1988
Bolivia.....		3 Oct 1994 a	Ghana .....		24 Jul 1989 a
Bosnia and Herzogovi- na .....		1 Sep 1993 d	Greece .....	22 Mar 1985	29 Dec 1988
Botswana.....		4 Dec 1991 a	Grenada .....		31 Mar 1993 a
Brazil .....		19 Mar 1990 a	Guatemala.....		11 Sep 1987 a
Brunei Darussalam ..		26 Jul 1990 a	Guinea .....		25 Jun 1992 a
Bulgaria.....		20 Nov 1990 a	Guyana .....		12 Aug 1993 a
Burkina Faso.....	12 Dec 1985	30 Mar 1989	Honduras.....		14 Oct 1993 a
Burundi .....		6 Jan 1997 a	Hungary.....		4 May 1988 a
Cameroon .....		30 Aug 1989 a	Iceland.....		29 Aug 1989 a
Canada.....	22 Mar 1985	4 Jun 1986	India.....		18 Mar 1991 a
Central African Repub- lic.....		29 Mar 1993 a	Indonesia.....		26 Jun 1992 a
Chad .....		18 May 1989 a	Iran (Islamic Republic of) .....		3 Oct 1990 a
Chile .....	22 Mar 1985	6 Mar 1990	Ireland .....		15 Sep 1988 a
China <sup>2</sup> .....		11 Sep 1989 a	Israel .....		30 Jun 1992 a
Colombia.....		16 Jul 1990 a	Italy .....	22 Mar 1985	19 Sep 1988
Comoros .....		31 Oct 1994 a	Jamaica .....		31 Mar 1993 a
Congo .....		16 Nov 1994 a	Japan .....		30 Sep 1988 a
Costa Rica .....		30 Jul 1991 a	Jordan .....		31 May 1989 a
Côte d'Ivoire .....		5 Apr 1993 a	Kazakhstan .....		26 Aug 1998 a
Croatia .....		21 Sep 1992 d	Kenya .....		9 Nov 1988 a
Cuba .....		14 Jul 1992 a	Kiribati .....		7 Jan 1993 a
Cyprus .....		28 May 1992 a	Kuwait.....		23 Nov 1992 a
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Lao People's Demo- cratic Republic. . .		21 Aug 1998 a
Democratic People's Republic of Korea		24 Jan 1995 a	Latvia.....		28 Apr 1995 a
Democratic Republic of the Congo .....		30 Nov 1994 a	Lebanon.....		30 Mar 1993 a
Denmark .....	22 Mar 1985	29 Sep 1988	Lesotho .....		25 Mar 1994 a
Djibouti .....		30 Jul 1999 a	Liberia .....		15 Jan 1996 a
			Libyan Arab Jamahir- iya .....		11 Jul 1990 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Liechtenstein.....		8 Feb 1989 a	Senegal.....		19 Mar 1993 a
Lithuania.....		18 Jan 1995 a	Seychelles.....		6 Jan 1993 a
Luxembourg.....	17 Apr 1985	17 Oct 1988	Singapore.....		5 Jan 1989 a
Madagascar.....		7 Nov 1996 a	Slovakia <sup>1</sup> .....		28 May 1993 d
Malawi.....		9 Jan 1991 a	Slovenia.....		6 Jul 1992 d
Malaysia.....		29 Aug 1989 a	Solomon Islands.....		17 Jun 1993 a
Maldives.....		26 Apr 1988 a	South Africa.....		15 Jan 1990 a
Mali.....		28 Oct 1994 a	Spain.....		25 Jul 1988 a
Malta.....		15 Sep 1988 a	Sri Lanka.....		15 Dec 1989 a
Marshall Islands.....		11 Mar 1993 a	Sudan.....		29 Jan 1993 a
Mauritania.....		26 May 1994 a	Suriname.....		14 Oct 1997 a
Mauritius.....		18 Aug 1992 a	Swaziland.....		10 Nov 1992 a
Mexico.....	1 Apr 1985	14 Sep 1987	Sweden.....	22 Mar 1985	26 Nov 1986
Micronesia (Federated States of).....		3 Aug 1994 a	Switzerland.....	22 Mar 1985	17 Dec 1987
Monaco.....		12 Mar 1993 a	Syrian Arab Republic.....		12 Dec 1989 a
Mongolia.....		7 Mar 1996 a	Tajikistan.....		6 May 1996 a
Morocco.....	7 Feb 1986	28 Dec 1995	Thailand.....		7 Jul 1989 a
Mozambique.....		9 Sep 1994 a	the former Yugoslav Republic of Macedonia.....		10 Mar 1994 d
Myanmar.....		24 Nov 1993 a	Togo.....		25 Feb 1991 a
Namibia.....		20 Sep 1993 a	Tonga.....		29 Jul 1998 a
Nepal.....		6 Jul 1994 a	Trinidad and Tobago.....		28 Aug 1989 a
Netherlands <sup>5</sup> .....	22 Mar 1985	28 Sep 1988 A	Tunisia.....		25 Sep 1989 a
New Zealand <sup>6</sup> .....	21 Mar 1986	2 Jun 1987	Turkey.....		20 Sep 1991 a
Nicaragua.....		5 Mar 1993 a	Turkmenistan.....		18 Nov 1993 a
Niger.....		9 Oct 1992 a	Tuvalu.....		15 Jul 1993 a
Nigeria.....		31 Oct 1988 a	Uganda.....		24 Jun 1988 a
Norway.....	22 Mar 1985	23 Sep 1986	Ukraine.....	22 Mar 1985	18 Jun 1986 A
Oman.....		30 Jun 1999 a	United Arab Emirates.....		22 Dec 1989 a
Pakistan.....		18 Dec 1992 a	United Kingdom of Great Britain and Northern Ireland <sup>4,8</sup> .....	20 May 1985	15 May 1987
Panama.....		13 Feb 1989 a	United Republic of Tanzania.....		7 Apr 1993 a
Papua New Guinea.....		27 Oct 1992 a	United States of America.....	22 Mar 1985	27 Aug 1986
Paraguay.....		3 Dec 1992 a	Uruguay.....		27 Feb 1989 a
Peru.....	22 Mar 1985	7 Apr 1989	Uzbekistan.....		18 May 1993 a
Philippines.....		17 Jul 1991 a	Vanuatu.....		21 Nov 1994 a
Poland.....		13 Jul 1990 a	Venezuela.....		1 Sep 1988 a
Portugal <sup>7</sup> .....		17 Oct 1988 a	Viet Nam.....		26 Jan 1994 a
Qatar.....		22 Jan 1996 a	Yemen.....		21 Feb 1996 a
Republic of Korea.....		27 Feb 1992 a	Yugoslavia.....		16 Apr 1990 a
Republic of Moldova.....		24 Oct 1996 a	Zambia.....		24 Jan 1990 a
Romania.....		27 Jan 1993 a	Zimbabwe.....		3 Nov 1992 a
Russian Federation.....	22 Mar 1985	18 Jun 1986 A			
Saint Kitts and Nevis.....		10 Aug 1992 a			
Saint Lucia.....		28 Jul 1993 a			
Saint Vincent and the Grenadines.....		2 Dec 1996 a			
Samoa.....		21 Dec 1992 a			
Saudi Arabia.....		1 Mar 1993 a			

#### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)*

#### **BAHRAIN<sup>9</sup>**

##### *Declaration:*

"The accession by the State of Bahrain to the said Convention shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith."

#### **EUROPEAN COMMUNITY**

23 May 1989

"I. On behalf of the European Community, it is hereby declared that the said Community can accept arbitration as a means of dispute settlement within the terms of the Vienna Convention for the Protection of the Ozone Layer.

It cannot accept submission of any dispute to the International Court of Justice."

"2. According to the customary procedures within the European Community, the Community's financial participation in the Vienna Convention for the Protection of the Ozone Layer and in the Montreal Protocol on substances that deplete the Ozone Layer may not involve the Community in expenditure other than administrative costs which may not exceed 2.5% of the total administrative costs."

#### FINLAND

"With respect to article 11, paragraph 3 of the Convention Finland declares that it accepts both of the said means of dispute settlement as compulsory."

#### NETHERLANDS

##### *Declaration:*

"In accordance with article 11, paragraph 3, of the Convention the Kingdom of the Netherlands accepts for a dispute not resolved in accordance with paragraph 1 or paragraph 2 of article 11 of the above-mentioned Convention, both of the following means of dispute settlement as compulsory:

(a) Arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting;

(b) Submission of the dispute to the International Court of Justice."

#### NORWAY

"Norway accepts the means of dispute settlement as described in art. 11, para 3 (a) and (b) of the Convention as compulsory, that is a) arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting, or b) submission of the dispute to the International Court of Justice."

#### SWEDEN

"Sweden accepts the following means of dispute settlement as compulsory:

Submission of the dispute to the International Court of Justice [article 11, paragraph 3 (b)]

It is, however, the intention of the Swedish Government to accept also the following means of dispute settlement as compulsory:

Arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting [article 11, paragraph 3 (a)].

A declaration in this latter respect will, however, not be given until the procedures for arbitration have been adopted by the Conference of the Parties at its first ordinary meeting."

#### *Notes:*

<sup>1</sup> Czechoslovakia had acceded to the Convention on 1 October 1990. See also note 11 in chapter 1.2.

<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 5 in chapter IV.1.]*

<sup>3</sup> The German Democratic Republic had acceded to the Convention on 25 January 1989. See also note 14 in chapter 1.2.

<sup>4</sup> In a letter accompanying the instrument of ratification, the Federal Republic of Germany declared that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

In this connection, the Secretary-General received, on 23 February 1989, from the Government of the German Democratic Republic, the following declaration:

As regards the application to Berlin (West) of the Vienna Convention for the Protection of the Ozone Layer of 22 March 1985 it is the understanding of the German Democratic Republic that the provisions of that Convention are applied to Berlin (West) in accordance with the Quadripartite Agreement of 3 September 1971 under which Berlin (West) is not a constituent part of the Federal Republic of Germany and must not be governed by it.

See also note 3 above.

<sup>5</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>6</sup> The instrument of ratification indicates that in accordance with the special relationship which exists between New Zealand and the Cook Islands and between New Zealand and Niue, there have been consultations regarding the Convention between the Government of New Zealand and the Government of Cook Islands and between the Government of New Zealand and the Government of Niue; that the Government of the Cook Islands, which has exclusive competence to implement treaties in the Cook Islands, has requested that the Convention should extend to the Cook Islands; that the Government of Niue which has exclusive competence to implement treaties in Niue, has requested that the Convention should extend to Niue. The said instrument specifies that accordingly the Convention shall apply also to the Cook Islands and Niue.

<sup>7</sup> On 15 February 1994, the Secretary-General received from the Government of Portugal a notification to the effect that it shall extend the Convention to Macau.

Subsequently, the Secretary-General received, on 21 October 1999, from the Government of Portugal, the following communication:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

<sup>8</sup> The instrument of ratification specifies that the said Convention is ratified in respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong (see also note 2 in this chapter), Monserrat, Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena, Saint Helena Dependencies, South Georgia and South Sandwich Islands, Turks and Caicos Islands, and United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus.

In this regard, the Secretary-General received, on 11 September 1987, from the Government of Argentina the following objection, which was reiterated upon its ratification of the Convention:

The Argentine Republic rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to the Malvinas, South Georgia and South Sandwich Islands and reaffirms its sovereignty over those Islands, which form a part of its national territory.

The United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12 and 39/6 in which it recognizes the existence of a sovereignty dispute concerning the question of the Malvinas and urges the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful and definitive solution to the dispute and to their remaining differences

relating to the question, through the good offices of the Secretary-General, who is to report to the General Assembly on the progress made. The United Nations General Assembly also adopted resolution 40/21 and 41/40, which again urge the two parties to resume the negotiations.

The Argentine Republic also rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to what that country calls "British Antarctic Territory".

At the same time, it reaffirms its rights of sovereignty over the Argentine Antarctic Sector located between longitudes 25° and 74° W and latitude 60° S and the South Pole, including its maritime spaces.

It is appropriate to recall, in this connection, the provisions concerning rights of or claims to territorial sovereignty in Antarctica contained in article IV of the Antarctic Treaty.

Subsequently, on 1 August 1988, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication concerning the said objection by Argentina:

"The Government of the United Kingdom reject the objection made regarding the application of the Convention by the United Kingdom to the Falkland Islands and South Georgia and the South Sandwich Islands. The Government of the United Kingdom have no doubt as to British sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands, and their consequent right to extend treaties to those territories.

With respect to the objection by the Argentine Republic to the application of the Convention to the British Antarctic Territory, the Government of the United Kingdom have no doubt as to British sovereignty over the British Antarctic Territory, and note the Argentine reference to article IV of the Antarctic Treaty to which both the Government of Argentina and the Government of the United Kingdom are parties."

Upon its ratification of the Convention, the Government of Argentina objected anew to the declaration of territorial applications in question by the Government of the United Kingdom, which in turn reiterated its position in an additional communication received on 6 July 1990.

Subsequently, the Government of Chile, upon ratification, declared the following:

The Government of Chile [. . .] states that it rejects the declarations made by the United Kingdom of Great Britain and Northern Ireland upon ratification of the Convention and by the Argentine Republic in objecting to that declaration, inasmuch as both declarations affect Chilean Antarctic territory, including the corresponding maritime jurisdictions. It once again reaffirms its sovereignty over that territory, including its sovereign maritime spaces, in accordance with the definition established by Supreme Decree 1,747, of 6 November 1940.

By a communication received on 30 August 1990, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Convention and the Protocol shall extend to the Bailiwick of Guernsey for whose international relations the Government of the United Kingdom is responsible.

The Government of Mauritius, upon acceding to the Convention, made the following declaration:

"The Republic of Mauritius rejects the ratification of [the Convention] effected by the United Kingdom of Great Britain and Northern Ireland on 15 May 1987 in respect of the British Indian Ocean Territory namely Chagos Archipelago and reaffirms its sovereignty over the Chagos Archipelago, which form an integral part of its national territory."

Subsequently, on 27 January 1993, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication with respect to the declaration made by the Government of Mauritius:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to British sovereignty over the British Indian Ocean Territory and their consequent right to extend the application of the [said] Convention and Protocol to it. Accordingly, the Government of the United Kingdom do not accept or regard as having any legal effect the declarations made by the Government of the Republic of Mauritius.

<sup>9</sup> In this regard, the Government of Israel notified the Secretary-General, on 18 July 1990, of the following:

In the view of the Government of the State of Israel such declaration, which is explicitly of a political character, is incompatible with the purposes and objectives of the Convention and Protocol and cannot in any way affect whatever obligations are binding upon Bahrain under general international law or under particular conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Bahrain an attitude of complete reciprocity."

## 2. a) Montreal Protocol on Substances that Deplete the Ozone Layer

*Montreal, 16 September 1987*

**ENTRY INTO FORCE:** 1 January 1989, in accordance with article 16 (1).  
**REGISTRATION:** 1 January 1989, No. 26369.  
**STATUS:** Signatories: 46. Parties: 172.  
**TEXT:** United Nations, *Treaty Series*, vol. 1522, p. 3; and depositary notifications C.N.285.1988.TREATIES-15 of 20 January 1989 (procès-verbal of rectification of the original Spanish text); C.N.181.1989.TREATIES-9 of 28 August 1989 (modification of Annex A); C.N.225.1990.TREATIES-7 of 7 September 1990 (adoption of adjustments); C.N.246.1990.TREATIES-9 of 14 November 1990 (amendment); C.N.133.1991.TREATIES-3/2 of 27 August 1991 (rectification of the Spanish text of the adjustments and amendment); C.N.227.1991.TREATIES-7 of 27 November 1991 (adoption of Annex D.); C.N.428.1992.TREATIES-12 of 22 March 1993 (adoption of adjustments and amendment of 1993); C.N.200.1993.TREATIES-2 of 17 September 1992 (procès-verbal of rectification of the original English text of the 1992 amendment); C.N.484.1995.TREATIES-5 of 5 February 1996 (adoption of adjustments); C.N.468.1997.TREATIES-4/1 of 5 December 1997 (adoption of adjustments); and C.N.1230.1999.TREATIES-7 of 28 January 2000 (adoption of adjustments).

*Note:* The Protocol was adopted by the Conference of Plenipotentiaries on the Protocol on Chlorofluorocarbons to the Vienna Convention for the Protection of the Ozone Layer, held in Montreal from 14 to 16 September 1987. Open for signature in Montreal on 16 September 1987, in Ottawa from 17 September 1987 to 16 January 1988 and at United Nations Headquarters, New York, from 17 January 1988 to 15 September 1988, in accordance with article 15.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Albania .....		8 Oct 1999 a	Costa Rica .....		30 Jul 1991 a
Algeria .....		20 Oct 1992 a	Côte d'Ivoire .....		5 Apr 1993 a
Antigua and Barbuda .....		3 Dec 1992 a	Croatia .....		21 Sep 1992 d
Argentina .....	29 Jun 1988	18 Sep 1990	Cuba .....		14 Jul 1992 a
Armenia .....		1 Oct 1999 a	Cyprus .....		28 May 1992 a
Australia .....	8 Jun 1988	19 May 1989	Czech Republic <sup>3</sup> .....		30 Sep 1993 d
Austria .....	29 Aug 1988	3 May 1989	Democratic People's Republic of Korea .....		24 Jan 1995 a
Azerbaijan .....		12 Jun 1996 a	Democratic Republic of the Congo .....		30 Nov 1994 a
Bahamas .....		4 May 1993 a	Denmark <sup>4</sup> .....	16 Sep 1987	16 Dec 1988
Bahrain .....		27 Apr 1990 a	Djibouti .....		30 Jul 1999 a
Bangladesh .....		2 Aug 1990 a	Dominica .....		31 Mar 1993 a
Barbados .....		16 Oct 1992 a	Dominican Republic .....		18 May 1993 a
Belarus .....	22 Jan 1988	31 Oct 1988 A	Ecuador .....		30 Apr 1990 a
Belgium .....	16 Sep 1987	30 Dec 1988	Egypt .....	16 Sep 1987	2 Aug 1988
Belize .....		9 Jan 1998 a	El Salvador .....		2 Oct 1992 a
Benin .....		1 Jul 1993 a	Estonia .....		17 Oct 1996 a
Bolivia .....		3 Oct 1994 a	Ethiopia .....		11 Oct 1994 a
Bosnia and Herzegovina .....		1 Sep 1993 d	European Community .....	16 Sep 1987	16 Dec 1988 AA
Botswana .....		4 Dec 1991 a	Fiji .....		23 Oct 1989 a
Brazil .....		19 Mar 1990 a	Finland .....	16 Sep 1987	23 Dec 1988 A
Brunei Darussalam .....		27 May 1993 a	France .....	16 Sep 1987	28 Dec 1988 AA
Bulgaria .....		20 Nov 1990 a	Gabon .....		9 Feb 1994 a
Burkina Faso .....	14 Sep 1988	20 Jul 1989	Gambia .....		25 Jul 1990 a
Burundi .....		6 Jan 1997 a	Georgia .....		21 Mar 1996 a
Cameroon .....		30 Aug 1989 a	Germany <sup>5,6</sup> .....	16 Sep 1987	16 Dec 1988
Canada .....	16 Sep 1987	30 Jun 1988	Ghana .....	16 Sep 1987	24 Jul 1989
Central African Republic .....		29 Mar 1993 a	Greece .....	29 Oct 1987	29 Dec 1988
Chad .....		7 Jun 1994 a	Grenada .....		31 Mar 1993 a
Chile .....	14 Jun 1988	26 Mar 1990	Guatemala .....		7 Nov 1989 a
China <sup>2</sup> .....		14 Jun 1991 a	Guinea .....		25 Jun 1992 a
Colombia .....		6 Dec 1993 a	Guyana .....		12 Aug 1993 a
Comoros .....		31 Oct 1994 a	Honduras .....		14 Oct 1993 a
Congo .....	15 Sep 1988	16 Nov 1994	Hungary .....		20 Apr 1989 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Iceland		29 Aug 1989 a	Qatar		22 Jan 1996 a
India		19 Jun 1992 a	Republic of Korea		27 Feb 1992 a
Indonesia	21 Jul 1988	26 Jun 1992	Republic of Moldova		24 Oct 1996 a
Iran (Islamic Republic of)		3 Oct 1990 a	Romania		27 Jan 1993 a
Ireland	15 Sep 1988	16 Dec 1988	Russian Federation	29 Dec 1987	10 Nov 1988 A
Israel	14 Jan 1988	30 Jun 1992	Saint Kitts and Nevis		10 Aug 1992 a
Italy	16 Sep 1987	16 Dec 1988	Saint Lucia		28 Jul 1993 a
Jamaica		31 Mar 1993 a	Saint Vincent and the Grenadines		2 Dec 1996 a
Japan	16 Sep 1987	30 Sep 1988 A	Samoa		21 Dec 1992 a
Jordan		31 May 1989 a	Saudi Arabia		1 Mar 1993 a
Kazakhstan		26 Aug 1998 a	Senegal	16 Sep 1987	6 May 1993
Kenya	16 Sep 1987	9 Nov 1988	Seychelles		6 Jan 1993 a
Kiribati		7 Jan 1993 a	Singapore		5 Jan 1989 a
Kuwait		23 Nov 1992 a	Slovakia		28 May 1993 d
Lao People's Democratic Republic		21 Aug 1998 a	Slovenia		6 Jul 1992 d
Latvia		28 Apr 1995 a	Solomon Islands		17 Jun 1993 a
Lebanon		31 Mar 1993 a	South Africa		15 Jan 1990 a
Lesotho		25 Mar 1994 a	Spain	21 Jul 1988	16 Dec 1988
Liberia		15 Jan 1996 a	Sri Lanka		15 Dec 1989 a
Libyan Arab Jamahiriya		11 Jul 1990 a	Sudan		29 Jan 1993 a
Liechtenstein		8 Feb 1989 a	Suriname		14 Oct 1997 a
Lithuania		18 Jan 1995 a	Swaziland		10 Nov 1992 a
Luxembourg	29 Jan 1988	17 Oct 1988	Sweden	16 Sep 1987	29 Jun 1988
Madagascar		7 Nov 1996 a	Switzerland	16 Sep 1987	28 Dec 1988
Malawi		9 Jan 1991 a	Syrian Arab Republic		12 Dec 1989 a
Malaysia		29 Aug 1989 a	Tajikistan		7 Jan 1998 a
Maldives	12 Jul 1988	16 May 1989	Thailand	15 Sep 1988	7 Jul 1989
Mali		28 Oct 1994 a	the former Yugoslav Republic of Macedonia		10 Mar 1994 d
Malta	15 Sep 1988	29 Dec 1988	Togo	16 Sep 1987	25 Feb 1991
Marshall Islands		11 Mar 1993 a	Tonga		29 Jul 1998 a
Mauritania		26 May 1994 a	Trinidad and Tobago		28 Aug 1989 a
Mauritius		18 Aug 1992 a	Tunisia		25 Sep 1989 a
Mexico	16 Sep 1987	31 Mar 1988 A	Turkey		20 Sep 1991 a
Micronesia (Federated States of)		6 Sep 1995 a	Turkmenistan		18 Nov 1993 a
Monaco		12 Mar 1993 a	Tuvalu		15 Jul 1993 a
Mongolia		7 Mar 1996 a	Uganda	15 Sep 1988	15 Sep 1988
Morocco	7 Jan 1988	28 Dec 1995	Ukraine	18 Feb 1988	20 Sep 1988 A
Mozambique		9 Sep 1994 a	United Arab Emirates		22 Dec 1989 a
Myanmar		24 Nov 1993 a	United Kingdom of Great Britain and Northern Ireland <sup>2,10</sup>	16 Sep 1987	16 Dec 1988
Namibia		20 Sep 1993 a	United Republic of Tanzania		16 Apr 1993 a
Nepal		6 Jul 1994 a	United States of America	16 Sep 1987	21 Apr 1988
Netherlands	16 Sep 1987	16 Dec 1988 A	Uruguay		8 Jan 1991 a
New Zealand	16 Sep 1987	21 Jul 1988	Uzbekistan		18 May 1993 a
Nicaragua		5 Mar 1993 a	Vanuatu		21 Nov 1994 a
Niger		9 Oct 1992 a	Venezuela	16 Sep 1987	6 Feb 1989
Nigeria		31 Oct 1988 a	Viet Nam		26 Jan 1994 a
Norway	16 Sep 1987	24 Jun 1988	Yemen		21 Feb 1996 a
Oman		30 Jun 1999 a	Yugoslavia		3 Jan 1991 a
Pakistan		18 Dec 1992 a	Zambia		24 Jan 1990 a
Panama	16 Sep 1987	3 Mar 1989	Zimbabwe		3 Nov 1992 a
Papua New Guinea		27 Oct 1992 a			
Paraguay		3 Dec 1992 a			
Peru		31 Mar 1993 a			
Philippines	14 Sep 1988	17 Jul 1991			
Poland		13 Jul 1990 a			
Portugal	16 Sep 1987	17 Oct 1988			



**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)*

**BAHRAIN**

**Declaration:**

[See under chapter XXVII.2.]

**EUROPEAN COMMUNITY**

**Upon signature:**

"In the light of article 2.8 of the Protocol, the Community wishes to state that its signature takes place on the assumption that all its member states will take the necessary steps to adhere to the Convention and to conclude the Protocol."

23 May 1989

[See under chapter XXVII.2.]

**Notes:**

<sup>1</sup> On 27 May 1992, the Government of Singapore notified the Secretary-General, in accordance with article 10 (2) (b) of the Vienna Convention for the Protection of the Ozone Layer, of the following:

"Singapore is still in the process of evaluating the feasibility of imposing controls on all the products listed in Annex D. In the interim, Singapore can only approve the intention to ban import of the following:

(a) All products classified under item 2 of Annex D except domestic refrigerators and freezers; and

(b) All products classified under item 3 of Annex D."

Consequently, on the expiry of six months from the date of its circulation, i.e., 27 May 1992, in accordance with the provisions of article 10 (2) (c) of the Vienna Convention, Annex D became effective in its entirety for all Parties to the Montreal Protocol, with the exception of Singapore, for which the Annex became effective only with respect of the products described above.

Subsequently, on 20 April 1993, the Government of Singapore informed the Secretary-General that "the Republic of Singapore is now in a position to approve the full list of products under Annex D... with immediate effect."

<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notifications as those made under note 4 in chapter IV.1.]

In addition, the notification made by the Government of China contained the following declaration:

Provisions of article 5 of the [said Protocol] will not be applied to the Hong Kong Special Region.

<sup>3</sup> Czechoslovakia had acceded to the Protocol on 1 October 1990. See also note 11 in chapter I.2.

<sup>4</sup> The decision, made on 20 December 1991, to reserve the application to Greenland and the Faroe Islands, was lifted by a notification received on 12 February 1997.

<sup>5</sup> The German Democratic Republic had acceded to the Protocol on 25 January 1989. See also note 14 in chapter I.2.

<sup>6</sup> In a letter accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared that the Protocol shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

See also note 5 above.

<sup>7</sup> For the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>8</sup> Upon ratification the Government of New Zealand specified that the Protocol shall not apply to the Cook Islands and Niue.

<sup>9</sup> On 15 February 1994, the Secretary-General received from the Government of Portugal a notification to the effect that it shall extend the Protocol to Macau.

Subsequently, the Secretary-General received, on 21 October 1999, from the Government of Portugal, the following communication:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

<sup>10</sup> In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong (see also note 2 in this chapter), Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena, Saint Helena Dependencies, South Georgia and the South Sandwich Islands, Turks and Caicos Islands.

In this connection, the Secretary-General received from the Government of Argentina upon its ratification, an objection, identical in essence, *mutatis mutandis*, to the one it made on this subject with respect to the Convention (see note 3 in chapter XXVII.2).

Further, upon ratification, the Government of Chile declared the following:

[Chile] rejects the declaration made by the United Kingdom of Great Britain and Northern Ireland upon ratification, as it concerns the Chilean Antarctic Territory, including the corresponding maritime zones: [Chile] reaffirms once more its sovereignty over the said territory including its maritime areas, as defined by Supreme Decree No. 1747 of 6 November 1940.

In this connection, the Secretary-General received, on 2 August 1990, from the Government of the United Kingdom, the following objection:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to British sovereignty over the British Antarctic Territory. In this respect, the Government of the United Kingdom would draw attention to the provisions of Article IV of the Antarctic Treaty of 1 December 1959, to which both Chile and the United Kingdom are parties.

For the above reasons, the Government of the United Kingdom reject the Chilean declaration."

In a communication received on 30 August 1990, the Government of the United Kingdom notified the Secretary-General that the Protocol shall extend to the Bailiwick of Guernsey for whose international relations the Government of the United Kingdom is responsible.

The Government of Mauritius, upon acceding to the Convention, made the following declaration:

"The Republic of Mauritius rejects the ratification of [the Protocol] effected by the Government of the United Kingdom of Great Britain and Northern Ireland on 16 December 1988 in respect of the British Indian Ocean Territory namely Chagos Archipelago and reaffirms its

sovereignty over the Chagos Archipelago, which form an integral part of its national territory."

Subsequently, on 27 January 1993, the Secretary-General received from the Government of the United Kingdom of Great Britain and

Northern Ireland the following communication with respect to the declaration made by the Government of Mauritius:

*[For the text of the communication, see note 8 in chapter XXVII.2.]*

**2. b) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**

*London, 29 June 1990*

**ENTRY INTO FORCE:** 10 August 1992, in accordance with article 2 (1).  
**REGISTRATION:** 10 August 1992, No. 26369.  
**STATUS:** Parties: 138.  
**TEXT:** Annex II of the Report of the Second Meeting (UNEP/OzL.Pro.2/3); and depositary notification C.N.133.1991.TREATIES-3/2 of 27 August 1991 (rectification of the Spanish authentic text of the adjustments and amendment).

*Note:* The amendment was adopted by Decision II/2 of 29 June 1990 at the Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, which was held at the Headquarters of the International Maritime Organization, in London, from 27 to 29 June 1990.

<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Algeria.....	20 Oct 1992 a	Ghana.....	24 Jul 1992
Antigua and Barbuda.....	23 Feb 1993 a	Greece.....	11 May 1993
Argentina.....	4 Dec 1992 a	Grenada.....	7 Dec 1993 a
Australia.....	11 Aug 1992 A	Guinea.....	25 Jun 1992 a
Austria.....	11 Dec 1992	Guyana.....	23 Jul 1999 A
Azerbaijan.....	12 Jun 1996 a	Hungary.....	9 Nov 1993 AA
Bahamas.....	4 May 1993 a	Iceland.....	16 Jun 1993
Bahrain.....	23 Dec 1992 A	India.....	19 Jun 1992 a
Bangladesh.....	18 Mar 1994	Indonesia.....	26 Jun 1992
Barbados.....	20 Jul 1994 A	Iran (Islamic Republic of).....	4 Aug 1997 A
Belarus.....	10 Jun 1996	Ireland.....	20 Dec 1991 A
Belgium.....	5 Oct 1993	Israel.....	30 Jun 1992
Belize.....	9 Jan 1998 a	Italy.....	21 Feb 1992 AA
Bolivia.....	3 Oct 1994 a	Jamaica.....	31 Mar 1993 a
Botswana.....	13 May 1997 a	Japan.....	4 Sep 1991 A
Brazil.....	1 Oct 1992 A	Jordan.....	12 Nov 1993
Bulgaria.....	28 Apr 1999	Kenya.....	27 Sep 1994
Burkina Faso.....	10 Jun 1994	Kuwait.....	22 Jul 1994 a
Cameroon.....	8 Jun 1992 A	Latvia.....	2 Nov 1998 a
Canada.....	5 Jul 1990 A	Lebanon.....	31 Mar 1993 a
Chile.....	9 Apr 1992 A	Liberia.....	15 Jan 1996 a
China <sup>1</sup> .....	14 Jun 1991 a	Liechtenstein.....	24 Mar 1994
Colombia.....	6 Dec 1993 a	Lithuania.....	3 Feb 1998
Comoros.....	31 Oct 1994 a	Luxembourg.....	20 May 1992
Congo.....	16 Nov 1994	Malawi.....	8 Feb 1994 A
Costa Rica.....	11 Nov 1998	Malaysia.....	16 Jun 1993 a
Côte d'Ivoire.....	18 May 1994	Maldives.....	31 Jul 1991
Croatia.....	15 Oct 1993	Mali.....	28 Oct 1994 a
Cuba.....	19 Oct 1998	Malta.....	4 Feb 1994 A
Cyprus.....	11 Oct 1994 A	Marshall Islands.....	11 Mar 1993 a
Czech Republic.....	18 Dec 1996 a	Mauritius.....	20 Oct 1992 a
Democratic People's Republic of Korea.....	17 Jun 1999 a	Mexico.....	11 Oct 1991 A
Democratic Republic of the Congo.....	30 Nov 1994 a	Monaco.....	12 Mar 1993 a
Denmark <sup>2</sup> .....	20 Dec 1991 A	Mongolia.....	7 Mar 1996 a
Djibouti.....	30 Jul 1999 a	Morocco.....	28 Dec 1995 a
Dominica.....	31 Mar 1993 a	Mozambique.....	9 Sep 1994 a
Ecuador.....	23 Feb 1993	Myanmar.....	24 Nov 1993 a
Egypt.....	13 Jan 1993	Namibia.....	6 Nov 1997
Estonia.....	12 Apr 1999	Nepal.....	6 Jul 1994 a
European Community.....	20 Dec 1991 AA	Netherlands <sup>3</sup> .....	20 Dec 1991 A
Fiji.....	9 Dec 1994 a	New Zealand.....	1 Oct 1990 A
Finland.....	20 Dec 1991 A	Nicaragua.....	13 Dec 1999
France.....	12 Feb 1992 AA	Niger.....	11 Jan 1996 a
Gambia.....	13 Mar 1995	Norway.....	18 Nov 1991
Germany.....	27 Dec 1991	Oman.....	5 Aug 1999 a

<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Pakistan	18 Dec 1992 a
Panama	10 Feb 1994
Papua New Guinea	4 May 1993 a
Paraguay	3 Dec 1992 a
Peru	31 Mar 1993 a
Philippines	9 Aug 1993
Poland	2 Oct 1996 a
Portugal <sup>4</sup>	24 Nov 1992
Qatar	22 Jan 1996 a
Republic of Korea	10 Dec 1992 a
Romania	27 Jan 1993 a
Russian Federation	13 Jan 1992 A
Saint Kitts and Nevis	8 Jul 1998
Saint Lucia	24 Aug 1999 a
Saint Vincent and the Grenadines	2 Dec 1996 a
Saudi Arabia	1 Mar 1993 a
Senegal	6 May 1993
Seychelles	6 Jan 1993 a
Singapore	2 Mar 1993 a
Slovakia	15 Apr 1994 AA
Slovenia	8 Dec 1992 A
Solomon Islands	17 Aug 1999 a
South Africa	12 May 1992 A
Spain	19 May 1992 A
Sri Lanka	16 Jun 1993 a
Sweden	2 Aug 1991

<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Switzerland	16 Sep 1992
Syrian Arab Republic	30 Nov 1999 a
Tajikistan	7 Jan 1998 a
Thailand	25 Jun 1992
the former Yugoslav Republic of Macedonia	9 Nov 1998
Togo	6 Jul 1998 A
Trinidad and Tobago	10 Jun 1999
Tunisia	15 Jul 1993 a
Turkey	13 Apr 1995
Turkmenistan	15 Mar 1994 a
Uganda	20 Jan 1994
Ukraine	6 Feb 1997
United Kingdom of Great Britain and Northern Ireland <sup>1,5</sup>	20 Dec 1991
United Republic of Tanzania	16 Apr 1993 a
United States of America	18 Dec 1991
Uruguay	16 Nov 1993 a
Uzbekistan	10 Jun 1998 a
Vanuatu	21 Nov 1994 A
Venezuela	29 Jul 1993
Viet Nam	26 Jan 1994 a
Zambia	15 Apr 1994
Zimbabwe	3 Jun 1994

**Declarations and Reservations**  
(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)

**BAHRAIN**

*Declaration:*

"The acceptance by the State of Bahrain of the said Amendments shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith."

**JAPAN**

*Declaration:*

It is hereby declared that the Government of Japan accepts the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, in accordance with the provisions of article 9 of the Vienna Convention for the Protection of the Ozone Layer.

**Notes:**

<sup>1</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notifications as those made under note 4 in chapter IV.1.]

<sup>2</sup> Decision reserved as to the application to the Faroe Islands.

<sup>3</sup> For the Kingdom in Europe.

In a communication received on 16 March 1992, the Government of the Netherlands notified the Secretary-General that "the Kingdom of the Netherlands accepts the Amendment . . . for Aruba, and [declares] that the provisions so accepted shall be observed in their entirety."

<sup>4</sup> On 15 February 1994, the Secretary-General received from the Government of Portugal a notification to the effect that it shall extend the Amendment to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (21 October 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs

which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Vienna Convention for the Protection of the Ozone Layer, which the Government of the People's Republic of China deposited the instrument of accession on 11 September 1989, as well as the Montreal Protocol on Substances that Deplete the Ozone Layer of 16 September 1987 and the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer of 29 June 1990 (hereinafter referred to as the "Convention, the Protocol and the Amendment"), will apply to the Macau Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

Provisions of Article 5 of the Montreal Protocol on Substances that Deplete the Ozone Layer of 16 September 1987 will not be applied to the Macau Special Administrative Region, and provisions of paragraph 1 of Article 5 of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer of 29 June 1990 will not be applied to the Macau Special Administrative Region.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention, the Protocol and the Amendment to the Macau Special Administrative Region.

<sup>5</sup> In respect of the United Kingdom of Great Britain and Northern Ireland and Gibraltar.

Subsequently, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the amendment shall extend to the following territories on the dates indicated hereinafter:

***Date of the notification:***

8 September 1993  
4 January 1995  
30 October 1995

***Territorial application:***

Hong Kong (*see also note 1 in this chapter*), British Antarctic Territory and the Bailiwick of Guernsey  
The Bailiwick of Jersey  
The British Virgin Islands

**2. c) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**

*Copenhagen, 25 November 1992*

**ENTRY INTO FORCE:** 14 June 1994, in accordance with article 3 (1) of the amendment.  
**REGISTRATION:** 14 June 1994, No. 26369.  
**STATUS:** Parties: 105.  
**TEXT:** Annex III of the Report of the Fourth Meeting (UNEP/OzL.Pro.4/15); depositary notifications C.N.200.1993.TREATIES-2 of 17 September 1993 (procès-verbal of rectification of the English authentic text of the amendment); C.N.96.1994.TREATIES-3 of 16 August 1994 (procès-verbal of rectification of the authentic Arabic, Chinese, English, French, Russian and Spanish texts); and C.N.279.1994.TREATIES-8 of 14 December 1994 (procès-verbal of rectification of the authentic Arabic, Chinese, English, French, Russian and Spanish texts).

*Note:* The amendment was adopted by Decision IV/4 (amendment) at the Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, which was held in Copenhagen from 23 to 25 November 1992.

<i>Participant<sup>1</sup></i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant<sup>1</sup></i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Antigua and Barbuda	19 Jul 1993 a	Jamaica	6 Nov 1997
Argentina	20 Apr 1995 a	Japan	20 Dec 1994 A
Australia	30 Jun 1994 A	Jordan	30 Jun 1995
Austria	19 Sep 1996 A	Kenya	27 Sep 1994
Azerbaijan	12 Jun 1996 a	Kuwait	22 Jul 1994 a
Bahamas	4 May 1993 a	Latvia	2 Nov 1998 a
Barbados	20 Jul 1994 A	Liberia	15 Jan 1996 a
Belgium	7 Aug 1997	Liechtenstein	22 Nov 1996 a
Belize	9 Jan 1998 a	Lithuania	3 Feb 1998
Bolivia	3 Oct 1994 a	Luxembourg	9 May 1994
Botswana	13 May 1997 a	Malawi	28 Feb 1994 A
Brazil	25 Jun 1997	Malaysia	5 Aug 1993 a
Bulgaria	28 Apr 1999	Marshall Islands	24 May 1993 a
Burkina Faso	12 Dec 1995	Mauritius	30 Nov 1993
Cameroon	25 Jun 1996 A	Mexico	16 Sep 1994 A
Canada	16 Mar 1994	Monaco	15 Jun 1999 A
Chile	14 Jan 1994	Mongolia	7 Mar 1996 a
Colombia	5 Aug 1997 A	Morocco	28 Dec 1995 a
Costa Rica	11 Nov 1998	Mozambique	9 Sep 1994 a
Croatia	11 Feb 1997	Netherlands	25 Apr 1994 A
Cuba	19 Oct 1998 AA	New Zealand <sup>3</sup>	4 Jun 1993
Czech Republic	18 Dec 1996 a	Nicaragua	13 Dec 1999
Democratic People's Republic of Korea	17 Jun 1999 a	Niger	8 Oct 1999
Democratic Republic of the Congo	30 Nov 1994 a	Norway	3 Sep 1993
Denmark <sup>2</sup>	21 Dec 1993 A	Oman	5 Aug 1999 a
Djibouti	30 Jul 1999 a	Pakistan	17 Feb 1995
Ecuador	24 Nov 1993 a	Panama	4 Oct 1996 a
Egypt	28 Jun 1994	Peru	7 Jun 1999 a
Estonia	12 Apr 1999	Poland	2 Oct 1996 a
European Community	20 Nov 1995 AA	Portugal	24 Feb 1998
Finland	16 Nov 1993 A	Qatar	22 Jan 1996 a
France	3 Jan 1996 AA	Republic of Korea	2 Dec 1994 A
Germany	28 Dec 1993	Saint Kitts and Nevis	8 Jul 1998 a
Greece	30 Jan 1995	Saint Lucia	24 Aug 1999 a
Grenada	20 May 1999 a	Saint Vincent and the Grenadines	2 Dec 1996 a
Guyana	23 Jul 1999 A	Saudi Arabia	1 Mar 1993 a
Hungary	17 May 1994 a	Senegal	12 Aug 1999 a
Iceland	15 Mar 1994	Seychelles	27 May 1993
Indonesia	10 Dec 1998 a	Slovakia	8 Jan 1998 a
Iran (Islamic Republic of)	4 Aug 1997 A	Slovenia	13 Nov 1998 A
Ireland	16 Apr 1996 A	Solomon Islands	17 Aug 1999 a
Israel	5 Apr 1995	Spain	5 Jun 1995 A
Italy	4 Jan 1995	Sri Lanka	7 Jul 1997 a

<i>Participant<sup>1</sup></i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Sweden .....	9 Aug 1993
Switzerland .....	16 Sep 1996
Syrian Arab Republic .....	30 Nov 1999 a
Tajikistan .....	6 May 1996 a
Thailand .....	1 Dec 1995
the former Yugoslav Republic of Macedonia .....	9 Nov 1998
Togo .....	6 Jul 1998 A
Trinidad and Tobago .....	10 Jun 1999
Tunisia .....	2 Feb 1995 a
Turkey .....	10 Nov 1995

<i>Participant<sup>1</sup></i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Uganda .....	22 Nov 1999 a
United Kingdom of Great Britain and Northern Ireland <sup>1,4</sup> .....	4 Jan 1995
United States of America .....	2 Mar 1994
Uruguay .....	3 Jul 1997 a
Uzbekistan .....	10 Jun 1998 a
Vanuatu .....	21 Nov 1994 A
Venezuela .....	10 Dec 1997
Viet Nam .....	26 Jan 1994 a
Zimbabwe .....	3 Jun 1994

**Notes:**

<sup>1</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

**China:**

*[Same notification as the one made under note 2 in chapter V.3.]*

*United Kingdom of Great Britain and Northern Ireland:*

*[Same notification as the one made under note 4 in chapter IV.1.]*

<sup>2</sup> With reservation of application to the Faroe Islands.

<sup>3</sup> With extension to Tokelaou.

<sup>4</sup> In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Guernsey and the Bailiwick of Jersey.

Subsequently, in a communication received on 30 October 1995, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the amendment shall apply to the British Virgin Islands and Hong Kong, for whose international relations the Government of the United Kingdom is responsible.

*See also note 1 in this chapter.*

**2. d) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted by the Ninth Meeting of the Parties**

*Montreal, 17 September 1997*

**ENTRY INTO FORCE:** 10 November 1999, in accordance with article 3 (1).  
**REGISTRATION:** 10 November 1999, No. 26369.  
**STATUS:** Parties: 33.  
**TEXT:** UNEP/OzL.Pro.9/12, Annex IV of the Report of the Ninth Meeting of the Parties; C.N.783.TREATIES-21 of 13 October 1999 (proposal for corrections to the original text of the amendment - Arabic, Chinese, English, French, Russian and Spanish authentic texts).

*Note:* The amendment to the Montreal Protocol as set out in Annexes I to III to the report of the Ninth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (Decision IX/4) which was held in Montreal from 15 to 17 September 1997, was adopted in accordance with the procedure laid down in article 9 (4) of the 1985 Vienna Convention for the Protection of the Ozone Layer.

<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Australia .....	5 Jan 1999 A	Republic of Korea .....	19 Aug 1998 A
Bolivia .....	12 Apr 1999 a	Saint Kitts and Nevis .....	25 Feb 1999
Bulgaria .....	24 Nov 1999	Saint Lucia .....	24 Aug 1999 a
Canada .....	27 Mar 1998	Senegal .....	12 Aug 1999 a
Chile .....	17 Jun 1998	Slovakia .....	3 Nov 1999 AA
Czech Republic .....	5 Nov 1999 AA	Slovenia .....	15 Nov 1999
Djibouti .....	30 Jul 1999 a	Solomon Islands .....	17 Aug 1999 a
Germany .....	5 Jan 1999	Spain .....	11 May 1999 A
Grenada .....	20 May 1999 a	Sri Lanka .....	20 Aug 1999 a
Guyana .....	23 Jul 1999 A	Sweden .....	12 Jul 1999
Hungary .....	26 Jul 1999	Syrian Arab Republic .....	30 Nov 1999 a
Jordan .....	3 Feb 1999	the former Yugoslav Republic of Macedonia .....	31 Aug 1999 a
Luxembourg .....	8 Feb 1999	Trinidad and Tobago .....	10 Jun 1999
New Zealand .....	3 Jun 1999	Tunisia .....	19 Oct 1999
Niger .....	8 Oct 1999	Uganda .....	23 Nov 1999 a
Norway .....	30 Dec 1998		
Panama .....	5 Mar 1999		
Poland .....	6 Dec 1999		



**2. e) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**

*Beijing, 3 December 1999*

**NOT YET IN FORCE:** [see article 3(1)].  
**TEXT:** Doc. UNEP/OzL.Pro.11/10.

*Note:* At the Eleventh Meeting of the Parties to the above Protocol, held in Beijing from 29 November to 3 December 1999, the Parties adopted, in accordance with the procedure laid down in article 9, paragraph 4 of the 1985 Vienna Convention for the Protection of the Ozone Layer, the Amendment to the Montreal Protocol as set out in Annex V to the report of the Eleventh Meeting of the Parties (Decision XI/5).

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### 3. BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

*Basel, 22 March 1989*

**ENTRY INTO FORCE:** 5 May 1992, in accordance with article 25 (1).  
**REGISTRATION:** 5 May 1992, No. 28911.  
**STATUS:** Signatories: 53. Parties: 134.  
**TEXT:** Nations Unies, *Recueil des Traités*, vol. 1673, p. 57; and depositary notifications C.N.302.1992.TREATIES-9 of 25 November 1992 (procès-verbal of rectification of the original English text)<sup>1</sup>; C.N.248.1993.TREATIES-7 of 7 September 1993 (procès-verbal of rectification of the authentic French text); C.N.144.1994.TREATIES-4 of 27 June 1994 (procès-verbal of rectification of the authentic Arabic, Chinese, English and Spanish texts); C.N.15.1997.TREATIES-1 of 20 February 1997 (procès-verbal of rectification of the authentic Russian text); and C.N.77.1998.TREATIES-2 of 6 May 1998 (amendment to annex I and adoption of annexes VIII and IX)<sup>12</sup>.

*Note:* The Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, was adopted on 22 March 1989 by the Conference of Plenipotentiaries which was convened at Basel from 20 to 22 March 1989. In accordance with its article 21, the Convention, which was open for signature at the Federal Department of Foreign Affairs of Switzerland in Berne from 23 March 1989 to 30 June 1989, was open thereafter at the Headquarters of the United Nations in New York until 22 March 1990, by all States, Namibia, and by political and/or economic integration organizations<sup>2</sup>.

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation (c), Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation (c), Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Afghanistan.....	22 Mar 1989		Democratic Republic of the Congo.....		6 Oct 1994 a
Albania.....		29 Jun 1999 a	Denmark.....	22 Mar 1989	6 Feb 1994 AA
Algeria.....		15 Sep 1998 a	Dominica.....		5 May 1998 a
Andorra.....		23 Jul 1999 a	Ecuador.....	22 Mar 1989	23 Feb 1993
Antigua and Barbuda .		5 Apr 1993 a	Egypt <sup>5</sup> .....		8 Jan 1993 a
Argentina.....	28 Jun 1989	27 Jun 1991	El Salvador.....	22 Mar 1990	13 Dec 1991
Armenia.....		1 Oct 1999 a	Estonia.....		21 Jul 1992 a
Australia.....		5 Feb 1992 a	European Community.	22 Mar 1989	7 Feb 1994 AA
Austria.....	19 Mar 1990	12 Jan 1993	Finland.....	22 Mar 1989	19 Nov 1991 A
Bahamas.....		12 Aug 1992 a	France.....	22 Mar 1989	7 Jan 1991 AA
Bahrain.....	22 Mar 1989	15 Oct 1992	Gambia.....		15 Dec 1997 a
Bangladesh.....		1 Apr 1993 a	Georgia.....		20 May 1999 a
Barbados.....		24 Aug 1993 a	Germany <sup>6</sup> .....	23 Oct 1989	21 Apr 1995
Belarus.....		10 Dec 1999 a	Greece.....	22 Mar 1989	4 Aug 1994
Belgium.....	22 Mar 1989	1 Nov 1993	Guatemala.....	22 Mar 1989	15 May 1995
Belize.....		23 May 1997 a	Guinea.....		26 Apr 1995 a
Benin.....		4 Dec 1997 a	Haiti.....	22 Mar 1989	
Bolivia.....	22 Mar 1989	15 Nov 1996	Honduras.....		27 Dec 1995 a
Botswana.....		20 May 1998 a	Hungary.....	22 Mar 1989	21 May 1990 AA
Brazil.....		1 Oct 1992 a	Iceland.....		28 Jun 1995 a
Bulgaria.....		16 Feb 1996 a	India.....	15 Mar 1990	24 Jun 1992
Burkina Faso.....		4 Nov 1999 a	Indonesia.....		20 Sep 1993 a
Burundi.....		6 Jan 1997 a	Iran (Islamic Republic of).....		5 Jan 1993 a
Canada.....	22 Mar 1989	28 Aug 1992	Ireland.....	19 Jan 1990	7 Feb 1994
Cape Verde.....		2 Jul 1999 a	Israel.....	22 Mar 1989	14 Dec 1994
Chile.....	31 Jan 1990	11 Aug 1992	Italy.....	22 Mar 1989	7 Feb 1994
China <sup>3</sup> .....	22 Mar 1990	17 Dec 1991	Japan.....		17 Sep 1993 a
Colombia.....	22 Mar 1989	31 Dec 1996	Jordan.....	22 Mar 1989	22 Jun 1989 AA
Comoros.....		31 Oct 1994 a	Kuwait.....	22 Mar 1989	11 Oct 1993
Costa Rica.....		7 Mar 1995 a	Kyrgyzstan.....		13 Aug 1996 a
Côte d'Ivoire.....		1 Dec 1994 a	Latvia.....		14 Apr 1992 a
Croatia.....		9 May 1994 a	Lebanon.....	22 Mar 1989	21 Dec 1994
Cuba.....		3 Oct 1994 a	Liechtenstein.....	22 Mar 1989	27 Jan 1992
Cyprus.....	22 Mar 1989	17 Sep 1992			
Czech Republic <sup>4</sup> .....		30 Sep 1993 d			

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation (c), Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation (c), Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)</i>
Lithuania . . . . .		22 Apr 1999 a	Saint Vincent and the Grenadines . . . . .		2 Dec 1996 a
Luxembourg . . . . .	22 Mar 1989	7 Feb 1994	Saudi Arabia . . . . .	22 Mar 1989	7 Mar 1990
Madagascar . . . . .		2 Jun 1999 a	Senegal . . . . .		10 Nov 1992 a
Malawi . . . . .		21 Apr 1994 a	Seychelles . . . . .		11 May 1993 a
Malaysia . . . . .		8 Oct 1993 a	Singapore . . . . .		2 Jan 1996 a
Maldives . . . . .		28 Apr 1992 a	Slovakia <sup>4</sup> . . . . .		28 May 1993 d
Mauritania . . . . .		16 Aug 1996 a	Slovenia . . . . .		7 Oct 1993 a
Mauritius . . . . .		24 Nov 1992 a	South Africa . . . . .		5 May 1994 a
Mexico . . . . .	22 Mar 1989	22 Feb 1991	Spain . . . . .	22 Mar 1989	7 Feb 1994
Micronesia (Federated States of) . . . . .		6 Sep 1995 a	Sri Lanka . . . . .		28 Aug 1992 a
Monaco . . . . .		31 Aug 1992 a	Sweden . . . . .	22 Mar 1989	2 Aug 1991
Mongolia . . . . .		15 Apr 1997 a	Switzerland . . . . .	22 Mar 1989	31 Jan 1990
Morocco . . . . .		28 Dec 1995 a	Syrian Arab Republic	11 Oct 1989	22 Jan 1992
Mozambique . . . . .		13 Mar 1997 a	Thailand . . . . .	22 Mar 1990	24 Nov 1997
Namibia . . . . .		15 May 1995 a	the former Yugoslav Republic of Mace-		
Nepal . . . . .		15 Oct 1996 a	donia . . . . .		16 Jul 1997 a
Netherlands <sup>7</sup> . . . . .	22 Mar 1989	16 Apr 1993 A	Trinidad and Tobago .		18 Feb 1994 a
New Zealand <sup>8</sup> . . . . .	18 Dec 1989	20 Dec 1994	Tunisia . . . . .		11 Oct 1995 a
Nicaragua . . . . .		3 Jun 1997 a	Turkey . . . . .	22 Mar 1989	22 Jun 1994
Niger . . . . .		17 Jun 1998 a	Turkmenistan . . . . .		25 Sep 1996 a
Nigeria . . . . .	15 Mar 1990	13 Mar 1991	Uganda . . . . .		11 Mar 1999 a
Norway . . . . .	22 Mar 1989	2 Jul 1990	Ukraine . . . . .		8 Oct 1999 a
Oman . . . . .		8 Feb 1995 a	United Arab Emirates	22 Mar 1989	17 Nov 1992
Pakistan . . . . .		26 Jul 1994 a	United Kingdom of Great Britain and Northern Ireland <sup>3,9</sup>	6 Oct 1989	7 Feb 1994
Panama . . . . .	22 Mar 1989	22 Feb 1991	United Republic of Tanzania . . . . .		7 Apr 1993 a
Papua New Guinea . .		1 Sep 1995 a	United States of America <sup>10</sup> . . . . .	22 Mar 1990	
Paraguay . . . . .		28 Sep 1995 a	Uruguay . . . . .	22 Mar 1989	20 Dec 1991
Peru . . . . .		23 Nov 1993 a	Uzbekistan . . . . .		7 Feb 1996 a
Philippines . . . . .	22 Mar 1989	21 Oct 1993	Venezuela . . . . .	22 Mar 1989	3 Mar 1998
Poland . . . . .	22 Mar 1990	20 Mar 1992	Viet Nam . . . . .		13 Mar 1995 a
Portugal <sup>11</sup> . . . . .	26 Jun 1989	26 Jan 1994	Yemen . . . . .		21 Feb 1996 a
Qatar . . . . .		9 Aug 1995 a	Zambia . . . . .		15 Nov 1994 a
Republic of Korea . .		28 Feb 1994 a			
Republic of Moldova .		2 Jul 1998 a			
Romania . . . . .		27 Feb 1991 a			
Russian Federation . .	22 Mar 1990	31 Jan 1995			
Saint Kitts and Nevis .		7 Sep 1994 a			
Saint Lucia . . . . .		9 Dec 1993 a			

**Declarations**

*(Unless otherwise indicated, the declarations were made upon formal confirmation, ratification, acceptance, approval, accession or succession. For objections thereto, see hereinafter.)*

**ALGERIA**

**Declaration:**

The Government of the People's Democratic Republic of Algeria declares, with regard to article 20, paragraph 2 of the [Convention], that in every case, the agreement of the all parties concerned is necessary to submit a dispute to the International Court of Justice or to arbitration.

**CHILE**

**Declaration:**

The Government of Chile considers that the provisions of this Convention [. . .] help to consolidate and expand the legal regime that Chile has established through various international instruments on the control of transboundary movements of hazardous wastes and their disposal, whose scope of application covers both the continental territory of the Republic and its area of jurisdiction situated south of latitude 60°S, in accordance with the provisions of article 4, paragraph 6, of the present Convention.

## COLOMBIA

### *Upon signature:*

It is the understanding of Colombia that the implementation of the present Convention shall in no case restrict, but rather shall strengthen, the application of the juridical and political principles which, as [was] made clear in the statement [made on 21 March to the Basel Conference], govern the actions taken by the Colombian State in matters covered by the Convention -- in other words, *inter alia*, the latter may in no case be interpreted or applied in a manner inconsistent with the competence of the Colombian State to apply those principles and other norms of its internal rule to its land area (including the subsoil), air space, territorial sea, submarine continental shelf and exclusive economic maritime zone, in accordance with international law.

### *Upon ratification:*

The Government of Colombia, pursuant to article 26, paragraph 2, of the [said Convention], declares, for the purposes of implementing this international instrument, that article 81 of the Political Constitution of Colombia prohibits the bringing of nuclear residues and toxic wastes into the national territory.

## CUBA

### *Declaration:*

The Government of the Republic of Cuba declares, with regard to article 20 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, that any disputes between Parties as to the interpretation or application of, or compliance with, this Convention or any protocol thereto, shall be settled through negotiation through the diplomatic channel or submitted to arbitration under the conditions set out in Annex VI on arbitration.

## DENMARK

### *Upon signature:*

"Denmark's signature of the Global Convention of the Control of Transboundary Movements of Hazardous Wastes and their Disposal does not apply to Greenland and the Faroe Islands."

## ECUADOR

### *Upon signature:*

The elements contained in the Convention which has been signed may in no way be interpreted in a manner inconsistent with the domestic legal norms of the Ecuadorian State, or with the exercise of its national sovereignty.

## GERMANY<sup>6</sup>

### *Declaration made upon signature and confirmed upon ratification:*

"It is the understanding of the Government of the Federal Republic of Germany that the provisions in article 4, paragraph 12 of this Convention shall in no way affect the exercise of navigation rights and freedoms as provided for in international law. Accordingly, it is the view of the Government of the Federal Republic of Germany that nothing in this Convention shall be deemed to require the giving of notice to or the consent of any State for the passage of hazardous wastes on a vessel under the flag of a party exercising its right of innocent passage through the territorial sea or the freedom of navigation in an exclusive economic zone under international law."

## INDONESIA

### *Declaration:*

Mindful of the need to adjust the existing national laws and regulations, the provisions of article 3 (1) of this Convention shall only be implemented by Indonesia after the new revised laws and regulations have been enacted and entered into force.

## ITALY

### *Declaration made on 30 March 1990 and confirmed upon ratification:*

The Government of Italy declares . . . that it is in favour of the establishment of a global control system for the environmentally sound management of transboundary movements of hazardous wastes.

## JAPAN

### *Declaration:*

The Government of Japan declares that nothing in the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal be interpreted as requiring notice to or consent of any State for the mere passage of hazardous wastes or other wastes on a vessel exercising navigational rights and freedoms, as paragraph 12 of article 4 of the said Convention stipulates that nothing in the Convention shall affect in any way the exercise of navigational rights and freedoms as provided for in international law and as reflected in relevant international instruments.

## LEBANON

### *Upon signature:*

"[Lebanon] declares that [it] can under no circumstances permit burial of toxic and other wastes in any of the areas subject to its legal authority which they have entered illegally. In 1988, Lebanon announced a total ban on the import of such wastes and adopted Act No. 64/88 of 12 August 1988 to that end. In all such situations, Lebanon will endeavour to co-operate with the States concerned, and with the other States parties, in accordance with the provisions of this treaty."

## MEXICO

### *Declaration made upon signature and confirmed upon ratification:*

Mexico is signing *ad referendum* the Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their disposal because it duly protects its rights as a coastal State in the areas subject to its national jurisdiction, including the territorial sea, the exclusive economic zone and the continental shelf and, in so far as it is relevant, its airspace, and the exercise in those areas of its legislative and administrative competence in relation to the protection and preservation of the environment, as recognized by international law and, in particular, the law of the sea.

Mexico considers that, by means of this Convention, important progress has been made in protection of the environment through the legal regulation of transboundary movements of hazardous wastes. A framework of general obligations for States parties has been established, fundamentally with a view to reducing to a minimum the generation and transboundary movement of dangerous wastes and ensuring their environmentally rational management, promoting international co-operation for those purposes, establishing co-ordination and follow-up machinery and regulating the implementation of procedures for the peaceful settlement of disputes.

Mexico further hopes that, as an essential supplement to the standard-setting character of the Convention, a protocol will be

adopted as soon as possible, establishing, in accordance with the principles and provisions of international law, appropriate procedures in the matter of responsibility and compensation for damage resulting from the transboundary movement and management of dangerous wastes.

#### NORWAY

"Norway accepts the binding means of settling disputes set out in Article 20, paragraphs 3 (a) and (b), of the Convention, by (a) submission of the dispute to the International Court of Justice and/or (b) arbitration in accordance with the procedures set out in Annex VI."

#### POLAND

*Declaration:*

With respect to article 20, paragraph 2, of the Convention, the Polish Republic declares that it recognizes submission to arbitration in accordance with the procedures and under the conditions set out in Annex VI to the Convention, as compulsory *ipso facto*.

#### ROMANIA

*Declaration:*

In conformity with article 26, paragraph 2, of the Convention, Romania declares that the import and the disposal on its national territory of hazardous wastes and other wastes can take place only with the prior approval of the competent Romanian authorities.

#### RUSSIAN FEDERATION

*Understanding:*

The definition of "Territory" in the Cairo Guidelines and Principles for the Environmentally Sound Management of Hazardous Wastes (UNEP Governing Council decision 14/30 of 17 June 1987) to which reference is made in the preamble to the Convention is a special formulation and cannot be used for purposes of interpreting the present Convention or any of its provisions in the light of article 31, paragraph 2, or article 32 of the 1969 Vienna Convention on the Law of Treaties or on any other basis.

#### SAINT KITTS AND NEVIS

*Declaration:*

"With respect to article 20, paragraph 2 of the Convention, the Government of Saint Kitts and Nevis declares that it recognizes submission to arbitration in accordance with the procedures and the conditions set out in Annex VI to the Convention, as compulsory *ipso facto*."

#### SINGAPORE

*Declaration:*

"The Government of Singapore declares that, in accordance with article 4 (12), the provisions of the Convention do not in any way affect the exercise of navigational rights and freedoms

as provided in international law. Accordingly, nothing in this Convention requires notice to or consent of any State for the passage of a vessel under the flag of a party, exercising rights of passage through the territorial sea or freedom of navigation in an exclusive economic zone under international law."

#### SPAIN

*Declaration:*

The Spanish Government declares, in accordance with article 26.2 of the Convention, that the criminal characterization of illegal traffic in hazardous wastes or other wastes, established as an obligation of States Parties under article 4.3, will in future take place within the general framework of reform of the substantive criminal legal order.

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Declaration made upon signature and confirmed upon ratification:*

"The Government of the United Kingdom of Great Britain and Northern Ireland declare that, in accordance with article 4 (12), the provisions of the Convention do not affect in any way the exercise of navigational rights and freedoms as provided for in international law. Accordingly, nothing in this Convention requires notice to or consent of any state for the passage of hazardous wastes on a vessel under the flag of a party, exercising rights of passage through the territorial sea or freedom of navigation in an exclusive economic zone under international law."

#### URUGUAY

*Upon signature:*

Uruguay is signing *ad referendum* the Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal because it is duly protecting its rights as a riparian State in the areas subject to its national jurisdiction, including the territorial sea, the exclusive economic zone and the continental shelf and, as appropriate, the superjacent air space as well as the exercise in such areas of its standard-setting and administrative competence in connection with the protection and preservation of the environment as recognized by international law and, in particular, by the law of the sea.

#### VENEZUELA

*Upon signature:*

Venezuela considers that the Convention [as] adopted properly protects its sovereign rights as a riparian State over the areas under its national jurisdiction, including its territorial sea, exclusive economic zone and continental shelf, and, as appropriate, its air space. The Convention also safeguards the exercise in such areas of its standard-setting and administrative jurisdiction for the purpose of protecting and preserving the environment and its natural resources in accordance with international law, and in particular the law of the sea.

#### Objections

*(Unless otherwise indicated, the objections were received upon formal confirmation, ratification, acceptance, approval, accession or succession.)*

#### ITALY

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments

of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recog-

nized by international law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of

freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

#### Notes:

<sup>1</sup> On 16 September 1992, i.e., after the expiry of the 90-day period from the date of its circulation (i.e., 10 June 1992), the Government of the United Kingdom of Great Britain and Northern Ireland communicated the following with respect to the corrections proposed by the Government of Japan to article 7 of the Convention:

"The United Kingdom Government has no objection to the first of the . . . suggested amendments since this represents the correction of a typographical error rather than a substantive change. With regard to the second proposed change, however, the UK Government would wish to lodge an objection on the following grounds:

i) Since the Convention was negotiated predominantly through the English language version of the draft Convention, to amend the text of this version to accord with the text of the other language versions would be to align the original version with translations, rather than vice-versa, which would appear to be more appropriate;

ii) There is a general presumption that a legislative provision should be construed, if at all possible, so as to give it meaning and substance. If the amendment proposed by the Japanese Government was to be accepted, article 7 would confirm what is already explicit in article 6.1 of the Convention (as read in conjunction with article 2.13 which defines the term 'the states concerned'). If, however, article 7 remains un-amended, it will continue to add to the scope of article 6.2 and therefore retain a specific meaning;

iii) The United Kingdom is of the view that the Basel Convention should require of Parties the maximum level of prior notification possible. In the case of a proposed movement of a consignment of hazardous waste from the Basel Party to a second Basel Party via a non-Party, we would wish the second Basel Party to send a copy of its final response regarding movement to the non-Party. Article 7, as presently worded, ensures that this takes place. The amendment proposed by the Government of Japan would, however, have the effect of limiting, albeit to a small extent, the amount of prior notification by Parties to the agreement in question.

In view of these objections the government of the United Kingdom agrees to the first of the proposed adjustments of the English text, but not to the second."

On 11 January 1993, the Government of the United Kingdom notified the Secretary-General of its decision to withdraw the objection to the second modification proposed by the Government of Japan to article 7 of the Convention.

<sup>2</sup> Such an organization is defined under article 2, paragraph 20, of the said Convention as "an organization constituted by sovereign States to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve, formally confirm or accede to it".

<sup>3</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notifications as those made under note 4 in chapter IV.1.]*

<sup>4</sup> Czechoslovakia had acceded to the Convention on 24 July 1991. See also note 11 in chapter I.2.

<sup>5</sup> On 31 January 1995, the Government of Egypt informed the Secretary-General that its instrument of accession should have been accompanied by the following declarations:

*First declaration: passage of ships carrying hazardous wastes through the Egyptian territorial sea:*

The Arab Republic of Egypt, upon acceding to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which was done on 22 March 1989 and is referred to hereafter as "the Convention", and, in accordance with article 26 of the Convention, declares that:

In accordance with the provisions of the Convention and the rules of international law regarding the sovereign right of the State over its territorial sea and its obligation to protect and preserve the marine environment, since the passage of foreign ships carrying hazardous or other wastes entails many risks which constitute a fundamental threat to human health and the environment; and

In conformity with Egypt's position on the passage of ships carrying inherently dangerous or noxious substances through its territorial sea (United Nations Convention on the Law of the Sea, 1983), the Government of the Arab Republic of Egypt declares that

1. Foreign ships carrying hazardous or other wastes will be required to obtain prior permission from the Egyptian authorities for passage through its territorial sea.

2. Prior notification must be given of the movement of any hazardous wastes through areas under its national jurisdiction, in accordance with article 2, paragraph 9, of the Convention.

*Second declaration: imposition of a complete ban on the import of hazardous wastes:*

The Arab Republic of Egypt, upon acceding to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which was signed on 22 March 1989 and is referred to below as "the Convention", and

In accordance with article 26 of the Convention, declares that:

In accordance with its sovereign rights and with article 4, paragraph 1(a), of the Convention, a complete ban is imposed on the import of all hazardous or other wastes and on their disposal on the territory of the Arab Republic of Egypt. This confirms Egypt's position that the transportation of such wastes constitutes a fundamental threat to the health of people, animals and plants and to the environment.

*Third declaration:*

The Governments of Bahrain, Belgium, Benin, Côte d'Ivoire, Denmark, Egypt, the Federal Republic of Germany, Finland, France, the German Democratic Republic, Ghana, Greece, Hungary, Italy, Jordan, Kenya, Kuwait, Lebanon, Luxembourg, Malaysia, Malta, Namibia, Netherlands, Niger, Norway, the Philippines, Portugal, Saudi Arabia, Senegal, Sweden, Switzerland, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland, Sweden, Switzerland, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland, as well as the Commission of the European Union, which will sign the Convention and/or the final document referring to the Control of Transboundary Movements of Hazardous Wastes and their Disposal (referred to hereinafter as "the Convention"),

Concerned that the transboundary movement of hazardous wastes constitutes a great danger to the health of both humans and the environment,

Considering that the developing countries have a limited ability to manage wastes, especially hazardous wastes, in an environmentally sound manner,

Believing that a reduction in the production of hazardous wastes and their disposal in environmentally sound conditions in the country which exports them must be the goal of waste management policy,

Convinced that the gradual cessation of transboundary movements of hazardous wastes will undoubtedly be a major incentive to the development of appropriate national facilities for the disposal of wastes,

Recognizing the right of every State to ban the import to or export from its territory of hazardous wastes,

Welcoming the signature of the Convention,

Believing it necessary, before applying the provisions of the Convention, to impose immediate and effective control on

transboundary movement operations, especially to developing countries, and to reduce them,

Declare the following:

1. The signatories to this Convention affirm their strong determination that wastes should be disposed of in the country of production.

2. The signatories to this Convention request States which accede to the Convention to do so, by making every possible effort to effect a gradual cessation of the import and export of wastes for reasons other than their disposal in facilities which will be set up within the framework of regional cooperation.

3. The signatories to this Convention will not permit wastes to be imported to or exported from countries deficient in the technical, administrative and legal expertise in administering wastes and disposing of them in an environmentally sound manner.

4. The signatories to this Convention affirm the importance of assistance to develop appropriate facilities intended for the final disposal of wastes produced by countries referred to in paragraph 3 above.

5. The signatories to this Convention stress the need to take effective measures within the framework of the Convention to enable wastes to be reduced to the lowest possible level and to be recycled.

Note:

Belgium considers that its declaration does not prejudice the import to its territory of wastes classified as primary or secondary materials.

These declarations were not transmitted to the Secretary-General at the time the instrument of accession. In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the declarations in question for deposit in the absence of any objection on the part of any of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of their circulation (i.e., 17 July 1995).

In this connexion, the Secretary-General received the following objections on the dates indicated hereinafter:

*United Kingdom of Great Britain and Northern Ireland (9 October 1995):*

"The Government of the United Kingdom of Great Britain and Northern Ireland cannot accept the first declaration of Egypt (passage of ships carrying hazardous wastes through the Egyptian territorial sea) [...]. Not only was this declaration out of time, but like all other declarations to similar effect, it is unacceptable in substance. In this connection the United Kingdom Government recalls its own statement upon signature confirmed upon ratification:

[For the text of the statement, see under "Reservations and Declarations" in this chapter.]

*Finland (13 October 1995):*

... "In the view of the Government of Finland the declarations of Egypt raise certain legal questions. Article 26.1 of the Basel Convention prohibits any reservation or exception to the Convention. However, according to article 26.2 a State can, when acceding to the Convention, make declarations or statements 'with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of this Convention ...'.

Without taking any stand to the content of the declarations, which appear to be reservations in nature, the Government of Finland refers to article 26.2 of the Basel Convention and notes that the declarations of Egypt have been made too late. For this reason the Government of Finland objects to the declarations and considers them devoid of legal effect."

*Italy (13 October 1995):*

... The Italian Government objects to the deposit of the aforementioned declarations since, in its opinion, they should be considered as reservations to the Basel Convention and the possibility of making reservations is excluded under article 26, paragraph 1, of the Convention.

In any event, article 26, paragraph 2, stipulates that a State may, within certain limits, formulate declarations only "when signing,

ratifying, accepting, approving, ... confirming or acceding to this Convention".

For these reasons, the deposit of the aforementioned declarations cannot be allowed, regardless of their content.

*Netherlands (13 October 1995):*

"While the second and the third declarations do not call for observations by the Kingdom, the first declaration establishing the requirement of prior permission for passage through the Egyptian territorial sea is not acceptable.

The Kingdom of the Netherlands considers the first declaration to be a reservation to the (Basel) Convention. The Convention explicitly prohibits the making of reservations in article 26 par. 1. Moreover, this reservation has been made two years after the accession of Egypt to the (Basel) Convention, and therefore too late.

Consequently the Kingdom of the Netherlands considers the declaration on the requirement of prior permission for passage through the territorial sea made by Egypt a reservation which is null and void."

*Sweden (16 October 1995):*

"The Government of Sweden cannot accept the declarations made by the Government of Egypt [...].

First, these declarations were made almost two years after the accession by Egypt contrary to the rule laid down in article 26, paragraph 2 of the Basel Convention.

Second, the content of the first of these declarations must be understood to constitute a reservation to the Convention, whereas the Basel Convention explicitly prohibits reservations (article 26, paragraph 1).

Thus, the Government of Sweden considers these declarations null and void."

In view of the above and in keeping with the depositary practice followed in such cases, the Secretary-general has taken the view that he is not in a position to accept these declarations for deposit.

<sup>6</sup> The German Democratic Republic had signed the Convention on 19 March 1989.

See also note 14 in chapter 1.2.

<sup>7</sup> For the Kingdom in Europe.

<sup>8</sup> With a declaration of non-application to Tokelau "until the date of notification by the Government of New Zealand that the Convention shall so extend to Tokelau".

<sup>9</sup> In respect of Great Britain and Northern Ireland and the British Antarctic Territory.

Subsequently, in a communication received on 30 October 1995, the Government of the the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Convention shall apply to Hong Kong (see also note 3 in this chapter), being a territory for whose international relations the Government of the United Kingdom is responsible.

<sup>10</sup> On 13 March 1996, the Secretary-General received from the Government of the United States of America, the following communication:

"(1) It is the understanding of the United States of America that, as the Convention does not apply to vessels and aircraft that are entitled to sovereign immunity under international law, in particular to any warship, naval auxiliary, and other vessels or aircraft owned or operated by a State and in use on government, non-commercial service, each State shall ensure that such vessels or aircraft act in a manner consistent with this Convention, so far as is practicable and reasonable, by adopting appropriate measures that do not impair the operations or operational capabilities of sovereign immune vessels.

(2) It is the understanding of the United States of America that a State is a 'Transit State' within the meaning of the Convention only if wastes are moved, or are planned to be moved, through its inland waterways, inland waters, or land territory.

(3) It is the understanding of the United States of America that an exporting State may decide that it lacks the capacity to dispose of wastes in an 'environmentally sound and efficient manner' if disposal

in the importing country would be both environmentally sound and economically efficient.

(4) It is the understanding of the United States of America that article 9 (2) does not create obligations for the exporting State with regard to cleanup, beyond taking such wastes back or otherwise disposing of them in accordance with the Convention. Further obligations may be determined by the parties pursuant to article 12.

Further, at the time the United States of America deposits its instrument of ratification of the Basel Convention, the United States will formally object to the declaration of any State which asserts the right to require its prior permission or authorization for the passage of vessels transporting hazardous wastes while exercising, under international law, its right of innocent passage through the territorial sea or freedom of navigation in an exclusive economic zone."

<sup>11</sup> On 28 June 1999, the Government of Portugal informed the Secretary-General the the Convention would also apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (9 December 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (15 December 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following]:

The Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal, concluded at Basel on 22 March 1989 (hereinafter referred to as the "Convention"), to which the Government of the People's Republic of China deposited the instrument of ratification on 17 December 1991, will apply to the Macau Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

In accordance with paragraph 1 of article 5 of the Convention, it designates the Environment Council of the Government of the Macau Special Administrative Region as the competent authority for the purpose of this article.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Macau Special Administrative Region.

<sup>12</sup> The amendment to Annex I and the adoption of Annexes VIII and IX took effect for Austria on 26 October 1999, the date of deposit of its instrument of acceptance with the Secretary-General in accordance with article 18, paragraph 2 (b) of the Convention.



**3. a) Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal**

*Geneva, 22 September 1995*

**NOT YET IN FORCE:** [see article 17 (5) of the Convention].

**STATUS:** Parties: 17.

**TEXT:** Doc. UNEP/CHW.3/35.

*Note:* By decision III/1, of 22 September 1995, the Third meeting of the Conference of the Contracting Parties to the above Convention, which took place in Geneva from 18 to 22 September 1995, adopted an Amendment to the Convention.

<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Ratification, Acceptance (A), Approval (AA)</i>
Andorra .....	23 Jul 1999 A	Slovakia.....	11 Sep 1998 A
Austria.....	17 Oct 1999 A	Spain .....	7 Aug 1997 A
Denmark <sup>1</sup> .....	10 Sep 1997 AA	Sri Lanka.....	29 Jan 1999
Ecuador .....	6 Mar 1998	Sweden .....	10 Sep 1997 A
European Community .....	30 Sep 1997 AA	Tunisia.....	26 Oct 1999
Finland.....	5 Sep 1996 A	United Kingdom of Great Britain and Northern Ireland <sup>2</sup> .....	13 Oct 1997
Luxembourg .....	14 Aug 1997	Uruguay.....	10 Mar 1999
Norway .....	16 Jul 1997 A		
Panama .....	7 Oct 1998		
Paraguay .....	28 Aug 1998		

**Notes:**

<sup>1</sup> With a reservation for the application to the Faroe Islands and Greenland.

<sup>2</sup> On behalf of the United Kingdom of Great Britain and Northern Ireland and the British Antarctic Territory.

**4. CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY  
CONTEXT**

*Espoo, Finland, 25 February 1991*

**ENTRY INTO FORCE:** 10 September 1997, in accordance with article 18 (1).  
**REGISTRATION:** 10 September 1997, No. 34028.  
**STATUS:** Signatories: 30. Parties: 29.  
**TEXT:** Doc. E.ECE.1250.

*Note:* The Convention was adopted by the Senior Advisers to ECE Governments on Environmental and Water Problems of the Economic Commission for Europe at their fourth session held in Espoo, Finland, from 25 February to 1 March 1991. The Convention was open for signature at Espoo, Finland, during the said period and thereafter at the United Nations Headquarters in New York until 2 September 1991.

<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature, Succession to signature (d)</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Albania .....	26 Feb 1991	4 Oct 1991	Netherlands <sup>3</sup> .....	25 Feb 1991	28 Feb 1995 A
Armenia .....		21 Feb 1997 a	Norway .....	25 Feb 1991	23 Jun 1993
Austria .....	26 Feb 1991	27 Jul 1994	Poland .....	26 Feb 1991	12 Jun 1997
Azerbaijan .....		25 Mar 1999 a	Portugal .....	26 Feb 1991	
Belarus .....	26 Feb 1991		Republic of Moldova .		4 Jan 1994 a
Belgium .....	26 Feb 1991	2 Jul 1999	Romania .....	26 Feb 1991	
Bulgaria .....	26 Feb 1991	12 May 1995	Russian Federation ...	6 Jun 1991	
Canada .....	26 Feb 1991	13 May 1998	Slovakia <sup>1</sup> .....	28 May 1993 d	19 Nov 1999
Croatia .....		8 Jul 1996 a	Slovenia .....		5 Aug 1998 a
Czech Republic .....	30 Sep 1993 d		Spain .....	26 Feb 1991	10 Sep 1992
Denmark <sup>2</sup> .....	26 Feb 1991	14 Mar 1997 AA	Sweden .....	26 Feb 1991	24 Jan 1992
European Community.	26 Feb 1991	24 Jun 1997 AA	Switzerland .....		16 Sep 1996 a
Finland .....	26 Feb 1991	10 Aug 1995 A	the former Yugoslav Republic of Mace- donia .....		31 Aug 1999 a
France .....	26 Feb 1991		Ukraine .....	26 Feb 1991	20 Jul 1999
Germany .....	26 Feb 1991		United Kingdom of Great Britain and Northern Ireland <sup>4</sup> .	26 Feb 1991	10 Oct 1997
Greece .....	26 Feb 1991	24 Feb 1998	United States of Amer- ica .....	26 Feb 1991	
Hungary .....	26 Feb 1991	11 Jul 1997			
Iceland .....	26 Feb 1991				
Ireland .....	27 Feb 1991				
Italy .....	26 Feb 1991	19 Jan 1995			
Latvia .....		31 Aug 1998 a			
Liechtenstein .....		9 Jul 1998 a			
Luxembourg .....	26 Feb 1991	29 Aug 1995			

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made  
upon ratification, acceptance, approval or accession.)*

**AUSTRIA**

*Declaration:*

"The Republic of Austria declares in accordance with article 15 paragraph 2 of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

**BULGARIA**

*Declaration:*

The Republic of Bulgaria declares that for a dispute not resolved in accordance with paragraph 1 of article 15, it accepts both of the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:

a) Submission of the dispute to the International Court of Justice;

b) Arbitration in accordance with the procedure set out in Appendix VII.

**CANADA<sup>5</sup>**

*Reservation:*

"Inasmuch as under the Canadian constitutional system legislative jurisdiction in respect of environmental assessment is divided between the provinces and the federal government, the Government of Canada in ratifying this Convention, makes a reservation in respect of proposed activities (as defined in this Convention) that fall outside of federal legislative jurisdiction exercised in respect of environmental assessment."

## EUROPEAN COMMUNITY

### *Declarations made upon signature and confirmed upon ratification:*

"It is understood, that the Community Member States, in their mutual relations, will apply the Convention in accordance with the Community's internal rules, including those of the EURATOM Treaty, and without prejudice to appropriate amendments being made to those rules.

"The European Community considers that, if the information of the public of the Party of origin takes place when the environmental impact assessment documentation is available, the information of the affected Party by the Party of origin must be implemented simultaneously at the latest.

"The Community considers that the Convention implies that each Party must assure, on its territory, that the public is provided with the environmental impact assessment documentation, that it is informed and that its observations are collected."

### *Declaration:*

#### *Upon approval:*

"In the field covered by the Espoo Convention, Council Directive 85/337/EEC of 27 June 1985, annexed to this Declaration, applies. It enables the Community to comply with most of the obligations under the Espoo Convention. Member States are responsible for the performance of those obligations resulting from the Espoo Convention not currently covered by Community law and more specifically by Directive 85/337/EEC. The Community underlines that Directive 85/337/EEC does not cover the application of the Espoo Convention between the Community on the one hand and non-Member States party to the Espoo Convention on the other hand. The Community will inform the depositary of any future amendment to Directive 85/337/EEC.

From this, it follows that the Community, within the limits indicated above, is competent to enter into binding commitments on its own behalf with non-members countries which are Contracting Parties to the Espoo Convention."

## LIECHTENSTEIN

### *Declaration concerning article 15 (2):*

"The Principality of Liechtenstein declares in accordance with article 15, paragraph 2, of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

## NETHERLANDS

### *Declaration:*

"The Kingdom of the Netherlands declares, in accordance with paragraph 2 of article 15 of [the said Convention], that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both of these means of dispute settlement."

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

### *Upon signature:*

"The United Kingdom considers the Convention is incomplete. Annex I of the Convention lists offshore hydrocarbon production. The United Kingdom considers there is no reason to exclude onshore hydrocarbon production from Annex I, and therefore intends to seek an early amendment to the Convention to remedy this omission."

## Objections

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

## SPAIN

26 May 1999

### *With regard to the reservation made by Canada upon ratification:*

The Government of the Kingdom of Spain notes that the said reservation is of a general nature, rendering compliance with the provisions of the Convention dependent on certain norms of Canada's internal legislation.

The Government of the Kingdom of Spain believes that this general reservation gives rise to doubts concerning Canada's commitment to the object and purpose of the Convention and recalls that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a treaty are impermissible.

It is in the common interest of States that treaties to which they have decided to become parties should be respected in their entirety by all parties, and that States should be prepared to adapt their internal legislation to comply with their obligations under those treaties. A general reservation such as that made by the Government of Canada, which does not clearly specify either the provisions of the Convention to which it applies or the scope of the derogation, undermines the foundations of international treaty law.

The Government of the Kingdom of Spain therefore objects to the aforementioned general reservation made by the Government of Canada to the Convention on Environmental Impact Assessment in a Transboundary Context. This objection does

not prevent the entry into force of the Convention between the Kingdom of Spain and Canada.

## SWEDEN

26 May 1999

### *With regard to the reservation made by Canada upon ratification:*

"The Government of Sweden is of the view that the general reservation made by the Government of Canada does not clarify to which extent Canada considers itself bound by the Convention.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. Furthermore, according to the Vienna Convention on the Law of Treaties of 23 May 1969, and well established customary international law, a reservation contrary to the object and purpose of the treaty shall not be permitted.

Sweden does not consider the reservation made by the Government of Canada as admissible unless the Government of Canada, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention. The Government of Sweden therefore, pending clarification of the exact extent of the reservation,

objects to the [...] general reservation made by the Government of Canada.

*Notes:*

<sup>1</sup> Czechoslovakia had signed the Convention on 30 August 1991. See also note 11 in chapter I.2.

<sup>2</sup> Decision reserved as concerns the application of the Convention to the Faroese Islands and Greenland.

<sup>3</sup> For the Kingdom in Europe.

<sup>4</sup> On behalf of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man and Gibraltar.

<sup>5</sup> In this regard, the Secretary-General received from the following States, communications on the dates indicated:

*Finland (28 May 1999):*

In the view of the Government of Finland the general reservation made by the Government of Canada does not adequately clarify to which extent Canada considers itself bound by the Convention. It is of fundamental importance that States are prepared to undertake legislative changes necessary to comply with their obligations under their treaties.

Furthermore, according to article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969 as well as customary international law a reservation incompatible with the object and purpose of a treaty shall not be permitted.

Accordingly, Finland objects to the general reservation of Canada as not compatible with the object and purpose of the [Convention].

*Italy (1 June 1999):*

The Italian Government notes that the reservation made by the Government of Canada in ratifying the Espoo Convention is of a general nature, since it subordinates the application of the said Convention to certain provisions of Canada's domestic law.

The Italian Government is of the view that this general reservation raises doubts regarding Canada's commitment to the object and purpose of the Convention, and wishes to recall that under article 19 (c) of the Vienna Convention on the Law of Treaties, a State may not formulate a reservation that is incompatible with the object and purpose of the treaty to which it refers.

It is in the common interest of States to ensure that the treaties to which they are parties are respected in their entirety by all the Contracting Parties, and that the latter are willing to undertake the legislative changes needed to comply with the obligations arising under such treaties.

Reservations of a general nature like the one made by the Government of Canada, which do not clearly specify the scope of the derogations resulting therefrom, undermine the foundations of international treaty law.

Consequently, the Italian Government opposes the aforesaid general reservation made by the Government of Canada to the [Convention].

*France (8 June 1999):*

The Government of the French Republic has considered the reservation made by the Government of Canada with respect to the Convention on Environmental Impact Assessment in a Transboundary Context.

This reservation, which stresses that legislative jurisdiction with respect to environmental impact assessment is divided between the provinces and the federal government, limits the responsibilities assigned by the Convention to a federal State. However, it is a principle of international law that a State may not invoke its domestic law to

justify its failure to fulfil its obligations under a treaty. Moreover, since the reservation is worded in a very general fashion, the Government of the French Republic has been unable to establish to which provisions of the Convention the reservation applies or could apply, or in what way; it believes that application of the reservation could render the provisions of the Convention null and void. It therefore objects to the reservation.

France would be in a position to consider the reservation made by Canada admissible in the light of articles 19 and 21 of the Vienna Convention only if Canada demonstrates, by means of additional statements or through its future practice, that its reservation is in keeping with provisions that are essential for achieving the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between Canada and France.

*Norway (28 July 1999):*

"It is in the common interest of States that treaties to which they have chosen to become Parties are respected as to their object and purpose by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. Furthermore, according to well-established customary international law, a reservation contrary to the object and purpose of the treaty shall not be permitted. Norway holds the opinion that according to customary international law, reservations of a general character, taken because of division of jurisdictional competence in the national constitution, normally are incompatible with the object and purpose of the Convention in question. Such a reservation does not sufficiently clarify to which extent the reserving State Party is bound by the provisions of the Convention.

Norway does not consider the reservation made by the Government of Canada as admissible unless the Government of Canada, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention. The Government of Norway, therefore, pending clarification of the exact extent of the reservation, objects to the aforesaid general reservation made by the Government of Canada."

*Luxembourg (20 August 1999):*

The Government of Luxembourg notes that this reservation is of a general nature and makes compliance with the Convention subject to certain provisions of Canada's domestic laws.

This reservation casts doubt on Canada's commitment to the object and purpose of the Convention. Luxembourg wishes to recall that, under the provisions of article 19 (c) of the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a treaty are not authorized.

It is in the common interest of States that treaties to which they decide to accede be fully complied with by all parties and that States be prepared to adapt their national legislation to their obligations under such treaties. A general reservation such as the one made by the Government of Canada, which specifies neither the provisions of the Convention to which it applies nor its scope, undermines the basis of the international law of treaties.

The Government of Luxembourg therefore objects to this general reservation made by the Government of Canada with respect to the Convention on Environmental Impact Assessment in a Transboundary Context. This objection does not preclude the entry into force of the Convention as between the Grand Duchy of Luxembourg and Canada.

**5. CONVENTION ON THE PROTECTION AND USE OF TRANSBOUNDARY  
WATERCOURSES AND INTERNATIONAL LAKES**

*Helsinki, 17 March 1992*

**ENTRY INTO FORCE:** 6 October 1996, in accordance with article 26 (1).  
**REGISTRATION:** 6 October 1996, No. 33207.  
**STATUS:** Signatories: 26. Parties: 26.  
**TEXT:** Doc. ENVWA/R.53 and Add.1.

*Note:* The Convention was adopted by the Senior Advisers to the Economic Commission for Europe Governments on Environmental and Water Problems at their Resumed Fifth Session held at Helsinki from 17 to 18 March 1992. The Convention was opened for signature at Helsinki from 17 to 18 March 1992 and was open for signature at United Nations Headquarters in New York until 18 September 1992.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Albania .....	18 Mar 1992	5 Jan 1994	Netherlands <sup>2</sup> .....	18 Mar 1992	14 Mar 1995 A
Austria .....	18 Mar 1992	25 Jul 1996	Norway .....	18 Sep 1992	1 Apr 1993 AA
Belgium .....	18 Mar 1992		Poland .....	18 Mar 1992	
Bulgaria .....	18 Mar 1992		Portugal <sup>4</sup> .....	9 Jun 1992	9 Dec 1994
Croatia .....		8 Jul 1996 a	Republic of Moldova.		4 Jan 1994 a
Denmark <sup>1</sup> .....	18 Mar 1992	28 May 1997 AA	Romania .....	18 Mar 1992	31 May 1995
Estonia .....	18 Mar 1992	16 Jun 1995	Russian Federation ..	18 Mar 1992	2 Nov 1993 A
European Community	18 Mar 1992	14 Sep 1995 AA	Slovakia .....		7 Jul 1999 a
Finland .....	18 Mar 1992	21 Feb 1996 A	Slovenia .....		13 Apr 1999 a
France .....	18 Mar 1992	30 Jun 1998 AA	Spain .....	18 Mar 1992	
Germany .....	18 Mar 1992	30 Jan 1995	Sweden .....	18 Mar 1992	5 Aug 1993
Greece .....	18 Mar 1992	6 Sep 1996	Switzerland .....	18 Mar 1992	23 May 1995
Hungary .....	18 Mar 1992	2 Sep 1994 AA	Ukraine .....		8 Oct 1999 a
Italy .....	18 Mar 1992	23 May 1996	United Kingdom of		
Latvia .....	18 Mar 1992	10 Dec 1996	Great Britain and		
Liechtenstein .....		19 Nov 1997 a	Northern Ireland .	18 Mar 1992	
Lithuania .....	18 Mar 1992				
Luxembourg .....	20 May 1992	7 Jun 1994			

*Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or approval.)*

**AUSTRIA**

*Declaration:*

"The Republic of Austria declares in accordance with article 22 paragraph 2 of the Convention, that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both these means of dispute settlement."

**FRANCE<sup>3</sup>**

3 January 1999

*Declaration:*

The Government of the French Republic, in approving the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, declares that reference to the concept of reasonable and equitable use of transboundary waters does not constitute recognition of a principle of customary

law, but illustrates a principle of cooperation between Parties to the Convention; the scope of such cooperation is specified in agreements, to which the Convention between States bordering the same transboundary waters - such agreements being concluded on the basis of equality and reciprocity.

**GERMANY**

*Declaration made upon signature and confirmed upon ratification:*

"The Federal Republic of Germany, in order to protect information related to personal data according to its national law, reserves the right to supply personal data only under the condition that the part receiving such protected information shall respect the confidentiality of the information received and the conditions under which it is supplied, and shall only use that information for the purposes for which it was supplied".

LIECHTENSTEIN

*Declaration:*

*[Same declaration, identical in essence, mutatis mutandis, as the one made under Austria.]*

NETHERLANDS

*Declaration made upon signature and confirmed upon*

*acceptance:*

"The Kingdom of the Netherlands accepts for a dispute not resolved in accordance with paragraph 1 of article 22 of the Convention both the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:

(a) Submission of the dispute to the International Court of Justice;

(b) Arbitration in accordance with the procedure set out in annex IV."

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*Notes:*

<sup>1</sup> With reservation of application to the Faroe Islands and Greenland.

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> On 14 August 1998, the Government of France made a declaration with respect to the above Convention. The said declaration was communicated to all Contracting States by a depositary notification. Within

a period of 90 days from the date of the depositary notification (i.e. 5 October 1998), none of the Contracting States to the Convention notified the Secretary-General of an objection. Consequently, the declaration is deemed to have been accepted for deposit on 3 January 1999.

<sup>4</sup> On 28 June 1999, the Government of Portugal informed the Secretary-General the the Convention would also apply to Macau.

**5. a) Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes**

*London, 17 June 1999*

**NOT YET IN FORCE:** [see article 23 (1)].  
**STATUS:** Signatories: 35. Parties: 1.  
**TEXT:** ECOSOC doc. MP.WAT/AC.1/1999/1 of 24 March 1999.

*Note:* The Protocol was adopted on 17 June 1999 on the occasion of the Third Ministerial Conference on Environment and Health held at London from 16 to 18 June 1999. The Protocol will be opened for signature in London on 17 June 1999 and thereafter at United Nations Headquarters in New York until 18 June 2000 by States members of the Economic Commission for Europe, by States members of the Regional Committee for Europe of the World Health Organization, by States having consultative status with the Economic Commission for Europe pursuant to paragraph 8 of Economic and Social Council resolution 36 (IV) of 28 March 1947, and by regional economic integration organizations constituted by sovereign States members of the Economic Commission for Europe or members of the Regional Committee for Europe of the World Health Organization to which their member States have transferred competence over matters governed by this Protocol, including the competence to enter into treaties in respect of these matters in accordance with its article 21.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Albania . . . . .	17 Jun 1999		Luxembourg . . . . .	17 Jun 1999	
Armenia . . . . .	17 Jun 1999		Malta . . . . .	17 Jun 1999	
Belgium . . . . .	17 Jun 1999		Monaco . . . . .	17 Jun 1999	
Bulgaria . . . . .	17 Jun 1999		Netherlands . . . . .	17 Jun 1999	
Croatia . . . . .	17 Jun 1999		Norway . . . . .	17 Jun 1999	
Cyprus . . . . .	17 Jun 1999		Poland . . . . .	17 Jun 1999	
Czech Republic . . . . .	17 Jun 1999		Portugal . . . . .	17 Jun 1999	
Denmark . . . . .	17 Jun 1999		Romania . . . . .	17 Jun 1999	
Estonia . . . . .	17 Jun 1999		Russian Federation . .	17 Jun 1999	31 Dec 1999 A
Finland . . . . .	17 Jun 1999		Slovakia . . . . .	17 Jun 1999	
France . . . . .	17 Jun 1999		Slovenia . . . . .	17 Jun 1999	
Georgia . . . . .	17 Jun 1999		Spain . . . . .	17 Jun 1999	
Germany . . . . .	17 Jun 1999		Sweden . . . . .	17 Jun 1999	
Greece . . . . .	17 Jun 1999		Switzerland . . . . .	17 Jun 1999	
Hungary . . . . .	17 Jun 1999		Ukraine . . . . .	17 Jun 1999	
Iceland . . . . .	17 Jun 1999		United Kingdom of Great Britain and Northern Ireland .	17 Jun 1999	
Italy . . . . .	17 Jun 1999				
Latvia . . . . .	17 Jun 1999				
Lithuania . . . . .	17 Jun 1999				

***Declarations and Reservations***

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or approval.)*

**BELGIUM**

*Upon signature:*

*Declaration:*

The French, Flemish and German-speaking Communities and the Regions of Wallonia, Flanders and Brussels-Capital are also bound by this signature.

## 6. CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS

*Helsinki, 17 March 1992*

**NOT YET IN FORCE:** [see article (30 (1)).]  
**STATUS:** Signatories: 27. Parties: 16.<sup>1</sup>  
**TEXT:** Doc. ENVWA/R.54 and Add.1.

*Note:* The Convention was adopted by the Senior Advisers to the Economic Commission for Europe Governments on Environmental and Water Problems at their Resumed Fifth Session held at Helsinki from 17 to 18 March 1992. The Convention was opened for signature at Helsinki from 17 to 18 March 1992 and was open for signature at United Nations Headquarters in New York until 18 September 1992.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Albania .....	18 Mar 1992	5 Jan 1994	Luxembourg .....	20 May 1992	8 Aug 1994
Armenia .....		21 Feb 1997 a	Netherlands .....	18 Mar 1992	
Austria .....	18 Mar 1992	4 Aug 1999	Norway .....	18 Sep 1992	1 Apr 1993 AA
Belgium .....	18 Mar 1992		Poland .....	18 Mar 1992	
Bulgaria .....	18 Mar 1992	12 May 1995	Portugal .....	9 Jun 1992	
Canada .....	18 Mar 1992		Republic of Moldova .		4 Jan 1994 a
Denmark .....	18 Mar 1992		Russian Federation ...	18 Mar 1992	1 Feb 1994 A
Estonia .....	18 Mar 1992		Spain .....	18 Mar 1992	16 May 1997
European Community <sup>1</sup>	18 Mar 1992	24 Apr 1998 AA	Sweden .....	18 Mar 1992	22 Sep 1999
Finland .....	18 Mar 1992	13 Sep 1999 A	Switzerland .....	18 Mar 1992	21 May 1999
France .....	18 Mar 1992		United Kingdom of		
Germany .....	18 Mar 1992	9 Sep 1998	Great Britain and		
Greece .....	18 Mar 1992	24 Feb 1998	Northern Ireland ..	18 Mar 1992	
Hungary .....	18 Mar 1992	2 Jun 1994 AA	United States of Amer-		
Italy .....	18 Mar 1992		ica .....	18 Mar 1992	
Latvia .....	18 Mar 1992				
Lithuania .....	18 Mar 1992				

### *Declarations and Reservations*

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or approval.)*

#### AUSTRIA

##### *Declaration:*

"The Republic of Austria declares in accordance with article 21 paragraph 2 of the Convention to accept both of the means of the settlement of disputes mentioned in this paragraph as compulsory in relation to any Party accepting one or both of these means of settlement of disputes as compulsory."

#### EUROPEAN COMMUNITY<sup>1</sup>

##### *Reservations:*

"The Member States of the European Community, in their mutual relations, will apply the Convention in accordance with the Community's internal rules.

The Community therefore reserves the right:

(i) as concerns the threshold quantities mentioned in Annex I, Part I, No. 3, 4 and 5 of the Convention, to apply threshold quantities of 100 tonnes for bromine (very toxic substance), 5000 tonnes for methanol (toxic substance) and 2000 tonnes for oxygen (oxidizing substance);

(ii) as concerns the threshold quantities mentioned in Annex I, Part I, No. 8 of the Convention to apply threshold quantities of 500 tonnes (risk phrase R50-53 (\*): "substances

very toxic to aquatic organisms which may cause long term adverse effects in the aquatic environment") and 2000 tonnes (risk phrase R51-53 (\*): "substances toxic to aquatic organisms which may cause long term adverse effects in the aquatic environment") for substances dangerous for the environment.

##### *Declaration:*

"In accordance with the EC Treaty, the objectives and principles of the Community's environmental policy are, in particular, to preserve and protect the quality of the environment and human health through preventive action. In pursuit of those objectives, the Council adopted Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities which has been replaced by Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances. These instruments aim at the prevention of major-accident hazards involving dangerous substances and the limitations of their consequences for man and the environment and cover matters which are the subject of [the said Convention]. The Community will inform the depositary of any amendment to this Directive and of any further relevant development in the field covered by the Convention.



As regards the application of the Convention, the Community and its Member States are responsible, within their respective spheres of competence."

## HUNGARY

*Declaration:*

"The Government of the Republic of Hungary accepts both means of dispute settlement as compulsory in relation to any Party accepting the same obligation."

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*Notes:*

<sup>1</sup> In accordance with article 30 (2) of the Convention, "... any instrument deposited by an organization referred to in article 27 [i.e. any regional economic integration organization] shall not be counted as

additional to those deposited by States members of such an organisation."

<sup>2</sup> With reservation of application to the Faroe Islands and Greenland.

## 7. UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

*New York, 9 May 1992*

**ENTRY INTO FORCE:** 21 March 1994, in accordance with article 23 (1).  
**REGISTRATION:** 21 March 1994, No. 30822.  
**STATUS:** Signatories: 166. Parties: 181.  
**TEXT:** Doc. A/AC.237/18 (Part II/Add.1 and Corr.1; and depositary notifications C.N.148.1993.TREATIES-4 of 12 July 1993 (procès-verbal of rectification of the original texts of the Convention); C.N.436.1993.TREATIES-12 of 15 December 1993 (corrigendum to C.N.148.1993.TREATIES-4 of 12 July 1993); C.N.247.1993.TREATIES-6 of 24 November 1993 (procès-verbal of rectification of the authentic French text); C.N.462.1993.TREATIES-13 of 30 December 1993 (corrigendum to C.N.247.1993.TREATIES-6 of 24 November 1993); and C.N.544.1997.TREATIES-6 of 13 February 1997 (amendment to the list in annex I to the Convention).

*Note:* The Convention was agreed upon and adopted by the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, during its Fifth session, second part, held at New York from 30 April to 9 May 1992. In accordance with its article 20, the Convention was open for signature by States Members of the United Nations or of any of its specialized agencies or that are Parties to the Statute of the International Court of Justice and by regional economic integration organizations, at Rio de Janeiro during the United Nations Conference on Environment and Development, from 4 to 14 June 1992, and remained thereafter open at the United Nations Headquarters in New York until 19 June 1993.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Afghanistan.....	12 Jun 1992		Costa Rica.....	13 Jun 1992	26 Aug 1994
Albania.....		3 Oct 1994 a	Côte d'Ivoire.....	10 Jun 1992	29 Nov 1994
Algeria.....	13 Jun 1992	9 Jun 1993	Croatia.....	11 Jun 1992	8 Apr 1996 A
Angola.....	14 Jun 1992		Cuba.....	13 Jun 1992	5 Jan 1994
Antigua and Barbuda .	4 Jun 1992	2 Feb 1993	Cyprus.....	12 Jun 1992	15 Oct 1997
Argentina.....	12 Jun 1992	11 Mar 1994	Czech Republic.....	18 Jun 1993	7 Oct 1993 AA
Armenia.....	13 Jun 1992	14 May 1993 A	Democratic People's Republic of Korea.	11 Jun 1992	5 Dec 1994 AA
Australia.....	4 Jun 1992	30 Dec 1992	Democratic Republic of the Congo.....	11 Jun 1992	9 Jan 1995
Austria.....	8 Jun 1992	28 Feb 1994	Denmark.....	9 Jun 1992	21 Dec 1993
Azerbaijan.....	12 Jun 1992	16 May 1995	Djibouti.....	12 Jun 1992	27 Aug 1995
Bahamas.....	12 Jun 1992	29 Mar 1994	Dominica.....		21 Jun 1993 a
Bahrain.....	8 Jun 1992	28 Dec 1994	Dominican Republic..	12 Jun 1992	7 Oct 1998
Bangladesh.....	9 Jun 1992	15 Apr 1994	Ecuador.....	9 Jun 1992	23 Feb 1993
Barbados.....	12 Jun 1992	23 Mar 1994	Egypt.....	9 Jun 1992	5 Dec 1994
Belarus.....	11 Jun 1992		El Salvador.....	13 Jun 1992	4 Dec 1995
Belgium.....	4 Jun 1992	16 Jan 1996	Eritrea.....		24 Apr 1995 a
Belize.....	13 Jun 1992	31 Oct 1994	Estonia.....	12 Jun 1992	27 Jul 1994
Benin.....	13 Jun 1992	30 Jun 1994	Ethiopia.....	10 Jun 1992	5 Apr 1994
Bhutan.....	11 Jun 1992	25 Aug 1995	European Community.	13 Jun 1992	21 Dec 1993 AA
Bolivia.....	10 Jun 1992	3 Oct 1994	Fiji.....	9 Oct 1992	25 Feb 1993
Botswana.....	12 Jun 1992	27 Jan 1994	Finland.....	4 Jun 1992	3 May 1994 A
Brazil.....	4 Jun 1992	28 Feb 1994	France.....	13 Jun 1992	25 Mar 1994
Bulgaria.....	5 Jun 1992	12 May 1995	Gabon.....	12 Jun 1992	21 Jan 1998
Burkina Faso.....	12 Jun 1992	2 Sep 1993	Gambia.....	12 Jun 1992	10 Jun 1994
Burundi.....	11 Jun 1992	6 Jan 1997	Georgia.....		29 Jul 1994 a
Cambodia.....		18 Dec 1995 a	Germany.....	12 Jun 1992	9 Dec 1993
Cameroon.....	14 Jun 1992	19 Oct 1994	Ghana.....	12 Jun 1992	6 Sep 1995
Canada.....	12 Jun 1992	4 Dec 1992	Greece.....	12 Jun 1992	4 Aug 1994
Cape Verde.....	12 Jun 1992	29 Mar 1995	Grenada.....	3 Dec 1992	11 Aug 1994
Central African Repub- lic.....	13 Jun 1992	10 Mar 1995	Guatemala.....	13 Jun 1992	15 Dec 1995
Chad.....	12 Jun 1992	7 Jun 1994	Guinea.....	12 Jun 1992	7 May 1993
Chile.....	13 Jun 1992	22 Dec 1994	Guinea-Bissau.....	12 Jun 1992	27 Oct 1995
China.....	11 Jun 1992	5 Jan 1993	Guyana.....	13 Jun 1992	29 Aug 1994
Colombia.....	13 Jun 1992	22 Mar 1995	Haiti.....	13 Jun 1992	25 Sep 1996
Comoros.....	11 Jun 1992	31 Oct 1994	Honduras.....	13 Jun 1992	19 Oct 1995
Congo.....	12 Jun 1992	14 Oct 1996	Hungary.....	13 Jun 1992	24 Feb 1994
Cook Islands.....	12 Jun 1992	20 Apr 1993			

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Iceland	4 Jun 1992	16 Jun 1993	Portugal <sup>4</sup>	13 Jun 1992	21 Dec 1993
India	10 Jun 1992	1 Nov 1993	Qatar		18 Apr 1996 a
Indonesia	5 Jun 1992	23 Aug 1994	Republic of Korea	13 Jun 1992	14 Dec 1993
Iran (Islamic Republic of)	14 Jun 1992	18 Jul 1996	Republic of Moldova	12 Jun 1992	9 Jun 1995
Ireland	13 Jun 1992	20 Apr 1994	Romania	5 Jun 1992	8 Jun 1994
Israel	4 Jun 1992	4 Jun 1996	Russian Federation	13 Jun 1992	28 Dec 1994
Italy	5 Jun 1992	15 Apr 1994	Rwanda	10 Jun 1992	18 Aug 1998
Jamaica	12 Jun 1992	6 Jan 1995	Saint Kitts and Nevis	12 Jun 1992	7 Jan 1993
Japan	13 Jun 1992	28 May 1993 A	Saint Lucia	14 Jun 1993	14 Jun 1993
Jordan	11 Jun 1992	12 Nov 1993	Saint Vincent and the Grenadines		2 Dec 1996 a
Kazakhstan	8 Jun 1992	17 May 1995	Samoa	12 Jun 1992	29 Nov 1994
Kenya	12 Jun 1992	30 Aug 1994	San Marino	10 Jun 1992	28 Oct 1994
Kiribati	13 Jun 1992	7 Feb 1995	Sao Tome and Principe	12 Jun 1992	29 Sep 1999
Kuwait		28 Dec 1994 a	Saudi Arabia		28 Dec 1994 a
Lao People's Democratic Republic		4 Jan 1995 a	Senegal	13 Jun 1992	17 Oct 1994
Latvia	11 Jun 1992	23 Mar 1995	Seychelles	10 Jun 1992	22 Sep 1992
Lebanon	12 Jun 1992	15 Dec 1994	Sierra Leone	11 Feb 1993	22 Jun 1995
Lesotho	11 Jun 1992	7 Feb 1995	Singapore	13 Jun 1992	29 May 1997
Liberia	12 Jun 1992		Slovakia <sup>4</sup>	19 May 1993	25 Aug 1994 AA
Libyan Arab Jamahiriya	29 Jun 1992	14 Jun 1999	Slovenia	13 Jun 1992	1 Dec 1995
Liechtenstein	4 Jun 1992	22 Jun 1994	Solomon Islands	13 Jun 1992	28 Dec 1994
Lithuania	11 Jun 1992	24 Mar 1995	South Africa	15 Jun 1993	29 Aug 1997
Luxembourg	9 Jun 1992	9 May 1994	Spain	13 Jun 1992	21 Dec 1993
Madagascar	10 Jun 1992	2 Jun 1999	Sri Lanka	10 Jun 1992	23 Nov 1993
Malawi	10 Jun 1992	21 Apr 1994	Sudan	9 Jun 1992	19 Nov 1993
Malaysia	9 Jun 1993	13 Jul 1994	Suriname	13 Jun 1992	14 Oct 1997
Maldives	12 Jun 1992	9 Nov 1992	Swaziland	12 Jun 1992	7 Oct 1996
Mali	30 Sep 1992	28 Dec 1994	Sweden	8 Jun 1992	23 Jun 1993
Malta	12 Jun 1992	17 Mar 1994	Switzerland	12 Jun 1992	10 Dec 1993
Marshall Islands	12 Jun 1992	8 Oct 1992	Syrian Arab Republic		4 Jan 1996 a
Mauritania	12 Jun 1992	20 Jan 1994	Tajikistan		7 Jan 1998 a
Mauritius	10 Jun 1992	4 Sep 1992	Thailand	12 Jun 1992	28 Dec 1994
Mexico	13 Jun 1992	11 Mar 1993	the former Yugoslav Republic of Macedonia		28 Jan 1998 a
Micronesia (Federated States of)	12 Jun 1992	18 Nov 1993	Togo	12 Jun 1992	8 Mar 1995 A
Monaco	11 Jun 1992	20 Nov 1992	Tonga		20 Jul 1998 a
Mongolia	12 Jun 1992	30 Sep 1993	Trinidad and Tobago	11 Jun 1992	24 Jun 1994
Morocco	13 Jun 1992	28 Dec 1995	Tunisia	13 Jun 1992	15 Jul 1993
Mozambique	12 Jun 1992	25 Aug 1995	Turkmenistan		5 Jun 1995 a
Myanmar	11 Jun 1992	25 Nov 1994	Tuvalu	8 Jun 1992	26 Oct 1993
Namibia	12 Jun 1992	16 May 1995	Uganda	13 Jun 1992	8 Sep 1993
Nauru	8 Jun 1992	11 Nov 1993	Ukraine	11 Jun 1992	13 May 1997
Nepal	12 Jun 1992	2 May 1994	United Arab Emirates		29 Dec 1995 a
Netherlands <sup>1</sup>	4 Jun 1992	20 Dec 1993 A	United Kingdom of Great Britain and Northern Ireland <sup>2</sup>	12 Jun 1992	8 Dec 1993
New Zealand	4 Jun 1992	16 Sep 1993	United Republic of Tanzania	12 Jun 1992	17 Apr 1996
Nicaragua	13 Jun 1992	31 Oct 1995	United States of America	12 Jun 1992	15 Oct 1992
Niger	11 Jun 1992	25 Jul 1995	Uruguay	4 Jun 1992	18 Aug 1994
Nigeria	13 Jun 1992	29 Aug 1994	Uzbekistan		20 Jun 1993 a
Niue		28 Feb 1996 a	Vanuatu	9 Jun 1992	25 Mar 1993
Norway	4 Jun 1992	9 Jul 1993	Venezuela	12 Jun 1992	28 Dec 1994
Oman	11 Jun 1992	8 Feb 1995	Viet Nam	11 Jun 1992	16 Nov 1994
Pakistan	13 Jun 1992	1 Jun 1994	Yemen	12 Jun 1992	21 Feb 1996
Palau		10 Dec 1999 a	Yugoslavia	8 Jun 1992	3 Sep 1997
Panama	18 Mar 1993	23 May 1995	Zambia	11 Jun 1992	28 May 1993
Papua New Guinea	13 Jun 1992	16 Mar 1993	Zimbabwe	12 Jun 1992	3 Nov 1992
Paraguay	12 Jun 1992	24 Feb 1994			
Peru	12 Jun 1992	7 Jun 1993			
Philippines	12 Jun 1992	2 Aug 1994			
Poland	5 Jun 1992	28 Jul 1994			

## Declarations

(Unless otherwise indicated, the declarations were made upon ratification, accession, acceptance or approval.)

### BULGARIA

#### Declaration:

"The Republic of Bulgaria declares that in accordance with article 4, paragraph 6, and with respect to paragraph 2 (b) of the said article, it accepts as a basis of the anthropogenic emissions in Bulgaria of carbon dioxide and other greenhouse gases not controlled by the Montreal Protocol, the 1988 levels of the said emissions in the country and not their 1990 levels, keeping records of and comparing the emission rates during the subsequent years."

### CROATIA

#### Declaration:

"The Republic of Croatia declares that it intends to be bound by the provisions of the Annex 1, as a country undergoing the process of transition to a market economy."

### CUBA

#### Declaration:

With reference to article 14 of the United Nations Framework Convention on Climate Change, the Government of the Republic of Cuba declares that, insofar as concerns the Republic of Cuba, any dispute that may arise between the Parties concerning the interpretation or application of the Convention shall be settled through negotiation through the diplomatic channel.

### EUROPEAN COMMUNITY

#### Upon signature:

#### Declaration:

"The European Economic Community and its Member States declare, for the purposes of clarity, that the inclusion of the European Community as well as its Member States in the lists in the Annexes to the Convention is without prejudice to the division of competence and responsibilities between the Community and its Member States, which is to be declared in accordance with article 21 (3) of the Convention."

#### Upon approval:

#### Declaration:

"The European Economic Community and its Member States declare that the commitment to limit anthropogenic CO<sub>2</sub> emissions set out in article 4(2) of the Convention will be fulfilled in the Community as a whole through action by the Community and its Member States, within the respective competence of each.

In this perspective, the Community and its Member States reaffirm the objectives set out in the Council conclusions of 29 October 1990, and in particular the objective of stabilization of CO<sub>2</sub> emission by 2000 and 1990 level in the Community as a whole.

The European Economic Community and its Member States are elaborating a coherent strategy in order to attain this objective."

### FIJI

#### Upon signature:

#### Declaration:

"The Government of Fiji declares its understanding that signature of the Convention shall, in no way, constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change, and that

no provisions in the Convention can be interpreted as derogating from the principles of general international law."

### HUNGARY

#### Declaration:

"The Government of the Republic of Hungary attributes great significance to the United Nations Framework Convention on Climate Change and it reiterates its position in accordance with the provisions of article 4.6 of the Convention on certain degree of flexibility that the average level of anthropogenic carbon-dioxide emissions for the period of 1985-1987 will be considered as reference level in context of the commitments under article 4.2 of the Convention. This understanding is closely related to the 'process of transition' as it is given in article 4.6 of the Convention. The Government of the Republic of Hungary declares that it will do all efforts to contribute to the objective of the Convention."

### KIRIBATI

#### Upon signature:

#### Declaration:

"The Government of the Republic of Kiribati declares its understanding that signature and /or ratification of the Convention shall in no way constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change, and that no provisions in the Convention can be interpreted as derogating from the principles of general international law."

### MONACO

#### Declaration:

In accordance with sub-paragraph g of article 4.2 of the Convention, the Principality of Monaco declares that it intends to be bound by the provisions of sub-paragraphs a and b of said article.

### NAURU

#### Upon signature:

#### Declaration:

"The Government of Nauru declares its understanding that signature of the Convention shall in no way constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change, and that no provisions in the Convention can be interpreted as derogating from the principles of general international law."

### PAPUA NEW GUINEA

#### Declaration:

"The Government of the Independent State of Papua New Guinea declares its understanding that ratification of the Convention shall in no way constitute a renunciation of any rights under International Law concerning State responsibility for the adverse effects of Climate Change as derogating from the principles of general International Law."

### SOLOMON ISLANDS

#### Declaration:

"In pursuance of article 14 (2) of the said Convention [the Government of the Solomon Islands] shall recognise as compulsory, arbitration, in accordance with procedures to be adopt-

ed by the Conference of the Parties as soon as practicable, in an annex on arbitration."

#### TUVALU

*Upon signature:*

*Declaration:*

"The Government of Tuvalu declares its understanding that signature of the Convention shall in no way constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change, and that

no provisions in the Convention can be interpreted as derogating from the principles of general international law."

#### *Notifications made in accordance with article 4 (2) (g)<sup>3</sup>*

<b>Participant</b>	<b>Date of receipt of the notification</b>
Czech Republic	27 Nov 1995
Monaco	20 Nov 1992
Slovakia	23 Feb 1996
Slovenia	9 Jun 1998

#### *Notes:*

<sup>1</sup> For the Kingdom in Europe.

<sup>2</sup> In respect of Great Britain and Northern Ireland, the Bailiwick of Jersey and the Isle of Man.

<sup>3</sup> States having, in accordance with article 4 (2)(g), notified the Secretary-General of their intention to be bound by article 4 (2)(a) and (b) of the Convention.

<sup>4</sup> On 28 June 1999, the Government of Portugal informed the Secretary-General the the Convention would also apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (9 December 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (15 December 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following]:

The United Nations Framework Convention on Climate Change, concluded at New York on 9 May 1992 (hereinafter referred to as the "Convention"), to which the Government of the People's Republic of China deposited the instrument of ratification on 5 January 1993, will apply to the Macau Special Administrative Region with effect from 20 December 1999.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Macau Special Administrative Region.

**7. a) Kyoto Protocol to the United Nations Framework Convention on Climate Change**

*Kyoto, 11 December 1997*

**NOT YET IN FORCE:** (see article 25).  
**STATUS:** Signatories: 84. Parties: 21.  
**TEXT:** Decision I/CP.3 of the Conference of the State Parties to the Convention at its first session.

*Note:* The Protocol was adopted at the third session of the Conference of the Parties to the 1992 United Nations Framework Convention on Climate Change ("the Convention"), held at Kyoto (Japan) from 1 to 11 December 1997. The Protocol shall be open for signature by States and regional economic integration organizations which are Parties to the Convention at United Nations Headquarters in New York from 16 March 1998 to 15 March 1999 in accordance with its article 24 (1).

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Approval (AA)</i>
Antigua and Barbuda .	16 Mar 1998	3 Nov 1998	Marshall Islands . . . .	17 Mar 1998	
Argentina . . . . .	16 Mar 1998		Mexico . . . . .	9 Jun 1998	
Australia . . . . .	29 Apr 1998		Micronesia (Federated States of) . . . . .	17 Mar 1998	21 Jun 1999
Austria . . . . .	29 Apr 1998	9 Apr 1999 a	Monaco . . . . .	29 Apr 1998	
Bahamas . . . . .			Mongolia . . . . .		15 Dec 1999 a
Belgium . . . . .	29 Apr 1998	30 Nov 1999	Netherlands . . . . .	29 Apr 1998	
Bolivia . . . . .	9 Jul 1998		New Zealand . . . . .	22 May 1998	
Brazil . . . . .	29 Apr 1998		Nicaragua . . . . .	7 Jul 1998	18 Nov 1999
Bulgaria . . . . .	18 Sep 1998		Niger . . . . .	23 Oct 1998	
Canada . . . . .	29 Apr 1998		Niue . . . . .	8 Dec 1998	6 May 1999
Chile . . . . .	17 Jun 1998		Norway . . . . .	29 Apr 1998	
China . . . . .	29 May 1998		Palau . . . . .		10 Dec 1999 a
Cook Islands . . . . .	16 Sep 1998		Panama . . . . .	8 Jun 1998	5 Mar 1999
Costa Rica . . . . .	27 Apr 1998		Papua New Guinea . . . .	2 Mar 1999	
Croatia . . . . .	11 Mar 1999		Paraguay . . . . .	25 Aug 1998	27 Aug 1999
Cuba . . . . .	15 Mar 1999	16 Jul 1999 a	Peru . . . . .	13 Nov 1998	
Cyprus . . . . .			Philippines . . . . .	15 Apr 1998	
Czech Republic . . . . .	23 Nov 1998		Poland . . . . .	15 Jul 1998	
Denmark . . . . .	29 Apr 1998		Portugal . . . . .	29 Apr 1998	
Ecuador . . . . .	15 Jan 1999		Republic of Korea . . . .	25 Sep 1998	
Egypt . . . . .	15 Mar 1999		Romania . . . . .	5 Jan 1999	
El Salvador . . . . .	8 Jun 1998	30 Nov 1998	Russian Federation . . . .	11 Mar 1999	
Estonia . . . . .	3 Dec 1998		Saint Lucia . . . . .	16 Mar 1998	
European Community . . . .	29 Apr 1998		Saint Vincent and the Grenadines . . . . .	19 Mar 1998	
Fiji . . . . .	17 Sep 1998	17 Sep 1998	Samoa . . . . .	16 Mar 1998	
Finland . . . . .	29 Apr 1998		Seychelles . . . . .	20 Mar 1998	
France . . . . .	29 Apr 1998		Slovakia . . . . .	26 Feb 1999	
Georgia . . . . .		16 Jun 1999 a	Slovenia . . . . .	21 Oct 1998	
Germany . . . . .	29 Apr 1998		Solomon Islands . . . . .	29 Sep 1998	
Greece . . . . .	29 Apr 1998		Spain . . . . .	29 Apr 1998	
Guatemala . . . . .	10 Jul 1998	5 Oct 1999	Sweden . . . . .	29 Apr 1998	
Honduras . . . . .	25 Feb 1999		Switzerland . . . . .	16 Mar 1998	
Indonesia . . . . .	13 Jul 1998		Thailand . . . . .	2 Feb 1999	
Ireland . . . . .	29 Apr 1998		Trinidad and Tobago . . . .	7 Jan 1999	28 Jan 1999
Israel . . . . .	16 Dec 1998		Turkmenistan . . . . .	28 Sep 1998	11 Jan 1999
Italy . . . . .	29 Apr 1998		Tuvalu . . . . .	16 Nov 1998	16 Nov 1998
Jamaica . . . . .		28 Jun 1999 a	Ukraine . . . . .	15 Mar 1999	
Japan . . . . .	28 Apr 1998		United Kingdom of Great Britain and Northern Ireland . . . . .	29 Apr 1998	
Kazakhstan . . . . .	12 Mar 1999		United States of Amer- ica . . . . .	12 Nov 1998	
Latvia . . . . .	14 Dec 1998		Uruguay . . . . .	29 Jul 1998	
Liechtenstein . . . . .	29 Jun 1998		Uzbekistan . . . . .	20 Nov 1998	12 Oct 1999
Lithuania . . . . .	21 Sep 1998				
Luxembourg . . . . .	29 Apr 1998				
Malaysia . . . . .	12 Mar 1999				
Maldives . . . . .	16 Mar 1998	30 Dec 1998			
Mali . . . . .	27 Jan 1999				
Malta . . . . .	17 Apr 1998				

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Approval (AA)</i>
Viet Nam .....	3 Dec 1998	
Zambia .....	5 Aug 1998	

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or approval.)*

**COOK ISLANDS**

*Upon signature:*

*Declaration:*

The Government of the Cook Islands declares its understanding that signature and subsequent ratification of the Kyoto Protocol shall in no way constitute a renunciation of any rights under international law concerning State responsibility for the adverse effects of climate change and that no provision in the Protocol can be interpreted as derogating from principles of general international law.

In this regard, the Government of the Cook Islands further declares that, in light of the best available scientific information and assessment on climate change and its impacts, it considers the emissions reduction obligation in article 3 of the Kyoto Protocol to be inadequate to prevent dangerous anthropogenic interference with the climate system."

**EUROPEAN COMMUNITY**

*Upon signature:*

*Declaration:*

"The European Community and its Member States will fulfil their respective commitments under article 3, paragraph 1, of the Protocol jointly in accordance with the provisions of article 4."

**FRANCE**

*Upon signature:*

*Interpretative declaration:*

The French Republic reserves the right, in ratifying the [said Protocol], to exclude its Overseas Territories from the scope of the Protocol.

**IRELAND**

*Upon signature:*

*Declaration:*

"The European Community and the Member States, including Ireland, will fulfil their respective commitments under article 3, paragraph 1, of the Protocol in accordance with the provisions of article 4."

**NIUE**

*Upon signature:*

*Declaration:*

"The Government of Niue declares its understanding that ratification of the Kyoto Protocol shall in no way constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change and that no provisions in the Protocol can be interpreted as derogating from the principles of general international law.

In this regard, the Government of Niue further declares that, in light of the best available scientific information and assessment of climate change and impacts, it considers the emissions reduction obligations in article 3 of the Kyoto Protocol to be inadequate to prevent dangerous anthropogenic interference with the climate system."

## 8. CONVENTION ON BIOLOGICAL DIVERSITY

*Rio de Janeiro, 5 June 1992*

**ENTRY INTO FORCE:** 29 December 1993, in accordance with article 36 (1).  
**REGISTRATION:** 29 December 1993, No. 30619.  
**STATUS:** Signatories: 168. Parties: 176.  
**TEXT:** Doc. UNEP/Bio.Div/N7-INC.5/4 and depositary notification C.N.393.1993.TREATIES-11 of 7 February 1994 (procès-verbal of rectification of the authentic English text); and C.N.329.1996.TREATIES-2 of 18 March 1996 (procès-verbal of rectification of the authentic Arabic text).

*Note:* The Convention was adopted by the Intergovernmental Negotiating Committee for a Convention on Biological Diversity, during its Fifth session, held at Nairobi from 11 to 22 May 1992. The Convention was open for signature at Rio de Janeiro by all States and regional economic integration organizations from 5 June 1992 until 14 June 1992, and remained open at the United Nations Headquarters in New York until 4 June 1993.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Afghanistan . . . . .	12 Jun 1992		Democratic People's Republic of Korea . . . . .	11 Jun 1992	26 Oct 1994 AA
Albania . . . . .		5 Jan 1994 a	Democratic Republic of the Congo . . . . .	11 Jun 1992	3 Dec 1994
Algeria . . . . .	13 Jun 1992	14 Aug 1995	Denmark . . . . .	12 Jun 1992	21 Dec 1993
Angola . . . . .	12 Jun 1992	1 Apr 1998	Djibouti . . . . .	13 Jun 1992	1 Sep 1994
Antigua and Barbuda . . . . .	5 Jun 1992	9 Mar 1993	Dominica . . . . .		6 Apr 1994 a
Argentina . . . . .	12 Jun 1992	22 Nov 1994	Dominican Republic . . . . .	13 Jun 1992	25 Nov 1996
Armenia . . . . .	13 Jun 1992	14 May 1993 A	Ecuador . . . . .	9 Jun 1992	23 Feb 1993
Australia . . . . .	5 Jun 1992	18 Jun 1993	Egypt . . . . .	9 Jun 1992	2 Jun 1994
Austria . . . . .	13 Jun 1992	18 Aug 1994	El Salvador . . . . .	13 Jun 1992	8 Sep 1994
Azerbaijan . . . . .	12 Jun 1992		Equatorial Guinea . . . . .		6 Dec 1994 a
Bahamas . . . . .	12 Jun 1992	2 Sep 1993	Eritrea . . . . .		21 Mar 1996 a
Bahrain . . . . .	9 Jun 1992	30 Aug 1996	Estonia . . . . .	12 Jun 1992	27 Jul 1994
Bangladesh . . . . .	5 Jun 1992	3 May 1994	Ethiopia . . . . .	10 Jun 1992	5 Apr 1994
Barbados . . . . .	12 Jun 1992	10 Dec 1993	European Community . . . . .	13 Jun 1992	21 Dec 1993 AA
Belarus . . . . .	11 Jun 1992	8 Sep 1993	Fiji . . . . .	9 Oct 1992	25 Feb 1993
Belgium . . . . .	5 Jun 1992	22 Nov 1996	Finland . . . . .	5 Jun 1992	27 Jul 1994 A
Belize . . . . .	13 Jun 1992	30 Dec 1993	France . . . . .	13 Jun 1992	1 Jul 1994
Benin . . . . .	13 Jun 1992	30 Jun 1994	Gabon . . . . .	12 Jun 1992	14 Mar 1997
Bhutan . . . . .	11 Jun 1992	25 Aug 1995	Gambia . . . . .	12 Jun 1992	10 Jun 1994
Bolivia . . . . .	13 Jun 1992	3 Oct 1994	Georgia . . . . .		2 Jun 1994 a
Botswana . . . . .	8 Jun 1992	12 Oct 1995	Germany . . . . .	12 Jun 1992	21 Dec 1993
Brazil . . . . .	5 Jun 1992	28 Feb 1994	Ghana . . . . .	12 Jun 1992	29 Aug 1994
Bulgaria . . . . .	12 Jun 1992	17 Apr 1996	Greece . . . . .	12 Jun 1992	4 Aug 1994
Burkina Faso . . . . .	12 Jun 1992	2 Sep 1993	Grenada . . . . .	3 Dec 1992	11 Aug 1994
Burundi . . . . .	11 Jun 1992	15 Apr 1997	Guatemala . . . . .	13 Jun 1992	10 Jul 1995
Cambodia . . . . .		9 Feb 1995 a	Guinea . . . . .	12 Jun 1992	7 May 1993
Cameroon . . . . .	14 Jun 1992	19 Oct 1994	Guinea-Bissau . . . . .	12 Jun 1992	27 Oct 1995
Canada . . . . .	11 Jun 1992	4 Dec 1992	Guyana . . . . .	13 Jun 1992	29 Aug 1994
Cape Verde . . . . .	12 Jun 1992	29 Mar 1995	Haiti . . . . .	13 Jun 1992	25 Sep 1996
Central African Republic . . . . .	13 Jun 1992	15 Mar 1995	Honduras . . . . .	13 Jun 1992	31 Jul 1995
Chad . . . . .	12 Jun 1992	7 Jun 1994	Hungary . . . . .	13 Jun 1992	24 Feb 1994
Chile . . . . .	13 Jun 1992	9 Sep 1994	Iceland . . . . .	10 Jun 1992	12 Sep 1994
China . . . . .	11 Jun 1992	5 Jan 1993	India . . . . .	5 Jun 1992	18 Feb 1994
Colombia . . . . .	12 Jun 1992	28 Nov 1994	Indonesia . . . . .	5 Jun 1992	23 Aug 1994
Comoros . . . . .	11 Jun 1992	29 Sep 1994	Iran (Islamic Republic of) . . . . .	14 Jun 1992	6 Aug 1996
Congo . . . . .	11 Jun 1992	1 Aug 1996	Ireland . . . . .	13 Jun 1992	22 Mar 1996
Cook Islands . . . . .	12 Jun 1992	20 Apr 1993	Israel . . . . .	11 Jun 1992	7 Aug 1995
Costa Rica . . . . .	13 Jun 1992	26 Aug 1994	Italy . . . . .	5 Jun 1992	15 Apr 1994
Côte d'Ivoire . . . . .	10 Jun 1992	29 Nov 1994	Jamaica . . . . .	11 Jun 1992	6 Jan 1995
Croatia . . . . .	11 Jun 1992	7 Oct 1996	Japan . . . . .	13 Jun 1992	28 May 1993 A
Cuba . . . . .	12 Jun 1992	8 Mar 1994	Jordan . . . . .	11 Jun 1992	12 Nov 1993
Cyprus . . . . .	12 Jun 1992	10 Jul 1996			
Czech Republic . . . . .	4 Jun 1993	3 Dec 1993 AA			



<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Kazakhstan .....	9 Jun 1992	6 Sep 1994	Russian Federation ..	13 Jun 1992	5 Apr 1995
Kenya .....	11 Jun 1992	26 Jul 1994	Rwanda .....	10 Jun 1992	29 May 1996
Kiribati .....		16 Aug 1994 a	Saint Kitts and Nevis.	12 Jun 1992	7 Jan 1993
Kuwait .....	9 Jun 1992		Saint Lucia .....		28 Jul 1993 a
Kyrgyzstan .....		6 Aug 1996 a	Saint Vincent and the Grenadines.....		3 Jun 1996 a
Lao People's Demo- cratic Republic. . .		20 Sep 1996 a	Samoa .....	12 Jun 1992	9 Feb 1994
Latvia .....	11 Jun 1992	14 Dec 1995	San Marino .....	10 Jun 1992	28 Oct 1994
Lebanon.....	12 Jun 1992	15 Dec 1994	Sao Tome and Principe	12 Jun 1992	29 Sep 1999
Lesotho .....	11 Jun 1992	10 Jan 1995	Senegal .....	13 Jun 1992	17 Oct 1994
Liberia .....	12 Jun 1992		Seychelles .....	10 Jun 1992	22 Sep 1992
Libyan Arab Jamahir- iya .....	29 Jun 1992		Sierra Leone .....		12 Dec 1994 a
Liechtenstein .....	5 Jun 1992	19 Nov 1997	Singapore.....	10 Mar 1993	21 Dec 1995
Lithuania .....	11 Jun 1992	1 Feb 1996	Slovakia.....	19 May 1993	25 Aug 1994 AA
Luxembourg .....	9 Jun 1992	9 May 1994	Slovenia.....	13 Jun 1992	9 Jul 1996
Madagascar .....	8 Jun 1992	4 Mar 1996	Solomon Islands ...	13 Jun 1992	3 Oct 1995
Malawi.....	10 Jun 1992	2 Feb 1994	South Africa .....	4 Jun 1993	2 Nov 1995
Malaysia .....	12 Jun 1992	24 Jun 1994	Spain .....	13 Jun 1992	21 Dec 1993
Maldives .....	12 Jun 1992	9 Nov 1992	Sri Lanka.....	10 Jun 1992	23 Mar 1994
Mali .....	30 Sep 1992	29 Mar 1995	Sudan.....	9 Jun 1992	30 Oct 1995
Malta .....	12 Jun 1992		Suriname .....	13 Jun 1992	12 Jan 1996
Marshall Islands ...	12 Jun 1992	8 Oct 1992	Swaziland .....	12 Jun 1992	9 Nov 1994
Mauritania.....	12 Jun 1992	16 Aug 1996	Sweden .....	8 Jun 1992	16 Dec 1993
Mauritius.....	10 Jun 1992	4 Sep 1992	Switzerland .....	12 Jun 1992	21 Nov 1994
Mexico.....	13 Jun 1992	11 Mar 1993	Syrian Arab Republic	3 May 1993	4 Jan 1996
Micronesia (Federated States of) .....	12 Jun 1992	20 Jun 1994	Tajikistan.....		29 Oct 1997 a
Monaco .....	11 Jun 1992	20 Nov 1992	Thailand.....	12 Jun 1992	
Mongolia.....	12 Jun 1992	30 Sep 1993	the former Yugoslav Republic of Mace- donia .....		2 Dec 1997 a
Morocco.....	13 Jun 1992	21 Aug 1995	Togo .....	12 Jun 1992	4 Oct 1995 A
Mozambique .....	12 Jun 1992	25 Aug 1995	Tonga.....		19 May 1998 a
Myanmar.....	11 Jun 1992	25 Nov 1994	Trinidad and Tobago.	11 Jun 1992	1 Aug 1996
Namibia.....	12 Jun 1992	16 May 1997	Tunisia.....	13 Jun 1992	15 Jul 1993
Nauru.....	5 Jun 1992	11 Nov 1993	Turkey.....	11 Jun 1992	14 Feb 1997
Nepal.....	12 Jun 1992	23 Nov 1993	Turkmenistan.....		18 Sep 1996 a
Netherlands <sup>2</sup> .....	5 Jun 1992	12 Jul 1994 A	Tuvalu .....	8 Jun 1992	
New Zealand .....	12 Jun 1992	16 Sep 1993	Uganda .....	12 Jun 1992	8 Sep 1993
Nicaragua .....	13 Jun 1992	20 Nov 1995	Ukraine .....	11 Jun 1992	7 Feb 1995
Niger .....	11 Jun 1992	25 Jul 1995	United Arab Emirates	11 Jun 1992	
Nigeria.....	13 Jun 1992	29 Aug 1994	United Kingdom of Great Britain and Northern Ireland <sup>1</sup> .	12 Jun 1992	3 Jun 1994
Niue.....		28 Feb 1996 a	United Republic of Tanzania .....	12 Jun 1992	8 Mar 1996
Norway .....	9 Jun 1992	9 Jul 1993	United States of Amer- ica .....	4 Jun 1993	
Oman .....	10 Jun 1992	8 Feb 1995	Uruguay.....	9 Jun 1992	5 Nov 1993
Pakistan.....	5 Jun 1992	26 Jul 1994	Uzbekistan.....		19 Jul 1995 a
Palau .....		6 Jan 1995 a	Vanuatu.....	9 Jun 1992	25 Mar 1993
Panama .....	13 Jun 1992	17 Jan 1995	Venezuela .....	12 Jun 1992	13 Sep 1994
Papua New Guinea ..	13 Jun 1992	16 Mar 1993	Viet Nam.....	28 May 1993	16 Nov 1994
Paraguay .....	12 Jun 1992	24 Feb 1994	Yemen.....	12 Jun 1992	21 Feb 1996
Peru .....	12 Jun 1992	7 Jun 1993	Yugoslavia.....	8 Jun 1992	
Philippines.....	12 Jun 1992	8 Oct 1993	Zambia.....	11 Jun 1992	28 May 1993
Poland .....	5 Jun 1992	18 Jan 1996	Zimbabwe .....	12 Jun 1992	11 Nov 1994
Portugal <sup>3</sup> .....	13 Jun 1992	21 Dec 1993			
Qatar .....	11 Jun 1992	21 Aug 1996			
Republic of Korea ...	13 Jun 1992	3 Oct 1994			
Republic of Moldova.	5 Jun 1992	20 Oct 1995			
Romania .....	5 Jun 1992	17 Aug 1994			

**Declarations**  
*(Unless otherwise indicated, the declarations were made upon ratification, accession, acceptance or approval.)*

**ARGENTINA**

*Declaration:*

The Argentine Government considers that this Convention represents a step forward in that it establishes among its objectives the sustainable use of biological diversity. Likewise, the definitions contained in article 2 and other provisions of the Convention indicate that the terms "genetic resources", "biological resources" and "biological material" do not include the human genome. In accordance with the commitments entered into in the Convention, the Argentine Nation will pass legislation on the conditions of access to biological resources and the ownership of future rights and benefits arising from them. The Convention is fully consistent with the principles established in the "Agreement on trade-related aspects of intellectual property rights", including trade in counterfeit goods, contained in the Final Act of the Uruguay Round of GATT.

**AUSTRIA**

*Declaration:*

"The Republic of Austria declares in accordance with article 27, paragraph 3 of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

**CHILE**

*Declaration:*

The Government of Chile, on ratifying the Convention on Biological Diversity of 1992, wishes to place on record that the pine tree and other species that the country exploits as one of its forestry resources are considered exotic and are not taken to fall within the scope of the Convention.

**CUBA**

*Declaration:*

The Government of the Republic of Cuba declares, with respect to article 27 of the Convention on Biological Diversity, that as far as the Republic of Cuba is concerned, disputes that arise between Parties concerning the interpretation or application of this international legal instrument shall be settled by negotiation through the diplomatic channel or, failing that, by arbitration in accordance with the procedure laid down in Annex II on arbitration of the Convention."

**EUROPEAN COMMUNITY**

*Declaration:*

"Within their respective competence, the European Community and its Member States wish to reaffirm the importance they attach to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For the European Community and its member States, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

The European Community and its Member States will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by European operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

**FRANCE**

*Upon signature:*

*Declaration:*

With reference to article 3, that it interprets that article as a guiding principle to be taken into account in the implementation of the Convention;

With reference to article 21, paragraph 1, that the decision taken periodically by the Conference of the Parties concerns the "amount of resources needed" and that no provision of the Convention authorizes the Conference of the Parties to take decisions concerning the amount, nature or frequency of the contributions from Parties to the Convention.

*Upon ratification:*

*Declaration:*

With reference to article 3, that it interprets that article as a guiding principle to be taken into account in the implementation of the Convention;

The French Republic reaffirms its belief in the importance of the transfer of technology and biotechnology in guaranteeing the protection and long-term utilization of biological diversity. Respect for intellectual property rights is an essential element of the implementation of policies for technology transfer and co-investment.

The French Republic affirms that the transfer of technology and access to biotechnology, as defined in the Convention on Biological Diversity, will be implemented according to article 16 of that Convention and with respect for the principles and rules concerning the protection of intellectual property, including multilateral agreements signed or negotiated by the Contracting Parties to the present Convention.

The French Republic will encourage recourse to the financial mechanism established by the Convention for the purpose of promoting the voluntary transfer of intellectual property rights under French ownership, *inter alia*, as regards the granting of licences, by traditional commercial decisions and mechanisms while ensuring the appropriate and effective protection of property rights.

With reference to article 21, paragraph 1, the French Republic considers that the decision taken periodically by the Conference of the Parties concerns the "amount of resources needed" and that no provision of the Convention authorizes the Conference of the Parties to take decisions concerning the amount, nature or frequency of the contributions from Parties to the Convention.

**GEORGIA**

*Declaration:*

"The Republic of Georgia will use both means for dispute settlement referred to in the Convention:

1. Arbitral consideration in accordance with the procedure given in the enclosure II, Part I.
2. Submitting of disputes to the International Court."

## IRELAND

### *Declaration:*

"Ireland wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For Ireland, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the contracting parties to this Convention.

Ireland will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Irish operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

## ITALY

### *Declaration made upon signature and confirmed upon ratification:*

"The Italian Government [. . .] declares its understanding that the decision to be taken by the Conference of the Parties under article 21.1 of the Convention refers to the 'amount of resources needed' by the financial mechanism, not to the extent or nature and form of the contributions of the Contracting Parties."

## LATVIA

### *Declaration:*

"The Republic of Latvia declares in accordance with article 27 paragraph 3 of the Convention that it accepts both the means of dispute settlement mentioned in this paragraph as compulsory."

## LIECHTENSTEIN

### *Declaration:*

"The Principality of Liechtenstein wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For the Principality of Liechtenstein, transfers of technology and access to biotechnology, as defined in the text of the [said] Convention, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

The Principality of Liechtenstein will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Liechtenstein operators, in particular as regards the granting of licenses, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

## PAPUA NEW GUINEA

### *Declaration:*

"The Government of the Independent State of Papua New Guinea declares its understanding that ratification of the Convention shall in no way constitute a renunciation of any rights

under International Law concerning State responsibility for the adverse effects of Biological Diversity as derogating from the principles of general International Law."

## SUDAN

### *Understanding:*

"With respect to the principle stipulated in article 3, the Government of the Sudan agrees with the spirit of the article and interprets it to mean that no state is responsible for acts that take place outside its control even if they fall within its judicial jurisdiction and may cause damage to the environment of other states or of areas beyond the limits of national judicial jurisdiction."

"The Sudan also sees as regards article 14 (2), that the issue of liability and redress for damage to biological diversity should not form a priority to be tackled by the Agreement as there is ambiguity regarding the essence and scope of the studies to be carried out, in accordance with the above-mentioned article. The Sudan further believes that any such studies on liability and redress should shift towards effects of areas such as biotechnology products, environmental impacts, genetically modified organisms and acid rains."

## SWITZERLAND

### *Upon signature:*

#### *Declaration:*

The Swiss Government wishes to emphasize particularly the progress made in establishing standard terms for cooperation between States in a very important field: research activities and activities for the transfer of technology relevant to resources from third countries.

The important provisions in question create a platform for even closer cooperation with public research bodies or institutions in Switzerland and for the transfer of technologies available to governmental or public bodies, particularly universities and various publicly-funded research and development centres.

It is our understanding that genetic resources acquired under the procedure specified in article 15 and developed by private research institutions will be the subject of programmes of cooperation, joint research and the transfer of technology which will respect the principles and rules for the protection of intellectual property.

These principles and rules are essential for research and private investment, in particular in the latest technologies, such as modern biotechnology which requires substantial financial outlays. On the basis of this interpretation, the Swiss Government wishes to indicate that it is ready, at the opportune time, to take the appropriate general policy measures, particularly under articles 16 and 19, with a view to promoting and encouraging cooperation, on a contractual basis, between Swiss firms and the private firms and governmental bodies of other Contracting Parties.

With regard to financial cooperation, Switzerland interprets the provisions of articles 20 and 21 as follows: the resources to be committed and the management system will have regard, in an equitable manner, to the needs and interests of the developing countries and to the possibilities and interests of the developed countries.

### *Upon ratification:*

#### *Declaration:*

Switzerland wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For Switzerland, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

Switzerland will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Swiss operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights.

#### SYRIAN ARAB REPUBLIC

*Upon signature:*

*Declaration:*

It is being understood that the signing of this Convention shall not constitute recognition of Israel or leading to any inter-course with it.

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#### Notes:

<sup>1</sup> In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the British Virgin Islands, the Cayman Islands, Gibraltar, St. Helena and St. Helena Dependencies.

<sup>2</sup> On 4 June 1999: for the Netherlands Antilles and Aruba

<sup>3</sup> On 28 June 1999, the Government of Portugal informed the Secretary-General the the Convention would also apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (9 December 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

#### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Declaration made upon signature and confirmed upon ratification:*

The Government of the United Kingdom of Great Britain and Northern Ireland declare their understanding that article 3 of the Convention sets out a guiding principle to be taken into account in the implementation of the Convention.

The Government of the United Kingdom of Great Britain and Northern Ireland also declare their understanding that the decisions to be taken by the Conference of the Parties under paragraph 1 of article 21 concern "the amount of resources needed" by the financial mechanism, and that nothing in article 20 or 21 authorises the Conference of the Parties to take decisions concerning the amount, nature, frequency or size of the contributions of the Parties under the Convention.

*China (15 December 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following]:

The Convention on Biological Diversity, done at Nairobi on 5 June 1992 (hereinafter referred to as the "Convention"), to which the Government of the People's Republic of China deposited the instrument of ratification on 5 January 1993, will apply to the Macau Special Administrative Region with effect from 20 December 1999.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Macau Special Administrative Region.

**9. AGREEMENT ON THE CONSERVATION OF SMALL CETACEANS OF THE BALTIC AND NORTH SEAS**

*New York, 17 March 1992*

**ENTRY INTO FORCE:** 29 March 1994, in accordance with article 8 (5).  
**REGISTRATION:** 29 March 1994, No. 30865.  
**STATUS:** Signatories: 6. Parties: 8.  
**TEXT:** Depository notifications C.N.86.1992.TREATIES-2 of 2 July 1992; and C.N.338.1995.TREATIES-2 of 22 November 1995 (procès-verbal of rectification of the French authentic text).

*Note:* The Agreement was approved at Geneva on 13 September 1991, during the Third Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals pursuant to article IV (4) of the said Convention, which was done at Bonn on 23 June 1979 ("Bonn Convention"). The Agreement was open for signature at United Nations Headquarters in New York on 17 March 1992 and will remain open for signature at United Nations Headquarters until its entry into force.

<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Definitive signature (s), Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Belgium .....	6 Nov 1992	14 May 1993	Poland .....		18 Jan 1996 a
Denmark .....	19 Aug 1992	29 Dec 1993 AA	Sweden .....		31 Mar 1992 s
European Community	7 Oct 1992		United Kingdom of		
Finland .....		13 Sep 1999 a	Great Britain and		
Germany .....	9 Apr 1992	6 Oct 1993	Northern Ireland <sup>2</sup> .	16 Apr 1992	13 Jul 1993
Netherlands <sup>1</sup> .....	29 Jul 1992	29 Dec 1992 AA			

**Notes:**

<sup>1</sup> For the Kingdom in Europe.

<sup>2</sup> For the United Kingdom of Great Britain and the Bailiwick of Guernsey.

**10. UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION IN THOSE COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA**

*Paris, 14 October 1994*

**ENTRY INTO FORCE:** 26 December 1996, in accordance with article 36 (1).  
**REGISTRATION:** 26 December 1996, No. 33480.  
**STATUS:** Signatories: 115. Parties: 160.  
**TEXT:** United Nations, *Treaty Series*, vol. 1954, p. 3; and depositary notification C.N.176.1995.TREATIES-6 of 27 July 1995 (procès-verbal of rectification of the authentic Chinese text).

*Note:* The Convention was adopted on 17 June 1994 by the Intergovernmental Negotiating Committee for the elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa (established pursuant to resolution 47/188<sup>1</sup> of the General Assembly dated 22 December 1992), during its Fifth session held at Paris. The Convention was open for signature at Paris by all States and regional economic integration organizations on 14 and 15 October 1994. Thereafter, it remained open for signature at the United Nations Headquarters in New York until 13 October 1995.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>
Afghanistan.....		1 Nov 1995 a	Dominica.....		8 Dec 1997 a
Algeria.....	14 Oct 1994	22 May 1996	Dominican Republic..		26 Jun 1997 a
Angola.....	14 Oct 1994	30 Jun 1997	Ecuador.....	19 Jan 1995	6 Sep 1995
Antigua and Barbuda .	4 Apr 1995	6 Jun 1997	Egypt.....	14 Oct 1994	7 Jul 1995
Argentina.....	15 Oct 1994	6 Jan 1997	El Salvador.....		27 Jun 1997 a
Armenia.....	14 Oct 1994	2 Jul 1997	Equatorial Guinea....	14 Oct 1994	27 Jun 1997
Australia.....	14 Oct 1994		Eritrea.....	14 Oct 1994	14 Aug 1996
Austria.....		2 Jun 1997 a	Ethiopia.....	15 Oct 1994	27 Jun 1997
Azerbaijan.....		10 Aug 1998 a	European Community.	14 Oct 1994	26 Mar 1998
Bahrain.....		14 Jul 1997 a	Fiji.....		26 Aug 1998 a
Bangladesh.....	14 Oct 1994	26 Jan 1996	Finland.....	15 Oct 1994	20 Sep 1995 A
Barbados.....		14 May 1997 a	France.....	14 Oct 1994	12 Jun 1997
Belgium.....		30 Jun 1997 a	Gabon.....		6 Sep 1996 a
Belize.....		23 Jul 1998 a	Gambia.....	14 Oct 1994	11 Jun 1996
Benin.....	14 Oct 1994	29 Aug 1996	Georgia.....	15 Oct 1994	23 Jul 1999
Bolivia.....	14 Oct 1994	1 Aug 1996	Germany.....	14 Oct 1994	10 Jul 1996
Botswana.....	12 Oct 1995	11 Sep 1996	Ghana.....	15 Oct 1994	27 Dec 1996
Brazil.....	14 Oct 1994	25 Jun 1997	Greece.....	14 Oct 1994	5 May 1997
Burkina Faso.....	14 Oct 1994	26 Jan 1996	Grenada.....		28 May 1997 a
Burundi.....	14 Oct 1994	6 Jan 1997	Guatemala.....		10 Sep 1998 a
Cambodia.....	15 Oct 1994	18 Aug 1997	Guinea.....	14 Oct 1994	23 Jun 1997
Cameroon.....	14 Oct 1994	29 May 1997	Guinea-Bissau.....	15 Oct 1994	27 Oct 1995
Canada.....	14 Oct 1994	1 Dec 1995	Guyana.....		26 Jun 1997 a
Cape Verde.....	14 Oct 1994	8 May 1995	Haiti.....	15 Oct 1994	25 Sep 1996
Central African Repub- lic.....	14 Oct 1994	5 Sep 1996	Honduras.....	22 Feb 1995	25 Jun 1997
Chad.....	14 Oct 1994	27 Sep 1996	Hungary.....		13 Jul 1999 a
Chile.....	3 Mar 1995	11 Nov 1997	Iceland.....		3 Jun 1997 a
China.....	14 Oct 1994	18 Feb 1997	India.....	14 Oct 1994	17 Dec 1996
Colombia.....	14 Oct 1994	8 Jun 1999	Indonesia.....	15 Oct 1994	31 Aug 1998
Comoros.....	14 Oct 1994	3 Mar 1998	Iran (Islamic Republic of).....	14 Oct 1994	29 Apr 1997
Congo.....	15 Oct 1994	12 Jul 1999	Ireland.....	15 Oct 1994	31 Jul 1997
Cook Islands.....		21 Aug 1998 a	Israel.....	14 Oct 1994	26 Mar 1996
Costa Rica.....	15 Oct 1994	5 Jan 1998	Italy.....	14 Oct 1994	23 Jun 1957
Côte d'Ivoire.....	15 Oct 1994	4 Mar 1997	Jamaica.....		12 Nov 1997 a
Croatia.....	15 Oct 1994		Japan.....	14 Oct 1994	11 Sep 1998 A
Cuba.....	15 Oct 1994	13 Mar 1997	Jordan.....	13 Apr 1995	21 Oct 1996
Democratic Republic of the Congo.....	14 Oct 1994	12 Sep 1997	Kazakhstan.....	14 Oct 1994	9 Jul 1997
Denmark.....	15 Oct 1994	22 Dec 1995	Kenya.....	14 Oct 1994	24 Jun 1997
Djibouti.....	15 Oct 1994	12 Jun 1997	Kiribati.....		8 Sep 1998 a
			Kuwait.....	22 Sep 1995	27 Jun 1997
			Kyrgyzstan.....		19 Sep 1997 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A)</i>
Lao People's Democratic Republic...	30 Aug 1995	20 Sep 1996 A	Saint Kitts and Nevis.		30 Jun 1997 a
Lebanon.....	14 Oct 1994	16 May 1996	Saint Lucia .....		2 Jul 1997 a
Lesotho .....	15 Oct 1994	12 Sep 1995	Saint Vincent and the Grenadines.....	15 Oct 1994	16 Mar 1998
Liberia .....		2 Mar 1998 a	Samoa .....		21 Aug 1998 a
Libyan Arab Jamahir- iya .....	15 Oct 1994	22 Jul 1996	San Marino .....		23 Jul 1999 a
Liechtenstein .....		29 Dec 1999 a	Sao Tome and Principe	4 Oct 1995	8 Jul 1998
Luxembourg .....	14 Oct 1994	4 Feb 1997	Saudi Arabia .....		25 Jun 1997 a
Madagascar .....	14 Oct 1994	25 Jun 1997	Senegal .....	14 Oct 1994	26 Jul 1995
Malawi .....	17 Jan 1995	13 Jun 1996	Seychelles .....	14 Oct 1994	26 Jun 1997
Malaysia .....	6 Oct 1995	25 Jun 1997	Sierra Leone .....	11 Nov 1994	25 Sep 1997
Mali .....	15 Oct 1994	31 Oct 1995	Singapore.....		26 Apr 1999 a
Malta .....	15 Oct 1994	30 Jan 1998	Solomon Islands ...		16 Apr 1999 a
Marshall Islands ....		2 Jun 1998 a	South Africa .....	9 Jan 1995	30 Sep 1997
Mauritania .....	14 Oct 1994	7 Aug 1996	Spain .....	14 Oct 1994	30 Jan 1996
Mauritius .....	17 Mar 1995	23 Jan 1996	Sri Lanka .....		9 Dec 1998 a
Mexico .....	15 Oct 1994	3 Apr 1995	Sudan .....	15 Oct 1994	24 Nov 1995
Micronesia (Federated States of) .....	12 Dec 1994	25 Mar 1996	Swaziland .....	27 Jul 1995	7 Oct 1996
Monaco .....		5 Mar 1999 a	Sweden .....	15 Oct 1994	12 Dec 1995
Mongolia .....	15 Oct 1994	3 Sep 1996	Switzerland .....	14 Oct 1994	19 Jan 1996
Morocco .....	15 Oct 1994	7 Nov 1996	Syrian Arab Republic	15 Oct 1994	10 Jun 1997
Mozambique .....	28 Sep 1995	13 Mar 1997	Tajikistan.....		16 Jul 1997 a
Myanmar .....		2 Jan 1997 a	Togo .....	15 Oct 1994	4 Oct 1995 A
Namibia .....	24 Oct 1994	16 May 1997	Tonga.....		25 Sep 1998 a
Nauru .....		22 Sep 1998 a	Tunisia.....	14 Oct 1994	11 Oct 1995
Nepal .....	12 Oct 1995	15 Oct 1996	Turkey.....	14 Oct 1994	31 Mar 1998
Netherlands <sup>2</sup> .....	15 Oct 1994	27 Jun 1995 A	Turkmenistan.....	27 Mar 1995	18 Sep 1996
Nicaragua .....	21 Nov 1994	17 Feb 1998	Tuvalu .....		14 Sep 1998 a
Niger .....	14 Oct 1994	19 Jan 1996	Uganda .....	21 Nov 1994	25 Jun 1997
Nigeria.....	31 Oct 1994	8 Jul 1997	United Arab Emirates		21 Oct 1998 a
Niue .....		14 Aug 1998 a	United Kingdom of Great Britain and Northern Ireland <sup>3</sup> .	14 Oct 1994	18 Oct 1996
Norway .....	15 Oct 1994	30 Aug 1996	United Republic of Tanzania .....	14 Oct 1994	19 Jun 1997
Oman .....		23 Jul 1996 a	United States of Amer- ica .....	14 Oct 1994	
Pakistan .....	15 Oct 1994	24 Feb 1997	Uruguay.....		17 Feb 1999 a
Palau .....		15 Jun 1999 a	Uzbekistan.....	7 Dec 1994	31 Oct 1995
Panama .....	22 Feb 1995	4 Apr 1996	Vanuatu.....	28 Sep 1995	10 Aug 1999
Paraguay .....	1 Dec 1994	15 Jan 1997	Venezuela .....		29 Jun 1998 a
Peru .....	15 Oct 1994	9 Nov 1995	Viet Nam.....		25 Aug 1998 a
Philippines.....	8 Dec 1994		Yemen .....		14 Jan 1997 a
Portugal .....	14 Oct 1994	1 Apr 1996	Zambia.....	15 Oct 1994	19 Sep 1996
Qatar .....		15 Mar 1999 a	Zimbabwe .....	15 Oct 1994	23 Sep 1997
Republic of Korea ...	14 Oct 1994	17 Aug 1999			
Republic of Moldova.		10 Mar 1999 a			
Romania .....		19 Aug 1998 a			
Rwanda .....	22 Jun 1995	22 Oct 1998			

#### *Declarations*

*(Unless otherwise indicated, the declarations were made upon ratification, accession or acceptance.)*

#### **ALGERIA**

##### *Declaration:*

The People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 28, paragraph 2, of the [said Convention], to the effect that any dispute must be submitted to the International Court of Justice.

The People's Democratic Republic of Algeria declares that for a dispute submitted to the International Court of Justice, the consent of both parties will be necessary in each case.

#### **AUSTRIA**

##### *Declaration:*

"The Republic of Austria declares in accordance with article 28 of the Convention that it accepts both of the means of dispute in paragraph 2 as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

## GUATEMALA

### *Declaration:*

The Republic of Guatemala declares that, in respect of any dispute concerning the interpretation or application of the Convention, it recognizes arbitration in accordance with procedures adopted by the Conference of the Parties in an annex as soon as practicable as a means of dispute settlement, compulsory in relation to any Party accepting the same obligation. This declaration shall remain in force until three months after written notice of its revocation has been deposited with the Depositary.

## KUWAIT

### *Declaration:*

With respect to the State of Kuwait, any additional regional implementation annex or any amendment to any regional im-

plementation annex shall enter into force only upon the deposit of its instrument of ratification or accession with respect thereto.

## NETHERLANDS

### *Declaration:*

"The Kingdom of the Netherlands declares, in accordance with paragraph 2 of article 28 of [the said Convention] that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both of these means of dispute settlement."

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### *Notes:*

<sup>1</sup> *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 49 (A/47/49) (Vol.I), p. 137.*

<sup>2</sup> For the Kingdom in Europe.

<sup>3</sup> For the United Kingdom of Great Britain and Northern Ireland, the British Virgin Islands, St. Helena and Ascension Island. Subsequently, on 24 December 1996, the Government of the United Kingdom notified the Secretary-General that the Convention would apply to Montserrat.



**11. LUSAKA AGREEMENT ON CO-OPERATIVE ENFORCEMENT OPERATIONS  
DIRECTED AT ILLEGAL TRADE IN WILD FAUNA AND FLORA**

*Lusaka, 8 September 1994*

**ENTRY INTO FORCE:** 10 December 1996, in accordance with article 13 (1).  
**REGISTRATION:** 10 December 1996, No. 33409.  
**STATUS:** Signatories: 7. Parties: 6.  
**TEXT:** UNEP doc. No. 94/7929.

*Note:* The Agreement was adopted at the Ministerial Meeting for the Adoption of the Agreed Text of the Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora held at Lusaka on 8-9 September 1994. In accordance with its article 12 (1), the Agreement was open for signature on 9 September 1994 by all African States at Lusaka and thereafter from 12 September 1994 at the Headquarters of the United Nations Environment Programme in Nairobi, and from 13 December 1994 to 13 March 1995 at the United Nations Headquarters in New York.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession (a), Acceptance (A), Approval (AA)</i>
Congo .....		14 May 1997 a	Uganda .....	9 Sep 1994	12 Apr 1996
Ethiopia .....	1 Feb 1995		United Republic of Tanzania .....	9 Sep 1994	11 Oct 1996
Kenya .....	9 Sep 1994	17 Jan 1997	Zambia .....	9 Sep 1994	9 Nov 1995
Lesotho .....		20 Jun 1995 a			
South Africa .....	9 Sep 1994				
Swaziland .....	9 Sep 1994				

**12. CONVENTION ON THE LAW OF THE NON-NAVIGATIONAL USES OF  
INTERNATIONAL WATERCOURSES**

*New York, 21 May 1997*

**NOT YET IN FORCE:** (see article 36).  
**STATUS:** Signatories: 12. Parties: 6.  
**TEXT:** Doc. A/51/869.

*Note:* By resolution A/RES/51/229 of 21 May 1997, the General Assembly of the United Nations adopted at its 51<sup>st</sup> session, the said Convention. In accordance with its article 34, the Convention shall be open for signature at the Headquarters of the United Nations in New York, on 21 May 1997 and will remain open to all States and regional economic integration organizations for signature until 21 May 2000.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Approval (AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Approval (AA)</i>
Côte d'Ivoire . . . . .	25 Sep 1998		Norway . . . . .	30 Sep 1998	30 Sep 1998
Finland . . . . .	31 Oct 1997	23 Jan 1998 A	Paraguay . . . . .	25 Aug 1998	
Germany . . . . .	13 Aug 1998		Portugal . . . . .	11 Nov 1997	
Hungary . . . . .	20 Jul 1999		South Africa . . . . .	13 Aug 1997	26 Oct 1998
Jordan . . . . .	17 Apr 1998	22 Jun 1999	Syrian Arab Republic. 11 Aug 1997		2 Apr 1998
Lebanon . . . . .		25 May 1999 a	Venezuela . . . . .	22 Sep 1997	
Luxembourg . . . . .	14 Oct 1997				

***Declarations and Reservations***

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

**SYRIAN ARAB REPUBLIC**

***Reservation:***

The acceptance by the Syrian Arab Republic of this Convention and its ratification by the Government shall not under any

circumstances be taken to imply recognition of Israel and shall not lead to its entering into relations therewith that are governed by its provisions.

***Objections***

*(Unless otherwise indicated, the objections were made upon ratification, acceptance approval or accession.)*

**ISRAEL**

15 July 1998

*In regard to the reservation made by the Syrian Arab Republic upon ratification:*

"In view of the Government of the State of Israel such reservation, which is explicitly of a political nature, is incompatible with the purposes and objectives of this Convention and

cannot in any way affect whatever obligations are binding upon the Syrian Arab Republic under general international treaty law or under particular conventions. The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards the Syrian Arab Republic an attitude of complete reciprocity."

***Notes:***

<sup>1</sup> Although listed in this chapter for reasons of convenience, the Convention is not limited to issues of the environment.

**13. CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN  
DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS**

*Aarhus, Denmark, 25 June 1998*

**NOT YET IN FORCE:** (see article 20).  
**STATUS:** Signatories: 40. Parties: 4.  
**TEXT:** Doc. ECE/CEP/43.

*Note:* Open for signature at Aarhus (Denmark) on 25 June 1998, and thereafter at United Nations Headquarters in New York until 21 December 1998, by States members of the Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe pursuant to paragraphs 8 and 11 of Economic and Social resolution 36 (IV)<sup>1</sup> of 28 March 1947, and by regional economic integration organizations constituted by sovereign States members of the Economic Commission for Europe to which their member States have transferred competence over matters governed by this Convention, including the competence to enter into treaties in respect of these matters.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Albania .....	25 Jun 1998		Lithuania .....	25 Jun 1998	
Armenia .....	25 Jun 1998		Luxembourg .....	25 Jun 1998	
Austria .....	25 Jun 1998		Malta .....	18 Dec 1998	
Belarus .....	16 Dec 1998		Monaco .....	25 Jun 1998	
Belgium .....	25 Jun 1998		Netherlands .....	25 Jun 1998	
Bulgaria .....	25 Jun 1998		Norway .....	25 Jun 1998	
Croatia .....	25 Jun 1998		Poland .....	25 Jun 1998	
Cyprus .....	25 Jun 1998		Portugal .....	25 Jun 1998	
Czech Republic .....	25 Jun 1998		Republic of Moldova .....	25 Jun 1998	9 Aug 1999
Denmark .....	25 Jun 1998		Romania .....	25 Jun 1998	
Estonia .....	25 Jun 1998		Slovenia .....	25 Jun 1998	
European Community	25 Jun 1998		Spain .....	25 Jun 1998	
Finland .....	25 Jun 1998		Sweden .....	25 Jun 1998	
France .....	25 Jun 1998		Switzerland .....	25 Jun 1998	
Georgia .....	25 Jun 1998		the former Yugoslav Republic of Mace- donia .....		22 Jul 1999 a
Germany .....	21 Dec 1998		Turkmenistan .....		25 Jun 1999 a
Greece .....	25 Jun 1998		Ukraine .....	25 Jun 1998	18 Nov 1999
Hungary .....	18 Dec 1998		United Kingdom of Great Britain and Northern Ireland .	25 Jun 1998	
Iceland .....	25 Jun 1998				
Ireland .....	25 Jun 1998				
Italy .....	25 Jun 1998				
Kazakhstan .....	25 Jun 1998				
Latvia .....	25 Jun 1998				
Liechtenstein .....	25 Jun 1998				

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)*

**DENMARK**

*Upon signature:*

*Declaration:*

"Both the Faroe Islands and Greenland are self-governing under Home Rule Acts, which implies *inter alia* that environmental affairs in general and the areas covered by the Convention are governed by the right of self-determination. In both the Faroe and the Greenland Home Rule Governments there is great political interest in promoting the fundamental ideas and principles embodied in the Convention to the extent possible. However, as the Convention is prepared with a view to European

countries with relatively large populations and corresponding administrative and social structures, it is not a matter of course that the Convention is in all respects suitable for the scarcely populated and far less diverse societies of the Faroe Islands and of Greenland. Thus, full implementation of the Convention in these areas may imply needless and inadequate bureaucratization. The authorities of the Faroe Islands and of Greenland will analyse this question thoroughly.

Signing by Denmark of the Convention, therefore, not necessarily means that Danish ratification will in due course include the Faroe Islands and Greenland."

## EUROPEAN COMMUNITY

*Upon signature:*

*Declaration:*

"The European Community wishes to express its great satisfaction with the present Convention as an essential step forward in further encouraging and supporting public awareness in the field of environment and better implementation of environmental legislation in the UN/ECE region, in accordance with the principle of sustainable development.

Fully supporting the objectives pursued by the Convention and considering that the European Community itself is being actively involved in the protection of the environment through a comprehensive and evolving set of legislation, it was felt important not only to sign up to the Convention at Community level but also to cover its own institutions, alongside national public authorities.

Within the institutional and legal context of the Community and given also the provisions of the Treaty of Amsterdam with respect to future legislation on transparency, the Community also declares that the Community institutions will apply the Convention within the framework of their existing and future rules on access to documents and other relevant rules of Community law in the field covered by the Convention.

The Community will consider whether any further declarations will be necessary when ratifying the Convention for the purpose of its application to Community institutions."

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<sup>1</sup> *Official Records of the Economic and Social Council (E/437)*, p. 36.

## GERMANY

*Upon signature:*

*Declaration:*

The text of the Convention raises a number of difficult questions regarding its practical implementation in the German legal system which it was not possible to finally resolve during the period provided for the signing of the Convention. These questions require careful consideration, including a consideration of the legislative consequences, before the Convention becomes binding under international law.

The Federal Republic of Germany assumes that implementing the Convention through German administrative enforcement will not lead to developments which counteract efforts towards deregulation and speeding up procedures.

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Upon signature:*

*Declaration:*

"The United Kingdom understands the references in article 1 and the seventh preambular paragraph of this Convention to the "right" of every person "to live in an environment adequate to his or her health and well-being" to express an aspiration which motivated the negotiation of this Convention and which is shared fully by the United Kingdom. The legal rights which each Party undertakes to guarantee under article 1 are limited to the rights of access to information, public participation in decision-making and access to justice in environmental matters in accordance with the provisions of this Convention."

**14. ROTTERDAM CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE  
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN INTERNATIONAL TRADE**

*Rotterdam, 10 September 1998*

**NOT YET IN FORCE:** (see article 26).  
**STATUS:** Signatories: 73. Parties: 2.  
**TEXTE:** Doc. UNEP/FAO/PIC/CONF/5.

*Note:* The Convention was adopted on 10 September 1998 by the Conference of Plenipotentiaries on the Convention in Rotterdam, the Netherlands. In accordance with its article 24, the Convention will be open for signature at Rotterdam by all States and regional economic integration organizations on 11 September 1998, and subsequently at United Nations Headquarters in New York from 12 September 1998 to 10 September 1999.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Approval (AA), Accession (a)</i>
Angola . . . . .	11 Sep 1998		Kenya . . . . .	11 Sep 1998	
Argentina . . . . .	11 Sep 1998		Kuwait . . . . .	11 Sep 1998	
Armenia . . . . .	11 Sep 1998		Kyrgyzstan . . . . .	11 Aug 1999	
Australia . . . . .	6 Jul 1999		Luxembourg . . . . .	11 Sep 1998	
Austria . . . . .	11 Sep 1998		Madagascar . . . . .	8 Dec 1998	
Barbados . . . . .	11 Sep 1998		Mali . . . . .	11 Sep 1998	
Belgium . . . . .	11 Sep 1998		Mauritania . . . . .	1 Sep 1999	
Benin . . . . .	11 Sep 1998		Mongolia . . . . .	11 Sep 1998	
Brazil . . . . .	11 Sep 1998		Namibia . . . . .	11 Sep 1998	
Burkina Faso . . . . .	11 Sep 1998		Netherlands . . . . .	11 Sep 1998	
Cameroon . . . . .	11 Sep 1998		New Zealand . . . . .	11 Sep 1998	
Chad . . . . .	11 Sep 1998		Norway . . . . .	11 Sep 1998	
Chile . . . . .	11 Sep 1998		Pakistan . . . . .	9 Sep 1999	
China . . . . .	24 Aug 1999		Panama . . . . .	11 Sep 1998	
Colombia . . . . .	11 Sep 1998		Paraguay . . . . .	11 Sep 1998	
Congo . . . . .	11 Sep 1998		Peru . . . . .	11 Sep 1998	
Costa Rica . . . . .	17 Aug 1999		Philippines . . . . .	11 Sep 1998	
Côte d'Ivoire . . . . .	11 Sep 1998		Portugal . . . . .	11 Sep 1998	
Cuba . . . . .	11 Sep 1998		Republic of Korea . . . . .	7 Sep 1999	
Cyprus . . . . .	11 Sep 1998		Saint Lucia . . . . .	25 Jan 1999	
Czech Republic . . . . .	22 Jun 1999		Senegal . . . . .	11 Sep 1998	
Democratic Republic of the Congo . . . . .	11 Sep 1998		Seychelles . . . . .	11 Sep 1998	
Denmark . . . . .	11 Sep 1998		Slovenia . . . . .	11 Sep 1998	17 Nov 1999
Ecuador . . . . .	11 Sep 1998		Spain . . . . .	11 Sep 1998	
El Salvador . . . . .	16 Feb 1999	8 Sep 1999	Sweden . . . . .	11 Sep 1998	
European Community . . . . .	11 Sep 1998		Switzerland . . . . .	11 Sep 1998	
Finland . . . . .	11 Sep 1998		Syrian Arab Republic . . . . .	11 Sep 1998	
France . . . . .	11 Sep 1998		Tajikistan . . . . .	28 Sep 1998	
Germany . . . . .	11 Sep 1998		Togo . . . . .	9 Sep 1999	
Ghana . . . . .	11 Sep 1998		Tunisia . . . . .	11 Sep 1998	
Greece . . . . .	11 Sep 1998		Turkey . . . . .	11 Sep 1998	
Guinea-Bissau . . . . .	10 Sep 1999		United Kingdom of Great Britain and Northern Ireland . . . . .	11 Sep 1998	
Hungary . . . . .	10 Sep 1999		United Republic of Tanzania . . . . .	11 Sep 1998	
Indonesia . . . . .	11 Sep 1998		United States of Amer- ica . . . . .	11 Sep 1998	
Iran (Islamic Republic of) . . . . .	17 Feb 1999		Uruguay . . . . .	11 Sep 1998	
Israel . . . . .	20 May 1999				
Italy . . . . .	11 Sep 1998				
Japan . . . . .	31 Aug 1999				



**CHAPTER XXVIII**  
**FISCAL MATTERS**

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**1. A) MULTILATERAL CONVENTION FOR THE AVOIDANCE OF DOUBLE TAXATION OF  
COPYRIGHT ROYALTIES**

*Madrid, 13 December 1979*

**NOT YET IN FORCE:** [see article 13(1)].  
**STATUS:** Signatories: 3. Parties: 7.  
**TEXT:** Doc. of UNESCO and WIPO.

*Note:* The Convention (a), and the Additional Protocol (b) were established by the International Conference of States on the Double Taxation of Copyright Royalties Remitted from One Country to Another, held in Madrid from 26 November to 13 December 1979. The Conference was convened jointly by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Intellectual Property Organization (WIPO), in accordance with resolution 5/9.2/1, section II, adopted by the General Conference of UNESCO at its twentieth session, and with the decisions taken by the General Assembly of WIPO and by the Assembly and the Conference of Representatives of the International Union for the Protection of Literary and Artistic Works (Berne Union) during their ordinary sessions held in September 1978.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Succession (d)</i>
Cameroon .....	13 Dec 1979		India .....		15 Jul 1981 a
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Israel .....	13 Dec 1979	
Ecuador .....		26 Oct 1994 a	Peru .....		15 Apr 1988 a
Egypt .....		11 Feb 1982 a	Slovakia <sup>1</sup> .....		28 May 1993 d
Holy See .....	13 Dec 1979				
India .....		31 Jan 1983 a			

***Declarations and Reservations***

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, accession or succession.)*

**CZECH REPUBLIC<sup>1</sup>**

**SLOVAKIA<sup>1</sup>**

**INDIA**

***Reservation :***

The Government of India does not consider itself bound by articles 1 to 4 and 17 of the Convention.

***NOTES :***

<sup>1</sup> Czechoslovakia had signed and ratified the Convention on 29 October 1980 and 24 September 1981, respectively, with the following reservation:

- "The Czechoslovak Socialist Republic does not consider itself bound by the provisions of article 17, paragraph 1, according to which all disputes between two or more Contracting States concerning the interpretation or in the matter of application of this Convention, not

settled by negotiation, shall, unless the States concerned agree on some other method of settlement, be brought before the International Court of Justice for determination by it, and it declares that in every case an agreement of all the parties to the dispute is needed for bringing that dispute before the International Court of Justice."

See also note 11 in chapter I.2..

**1. b) Additional Protocol to the Multilateral Convention for the Avoidance of  
Double Taxation of Copyright Royalties**

*Madrid, 13 December 1979*

**NOT YET IN FORCE:** [See paragraph 2(b)].  
**STATUS:** Signatories: 3. Parties: 2.  
**TEXT:** Doc. of UNESCO and WIPO.  
*Note:* See "Note" at the beginning of chapter XXVIII.1 (a).

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance (A), Accession (a), Succession (d)</i>
Cameroon .....	13 Dec 1979		Israel.....	13 Dec 1979	
Czech Republic <sup>1</sup> .....		30 Sep 1993 d	Slovakia <sup>1</sup> .....		28 May 1993 d
Holy See .....	13 Dec 1979				

**NOTES :**

<sup>1</sup> Czechoslovakia had acceded to the Protocol on 24 September 1981. See also note 11 in chapter I.2.



## **Part II**

# **LEAGUE OF NATIONS MULTILATERAL TREATIES**



**1. INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING IN THE  
CAUSE OF PEACE**

*Geneva, 23 September 1936*

**ENTRY INTO FORCE:** 2 April 1938, in accordance with article 11.  
**REGISTRATION:** 2 April 1938, No. 4319<sup>1</sup>.

***Ratifications or definitive accessions***

Brazil	(February 11th, 1938)	Australia	(June 25th, 1937 a)
Great Britain and Northern Ireland <sup>2</sup>	(August 18th, 1937)	Including the Territories of <i>Papua and Norfolk Island</i> and the	
<i>Burma</i>	(October 13th, 1937 a)	Mandated Territories of <i>New Guinea and Nauru</i> .	
<i>Southern Rhodesia</i>	(November 1st, 1937 a)	New Zealand	(January 27th, 1938)
<i>Aden Colony, Bahamas, Barbados, Basutoland, Bechuana-</i>		Union of South Africa	(February 1st, 1938 a)
<i>land Protectorate, Bermuda, British Guiana, British Honduras,</i>		Including the Mandated Territory of <i>South West Africa</i> .	
<i>British Solomon Islands Protectorate, Ceylon, Cyprus, Falkland</i>		India	(August 11th, 1937)
<i>Islands and Dependencies, Fiji, Gambia (Colony and</i>		Ireland	(May 25th, 1938 a)
<i>Protectorate), Gibraltar, Gilbert and Ellice Islands Colony, Gold</i>		Chile	(February 20th, 1940)
<i>Coast [(a) Colony, (h) Ashanti, (c) Northern Territories, (d)</i>		Denmark	(October 11th, 1937)
<i>Togoland under British Mandate], Hong Kong, Jamaica</i>		Egypt	(July 29th, 1938)
<i>(including Turks and Caicos Islands and the Cayman Islands),</i>		Estonia	(August 18th, 1938)
<i>Kenya (Colony and Protectorate), Leeward Islands (Antigua,</i>		Finland	(November 29th, 1938 a)
<i>Dominica, Montserrat, St. Christopher and Nevis, Virgin Islands),</i>		France	(March 8th, 1938)
<i>Malay States [(a) Federated Malay States: Negri Sembilan,</i>		<i>French Colonies and Protectorates and Territories under</i>	
<i>Pahang, Perak, Selangor; (b) Unfederated Malay States: Johore,</i>		<i>French Mandate</i>	(January 14th, 1939 a)
<i>Kedah, Kelantan, Perlis, Trengganu, and Brunei], Malta,</i>		Guatemala	(November 18th, 1938 a)
<i>Mauritius, Nigeria [(a) Colony, (b) Protectorate, (c) Cameroon</i>		Latvia	(April 25th, 1939 a)
<i>under British Mandate], North Borneo (State of), Northern</i>		Luxembourg	(February 8th, 1938)
<i>Rhodesia, Nyasaland Protectorate, Palestine (excluding Trans-</i>		Netherlands	(February 15th, 1939)
<i>Jordan), St. Helena and Ascension, Sarawak, Seychelles, Sierra</i>		Including the <i>Netherlands Indies, Surinam and Curaçao</i> .	
<i>Leone (Colony and Protectorate), Somaliland Protectorate, Straits</i>		New Hebrides	(July 14th, 1939 a)
<i>Settlements, Swaziland, Tanganyika Territory, Tonga, Trans-</i>		Norway	(May 5th, 1938)
<i>Jordan, Trinidad and Tobago, Uganda Protectorate, Windward</i>		Salvador	(August 18th, 1938 a)
<i>Islands (Grenada, St. Lucia, St. Vincent), Zanzibar Protectorate</i>		Sweden	(June 22nd, 1938 a)
	(July 14th, 1939 a)	Switzerland	(December 30th, 1938)

***Signatures or accessions not yet perfected by ratification***

Albania	Lithuania
Argentina	Mexico
Austria	Romania
Belgium	Spain
Under reservation of the declarations mentioned in the <i>procès-</i>	Under reservation of the declaration mentioned in the <i>procès-</i>
<i>verbal</i> of the final meeting of the Conference. <sup>3</sup>	<i>verbal</i> of the final meeting of the Conference. <sup>4</sup>
Colombia	Turkey
Dominican Republic	Uruguay
Greece	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant</i> <sup>5,6</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant</i> <sup>5,6</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>
Afghanistan <sup>7</sup> . . . . .	8 Feb 1985 a		Malta . . . . .	1 Aug 1966 d	
Australia . . . . .		17 May 1985	Mauritius . . . . .	18 Jul 1969 d	
Bulgaria <sup>8</sup> . . . . .	17 May 1972 a		Mongolia <sup>11</sup> . . . . .	10 Jul 1985 a	
Cameroon . . . . .	19 Jun 1967 d		Netherlands <sup>12</sup> . . . . .		10 Oct 1982
France <sup>9</sup> . . . . .		13 Apr 1984	Russian Federation <sup>13</sup> . . . . .	3 Feb 1983	
Holy See . . . . .	5 Jan 1967 a		United Kingdom of		
Hungary <sup>10</sup> . . . . .	20 Sep 1984 a		Great Britain and		
Lao People's Demo-			Northern Ireland <sup>14</sup>		24 Jul 1985
cratic Republic . . . . .	23 Mar 1966 a		Zimbabwe . . . . .	1 Dec 1998 d	

## Notes:

<sup>1</sup> See League of Nations, *Treaty Series*, vol. 186, p. 301; vol. 197, p. 394, and vol. 200, p. 557.

<sup>2</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notification as the one made under note 4 in chapter IV.1.]*

<sup>3</sup> These declarations are worded as follows:

"The Delegation of Belgium declares its opinion that the right of a country to jam by its own means improper transmissions emanating from another country, in so far as such a right exists in conformity with the general provisions of international law and with the Conventions in force, is in no way affected by the Convention."

<sup>4</sup> This declaration is worded as follows:

"The Spanish Delegation declares that its Government reserves the right to put a stop by all possible means to propaganda liable adversely to affect internal order in Spain and involving a breach of the Convention, in the event of the procedure proposed by the Convention not permitting of immediate steps to put a stop to such breach."

<sup>5</sup> The instrument of accession had been received on 30 August 1984 from the Government of the German Democratic Republic, with the following reservation and declaration:

### *Reservation:*

The German Democratic Republic does not consider itself bound by the provisions of Article 7 of the Convention, according to which disputes regarding the interpretation or application of the Convention in the absence of a settlement by way of negotiation shall be submitted, at the request of one of the Parties to the dispute, to arbitration or to judicial settlement. The German Democratic Republic holds the view that in every single case the consent of all Parties to the dispute shall be necessary to refer a particular dispute to arbitration or to judicial settlement.

### *Declaration:*

The position of the German Democratic Republic on Article 14 of the International Convention concerning the Use of Broadcasting in the Cause of Peace of 23 September 1936, as far as the application of the Convention to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations. The German Democratic Republic expresses its conviction that the purpose of the Convention would be served if all member States of the United Nations Organization were granted the possibility to become parties to the Convention. The German Democratic Republic declares that it reserves itself the right to take measures to protect its interests in the case that other States would not comply with the provisions of the Convention or in the case of other activities which affect the interests of the German Democratic Republic.

Since the Convention concerned is one of those in respect of which the Secretary-General, under resolution 24 (1) of the United Nations General Assembly, exercises the functions previously carried out by the Secretary-General of the League of Nations, and taking into account the practice followed by the latter in the case of reservations made in respect of multilateral treaties which do not contain provision in that regard, the Secretary-General had requested the States concerned, by circular letter dated 19 September 1984, to notify him within 90 days of any objection to the reservation quoted above.

In this regard, the Secretary-General had received on 5 December 1984 from the Government of the United Kingdom of Great Britain and Northern Ireland, the following objection:

"1.[The Government of the United Kingdom of Great Britain and Northern Ireland] do not accept the reservation to article 7 of the Convention contained in the note accompanying the instrument.

"2.[The Government of the United Kingdom of Great Britain and Northern Ireland] do not accept the declaration concerning article 14 contained in the note accompanying the instrument.

"3.[The Government of the United Kingdom of Great Britain and Northern Ireland] do not consider either of the foregoing statements as precluding the entry into force of the Convention for the German Democratic Republic."

This above-quoted objection being the only one received by the Secretary-General within the 90 day period, and it not precluding the entry into force of the Convention for the German Democratic Republic, the Secretary-General proceeded with the deposit of the instrument (19 December 1984) with reservation and declaration.

<sup>6</sup> The instrument of ratification was received on 18 September 1984 from the Government of Czechoslovakia accompanied with the following reservation and declarations:

### *Reservation:*

"Having seen and considered the International Convention aforesaid and knowing that the Federal Assembly of the Czechoslovak Socialist Republic agrees to it, we approve and confirm it in accordance with its article 9, while stipulating that the Czechoslovak Socialist Republic does not feel to be bound by the provisions of its article 7 concerning the submission of disputes over the interpretation or implementation of the Convention to arbitration or judicial settlement."

### *Declarations:*

"The provision of article 14 is in contradiction to the Declaration on the Granting of Independence to Colonial Countries and Peoples which was adopted at the XVth Session of the General Assembly of the United Nations in 1960 and the Czechoslovak Socialist Republic regards it therefore as superseded".

"The Czechoslovak Socialist Republic retains the right to adopt any measures in protection of its interests, both in case of failure by other States to comply with the Convention and in case of other actions harmful to its interests".

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General circulated the said reservation and declarations on 30 October 1984 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of ratification with reservation and declarations.

Subsequently, on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation to article 7 made upon ratification.

See also note 11 in chapter 1.2.

<sup>7</sup> The instrument of accession was received on 31 July 1984 from the Government of Afghanistan, with the following reservation and declarations:

### *Reservation:*

(i)The Democratic Republic of Afghanistan, by acceding to the International Convention concerning the Use of Broadcasting in the Cause of Peace, does not bound herself to the provision of article 7 of the said Convention, because, in accordance with this article, in the case of dispute arising between two or several High Contracting Parties regarding the interpretation or application of the Convention, only at the request of one of the concerned parties, the case can be submitted to the Permanent Court of International Justice for judgement.

Therefore, concerning this matter, the Democratic Republic of Afghanistan declares that in the case of dispute regarding the interpretation or application of the Convention, the case should be submitted to the Permanent Court of International Justice with the agreement of all concerned parties.

*Interpretative declaration:*

(ii) Likewise, the Democratic Republic of Afghanistan declares that the provision of article 14 of this Convention runs counter to the Declaration, adopted in the year 1960, on the Granting of Independence to Colonial Countries and Peoples, the interpretation of which indirectly confirms the continuation of the existence of the colonies and protectorates.

Therefore, the Democratic Republic of Afghanistan does not deem necessary the existence of article 14 in the said Convention and does not bound herself to it.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General circulated the said reservation and interpretative declaration on 9 November 1984 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of accession with reservation and interpretative declaration.

<sup>8</sup> The instrument of accession was received on 4 November 1971, from the Government of Bulgaria, and accompanied with the following reservation:

1. The People's Republic of Bulgaria will not consider itself bound by the provisions of the section of article 7 of the Convention which provided for consideration of disputes between Parties by the International Court of Justice at the request of one of the Parties. Any decision by the Court concerning a dispute between the People's Republic of Bulgaria and another Party to the Convention rendered on a basis of a request made to the Court without the consent of the People's Republic of Bulgaria will be considered null and void.

2. The People's Republic of Bulgaria will apply the principles of the Convention in respect of all States Parties to the Convention on the basis of reciprocity. However, the Convention will not be deemed to create formal commitments between countries which do not maintain diplomatic relations.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General had requested the States concerned, by circular letter dated 17 February 1972, to notify him within 90 days of any objection to the reservation quoted above.

In a communication received by the Secretary-General on 12 May 1972 with respect to the above reservation, the Permanent Representative of the United Kingdom to the United Nations stated the following:

"The United Kingdom Government wish to put on record that they are unable to accept the reservation contained in paragraph 1 of this statement. They are also unable to accept the reservation contained in the second sentence of paragraph 2 because, in their view, treaties create rights and obligations between contracting States irrespective of whether those States maintain diplomatic relations. They do not, however, consider these objections as precluding the entry into force of the Convention for Bulgaria."

This above-quoted objection being the only one received by the Secretary-General within the 90 day period, and it not precluding the entry into force of the Convention for Bulgaria, the Secretary-General proceeded with the deposit of the instrument with reservation and declaration.

<sup>9</sup> The notification specifies that the denunciation is being effected since the French broadcasting régime resulting from the Law of 29 July 1982 on audio-visual communications does not appear to be compatible with the provisions of the Convention.

<sup>10</sup> The instrument of accession was received on 17 May 1984 from the Government of Hungary, with the following declaration and reservation:

*Declaration:*

"The Hungarian People's Republic declares [...] that the provisions of article 14 of the Convention are at variance with United Nations General Assembly resolution 1514 (XV) of 14 December 1960 on the Granting of Independence to Colonial Countries and Peoples and as such have lost their topicality."

*Reservation:*

"The Hungarian People's Republic does not consider itself bound by the provisions of article 7 of the Convention that should a dispute arise between the Parties regarding the interpretation or application of the present Convention for which it has been found impossible to arrive at a satisfactory settlement through the diplomatic channel, it shall, at the request of one of the Parties, be submitted to arbitration or to judicial settlement, and declares that submission of any such dispute to arbitration or to judicial settlement shall be subject to the common consent of the Parties."

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General had requested by circular letter dated 21 June 1984, to notify him within 90 days of any objection to the reservation quoted above.

In this regard, the Secretary-General received on 24 September 1984, from the Government of the United Kingdom of Great Britain and Northern Ireland, the following objection:

[The Government of the United Kingdom of Great Britain and Northern Ireland]:

"1. do not accept the reservation to article 7 of the Convention contained in the note accompanying the instrument.

"2. do not accept the declaration concerning article 14 contained in the note accompanying the instrument.

"3. do not consider either of the foregoing statements as precluding the entry into force of the Convention for Hungary."

<sup>11</sup> The instrument of accession was received on 10 July 1985 from the Government of Mongolia and accompanied with the following reservation and declarations:

*Reservation:*

The Mongolian People's Republic does not consider itself bound by the provisions of article 7 of the Convention under which disputes concerning the interpretation or application of the Convention and which has not been settled by means of negotiations shall be submitted to arbitration or to judicial settlement at the request of one of the Parties to the dispute. The Mongolian People's Republic considers that for the submission of a dispute to any judicial settlement, the consent of all Parties to the dispute shall be essential in every individual case.

*Declarations:*

The Mongolian People's Republic declares that it retains the right to take any measures to preserve its interests both in the event of failure by other states to observe the provisions of the Convention and in the event of encroachment on the interests of the Mongolian People's Republic;

The Mongolian People's Republic declares that the provisions of article 14 of this Convention are obsolete and contradict the Declaration on the granting of independence to colonial countries and peoples adopted by the United Nations General Assembly resolution 1514/XV of 14 December 1960.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General circulated the said reservation and declarations on 6 September 1985 and, in the absence of objection within the period of ninety days as from that date, proceeded with the deposit of the instrument of accession with the said reservation and declaration.

Subsequently, on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation made upon ratification with respect to article 7.

<sup>12</sup> With effect from 11 October 1983.

<sup>13</sup> The signature was effected on 23 September 1936 under the reservation of the declarations mentioned in the procès-verbal of the final meeting to the Conference (for the text of the declarations, see League of Nations, *Treaty Series*, vol. CLXXXVI, p. 317. The instrument of ratification, received by the depositary on 28 October 1982, was accompanied by the following reservation and declaration, which supersede those made upon signature:

[1.] The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 7 of the Convention under which any dispute that may arise regarding the interpretation or application of the Convention which has not been settled by means of negotiations shall be submitted to arbitration or to judicial settlement at the request of one of the Parties, and declares that, for the submission of such a dispute to arbitration or to judicial settlement, the agreement of all Parties to the dispute shall be essential in every separate case;

[2.] The Union of Soviet Socialist Republics declares that it retains the right to take any measures to preserve its interests both in the event of failure by other States to observe the provisions of the Convention and in the event of any other actions that encroach on the interests of the USSR;

[3.] The Union of Soviet Socialist Republics declares that the provisions of article 14 of the Convention are obsolete and contradict the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the United Nations General Assembly (resolution 1514 (XV) of 14 December 1960).

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 above), the Secretary-General circulated the said reservation and declarations on 5 November 1982 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of ratification with reservation and declarations.

In this regard, the Secretary-General received on 9 December 1983 from the Government of the United Kingdom and Northern Ireland, the following communication:

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record the following:

"1. They do not accept the reservation to article 7 of the Convention reproduced under (1) of [the reservation and declarations made by the Union of Soviet Socialist Republics].

"2. They note [the Secretary-General's] understanding that the declaration reproduced under (2) of [the said reservation and declarations] does not purport to modify the legal effect of any provision of the Convention. If, contrary to this understanding, the declaration were intended to modify the legal effect of any provision of the Convention, they would consider it incompatible with the object and purpose of the Convention, particularly when taken to gether with the purported reservation to article 7.

"3. They do not accept the declaration concerning article 14 reproduced under (3) of [the said reservation and declarations].

"4. They do not consider any of the foregoing statements as precluding the entry into force of the Convention for the Union of Soviet Socialist Republics."

<sup>14</sup> The notification specifies that the denunciation shall apply in respect of the United Kingdom of Great Britain and Northern Ireland and those dependent territories to which the Convention was applied and for whose international relations the United Kingdom is still responsible.

## 2. SPECIAL PROTOCOL CONCERNING STATELESSNESS

*The Hague, 12 April 1930<sup>1</sup>*

**NOT YET IN FORCE:** (articles 9 and 10)<sup>2</sup>.

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### *Ratifications or definitive accessions*

Belgium	(April 4th, 1939)	Including the territories of <i>Papua</i> and <i>Norfolk Island</i> and the mandated territories of <i>New Guinea</i> and <i>Nauru</i> .
With the reservation that the application of this Protocol will not be extended to the Colony of the Belgian Congo or to the Territories under mandate.		
Union of South Africa	(April 9th, 1936)	
India	(September 28th, 1932)	In accordance with the provisions of Article 13 of this Protocol, His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under His suzerainty or the population of the said territories.
Brazil	(September 19th, 1931 a)	
United Kingdom of Great Britain and Northern Ireland and <i>all parts of the British Empire which are not separate Members of the League of Nations</i> <sup>3</sup> .		
	(January 14th, 1932)	
<i>Burma</i> <sup>4</sup>		
His Majesty the King does not assume any obligation in respect of the Karenni States, which are under His Majesty's suzerainty, or the population of the said States.		
China <sup>5</sup>	(February 14th, 1935)	
Salvador	(October 14th, 1935)	The Republic of Salvador does not assume the obligation laid down by the Protocol where the Salvadorian nationality possessed by the person and ultimately lost by him was acquired by naturalisation.
Australia	(July 8th, 1935 a)	

### *Signatures not yet perfected by ratification*

Austria	Luxembourg
Canada	Mexico
Colombia	Peru
Cuba	Portugal
Egypt	Spain
Greece	Uruguay
Ireland	

### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i> <sup>5</sup>	<i>Succession (d)</i>
Fiji . . . . .	25 May 1973 d
Pakistan <sup>6</sup> . . . . .	29 Jul 1953 d
Zimbabwe . . . . .	1 Dec 1998 d

### *Notes:*

<sup>1</sup> See document C.27.M.16.1931.V.

<sup>2</sup> The Protocol shall enter into force ninety days after having received ten ratifications or accessions (Articles 9 and 10).

<sup>3</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notification as the one made under note 4 in chapter IV.1.]

<sup>4</sup> As mentioned in the latest official list of the League of Nations, Burma, which was formerly a part of India, was separated from the latter on 1 April 1937 and had possessed since that time the status of an overseas territory of the United Kingdom. It was as such that Burma continued to be bound by a ratification or accession recorded on behalf of India before the date above mentioned.

<sup>5</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

On 12 September 1973, the Secretary-General received a communication from the Government of China to the effect that it had decided not to recognize as binding on China the Special Protocol concerning Statelessness of April 12th, 1930, signed and ratified by the defunct Government of China. That notification was treated as a withdrawal of the instrument.

<sup>6</sup> In a communication received on 29 July 1953, the Government of Pakistan notified the Secretary-General that by reason of Article 4 of the Schedule to the Indian Independence (International Arrangements) Order, 1947, the rights and obligations under the Special Protocol devolve upon Pakistan, and that the Government of Pakistan, "therefore, considers itself a party to that Protocol".





### 3. PROTOCOL RELATING TO A CERTAIN CASE OF STATELESSNESS

*The Hague, 12 April 1930*

**ENTRY INTO FORCE:** 1 July 1937 in accordance with articles 9 and 10.  
**REGISTRATION:** 1 July 1937, No. 4138<sup>1</sup>.

#### *Ratifications or definitive accessions*

Brazil	(September 19th, 1931 a)	Union of South Africa	(April 9th, 1936)
United Kingdom of Great Britain and Northern Ireland <sup>2</sup> and all parts of the British Empire which are not separate Members of the League of Nations. <sup>2</sup>	(January 14th, 1932)	India	(September 28th, 1932)
Burma <sup>3</sup>		In accordance with the provisions of Article 13 of this Protocol, His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under his suzerainty or the population of the said territories.	
His Majesty the King does not assume any obligation in respect of the Karenni States, which are under His Majesty's suzerainty, or the population of the said States.		Chile	(March 20th, 1935)
Australia	(July 8th, 1935)	China <sup>4</sup>	(February 14th, 1935)
(Including the territories of Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.)		Netherlands <sup>5</sup>	(April 2nd, 1937)
		Including the Netherlands Indies, Surinam and Curacao.	
		Poland	(June 15th, 1934)
		Salvador	(October 14th, 1935 a)

#### *Signatures not yet perfected by ratification*

Belgium	Greece
Subject to accession later for the Colony of the Congo and the Mandated Territories.	Ireland
Canada	Japan
Colombia	Latvia
Cuba	Luxembourg
Czechoslovakia <sup>6</sup>	Mexico
Denmark	Peru
Egypt	Portugal
Estonia	Spain
France	Uruguay

#### *Actions subsequent to the assumption of depositary functions by the Secretary-General*

<i>Participant</i>	<i>Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Accession (a), Succession (d)</i>
Cyprus	3 Apr 1978 d	Niger	18 Jul 1968 a
Fiji	12 Jun 1972 d	Pakistan	29 Jul 1953 d
Jamaica	12 Jun 1968 a	the former Yugoslav Republic of Macedonia	18 Jan 1994 d
Kiribati	29 Nov 1983 d	Yugoslavia	15 Dec 1959 a
Lesotho	4 Nov 1974 d	Zimbabwe	1 Dec 1998 d
Malawi <sup>7</sup>	11 Jul 1967 a		
Malta <sup>8</sup>	16 Aug 1966 d		
Mauritius	18 Jul 1969 d		

#### *United Nations*

#### *Notes:*

<sup>1</sup> League of Nations, *Treaty Series*, vol. 179, p. 115.

<sup>2</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notification as the one made under note 4 in chapter IV.1.]

<sup>3</sup> See note 4 in Part II.2.

<sup>4</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>5</sup> See note 8 in chapter I.1.

<sup>6</sup> See note 11 in chapter I.2.

<sup>7</sup> The instrument of accession contains the following reservation made in accordance with article 4 of the Protocol:

"Article 1 shall only be binding upon the Government of Malawi in cases where the mother of a person referred to therein is both a citizen of Malawi and of African race. However, no such person who is denied citizenship of Malawi because his mother is not of African race shall be precluded from applying for citizenship of Malawi on the grounds of close connection with Malawi, birth in Malawi being regarded as a close connection for this purpose."

<sup>8</sup> The notification of succession contains the following declaration:

"In accordance with article 4 of the Protocol, the Government of Malta declares that:

"(i)article 1 shall apply unconditionally to any person born in Malta on or after the 21st September 1964;

"(ii)in regard to a person born in Malta before the 21stSeptember 1964, article 1 shall only apply, where such person was on 20 September 1964, a citizen of the United Kingdom and Colonies and one of his parents was born in Malta."

**4. CONVENTION ON CERTAIN QUESTIONS RELATING TO THE CONFLICT OF  
NATIONALITY LAWS**

*The Hague, 12 April 1930*

**ENTRY INTO FORCE:** 1 July 1937 in accordance with articles 25 and 26.  
**REGISTRATION:** 1 July 1937, No. 4137<sup>1</sup>.

***Ratifications or definitive accessions***

Belgium	(April 4th, 1939)	India	(October 7th, 1935)
Subject to accession later for the Colony of the Congo and the Mandated Territories.		In accordance with the provisions of Article 29, His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under his suzerainty or the population of the said territories.	
Excluding Article 16 of the Convention.			
Brazil	(September 19th, 1931 a)	China <sup>4</sup>	(February 14th, 1935)
With reservations as regards Articles 5, 6, 7, 16 and 17, which Brazil will not adopt owing to difficulties with which it has to contend in connection with principles forming the basis of its internal legislation.		Subject to reservation as regards Article 4.	
Great Britain and Northern Ireland and <i>all parts of the British Empire which are not separate members of the League of Nations.</i> <sup>2</sup>	(April 6th, 1934)	Monaco	(April 27th, 1931 a)
<i>Burma</i> <sup>3</sup>		Netherlands <sup>5</sup>	(April 2nd, 1937)
His Majesty the King does not assume any obligation in respect of the Karenni States, which are under His Majesty's suzerainty, or the population of the said States.		Including the <i>Netherlands Indies, Surinam and Curaçao.</i>	
Canada	(April 6th, 1934)	Excluding the provisions of Articles 8, 9 and 10 of the Convention.	
Australia	(November 10th, 1937)	Norway	(March 16th, 1931 a)
Including the territories of <i>Papua and Norfolk Island.</i>		Poland	(June 15th, 1934)
		Sweden	(July 6th, 1933)
		The Swedish Government declares that it does not accept to be bound by the provisions of the second sentence of Article 11, in the case where the wife referred to in the article, after recovering the nationality of her country of origin, fails to establish her ordinary residence in that country.	

***Signatures not yet perfected by ratification***

Austria	Italy
Union of South Africa	Japan
China	Subject to reservation as regards Articles 4 and 10 and as regards the words "according to its law" of Article 13.
Colombia	Latvia
Subject to reservation as regards Article 10.	Luxembourg
Cuba	Mexico
Subject to reservation as regards Articles 9 10 and 11.	Subject to reservation as regards paragraph 2 of Article 1.
Czechoslovakia <sup>6</sup>	Peru
Denmark	Subject to reservation as regards Article 4.
Subject to reservation as regards Articles 5 and 11.	Portugal
Egypt	Salvador
Estonia	Spain
France	Switzerland
Germany	Subject to reservation as regards Article 10.
Greece	Uruguay
Hungary	Yugoslavia
Iceland	
Ireland	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant<sup>6</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant<sup>6</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>
Canada.....		15 May 1996	Mauritius <sup>9</sup> .....	18 Jul 1969 d	
Cyprus.....	27 Mar 1970 d		Pakistan.....	29 Jul 1953 d	
Fiji.....	12 Jun 1972 d		Swaziland.....	18 Sep 1970 a	
Kiribati.....	29 Nov 1983 d		Zimbabwe.....	1 Dec 1998 d	
Lesotho <sup>7</sup> .....					
Malta <sup>8</sup> .....	16 Aug 1966 d				

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 179, p. 89.

<sup>2</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notification as the one made under note 4 in chapter IV.1.]*

<sup>3</sup> See note 4 in Part II.2.

<sup>4</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>5</sup> See note 8 in chapter I.1.

<sup>6</sup> See note 11 in chapter I.2.

<sup>7</sup> The notification of succession contains the following reservation:

"In accordance with article 20 of the Convention, the Government of the Kingdom of Lesotho declares that the second paragraph of article 6 of the Convention shall not apply so as to give effect to a declaration of renunciation of the citizenship of Lesotho if such declaration is made during any war in which Lesotho is engaged, or if the Government of Lesotho considers such declaration otherwise not conducive to the public good."

The above reservation not having been originally formulated by the Government of the United Kingdom in respect of Basutoland, it has

become effective for Lesotho on the date on which it would have done so under the provisions of article 26 of the Convention, had it been formulated upon accession, that is to say, on 2 February 1975.

<sup>8</sup> The notification of succession contains the following declaration:

"In accordance with article 20 of the Convention, the Government of Malta declares that:

" (a) The second paragraph of article 6 of the Convention shall not apply in Malta so as to give immediate effect to a declaration of renunciation of citizenship of Malta, if such declaration is made during any war in which Malta may be engaged or if in the opinion of the Government of Malta such declaration is otherwise contrary to the public policy;

"(b) Article 16 of the Convention shall not apply to an illegitimate child born outside Malta."

<sup>9</sup> The notification of succession contains the following reservation:

"In accordance with article 20 of the Convention the Government of Mauritius declares that the second paragraph of article 6 of the Convention shall not apply in Mauritius so as to give effect to a declaration of renunciation of the citizenship of Mauritius, if such declaration is made during any war in which Mauritius is engaged."

**5. PROTOCOL RELATING TO MILITARY OBLIGATIONS IN CERTAIN CASES OF  
DOUBLE NATIONALITY**

*The Hague, 12 April 1930*

**ENTRY INTO FORCE:** 25 May 1937 in accordance with articles 11 and 12.  
**REGISTRATION:** 25 May 1937, No. 4117<sup>1</sup>.

***Ratifications or definitive accessions***

United States of America	(August 3rd, 1932)	India	(September 28th, 1932)
Belgium	(April 4th, 1939)		
Subject to accession later for the Colony of the Congo and the Mandated Territories.		In accordance with the provisions of Article 15, His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under his suzerainty or the population of the said territories.	
Brazil	(September 19th, 1931 a)	Colombia	(February 24th, 1937)
United Kingdom of Great Britain and Northern Ireland and <i>all parts of the British Empire which are not separate Members of the League of Nations</i> <sup>2</sup>		Cuba	(October 22nd, 1936)
	(January 14th, 1932)	The Government of Cuba declares that it does not accept the obligation imposed by Article 2 of the Protocol when the minor referred to in that Article, although he has the right, on attaining his majority, to renounce or decline Cuban nationality, habitually resides in the territory of the State and is in fact more closely connected with the latter than with any other State whose nationality he may also possess.	
<i>Burma</i> <sup>3</sup>		Netherlands <sup>4</sup>	(April 2nd, 1937)
His Majesty the King does not assume any obligation in respect of the Karenni States, which are under His Majesty's suzerainty, or the population of the said States.		Including the <i>Netherlands Indies, Surinam and Curacao</i> .	
Australia	(July 8th, 1935 a)	Salvador	(October 14th, 1935)
Including the territories of Papua and Norfolk Island and the mandated territories of <i>New Guinea and Nauru</i> .		Sweden	(July 6th, 1933)
Union of South Africa	(October 9th, 1935 a)		
Subject to reservation as regards Article 2.			

***Signatures not yet perfected by ratification***

Canada	Ireland
Chile	Luxembourg
Denmark	Mexico
Egypt	Peru
France	Portugal
Germany	Spain
Greece	Uruguay

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i>	<i>Ratification, Accession (a), Succession (d)</i>
Austria	28 Jul 1958	Mauritania	2 Mar 1966 a
Cyprus	27 Mar 1970 d	Mauritius	18 Jul 1969 d
Fiji	12 Jun 1972 d	Niger	25 Jul 1966 a
Kiribati	29 Nov 1983 d	Nigeria	17 Mar 1967 a
Lesotho	4 Nov 1974 d	Swaziland	18 Sep 1970 a
Malawi	13 Oct 1966 a	Zimbabwe	1 Dec 1998 d
Malta	16 Aug 1966 d		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 178, p. 227.

<sup>2</sup> On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

[Same notification as the one made under note 4 in chapter IV.1.]

<sup>3</sup> See note 4 in Part II.2.

<sup>4</sup> See note 8 in chapter I.1.



## 6. PROTOCOL ON ARBITRATION CLAUSES

*Geneva, 24 September 1923*

**ENTRY INTO FORCE:** 28 July 1924, in accordance with article 6.  
**REGISTRATION:** 28 July 1924, No. 678<sup>1</sup>.

### *Ratifications*

- |   |  |
|---|--|
| <p>Albania (August 29th, 1924)</p> <p>Austria (January 25th, 1928)</p> <p>Belgium (September 23rd, 1924)<br/>           Reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under its national law.</p> <p>Brazil (February 5th, 1932)<br/>           Subject to the condition that the arbitral agreement or the arbitration clause mentioned in Article 1 of this Protocol should be limited to contracts which are considered as commercial by the Brazilian legislation.</p> <p>British Empire (September 27th, 1924)<br/>           Applies only to Great Britain and Northern Ireland, and consequently does not include any of the Colonies, Overseas Possessions or Protectorates under His Britannic Majesty's sovereignty or authority or any territory in respect of which His Majesty's Government exercises a mandate.<br/> <i>Southern Rhodesia</i> (December 18th, 1924 a)<br/> <i>Newfoundland</i> (June 22nd, 1925 a)<br/> <i>British Guiana, British Honduras, Ceylon, Falkland Islands and Dependencies, Gambia (Colony and Protectorate), Gold Coast (including Ashanti and the Northern Territories of the Gold Coast and Togoland), Gibraltar, Jamaica (Turks and Caicos Islands and Cayman Islands), Kenya (Colony and Protectorate), Leeward Islands, Malta, Mauritius, Northern Rhodesia, Palestine (excluding Trans-Jordan), Trans-Jordan, Windward Islands (Grenada, St. Lucia, St. Vincent), Zanzibar</i> (March 12th, 1926 a)<br/> <i>Tanganyika</i> (June 17th, 1926 a)<br/> <i>St. Helena</i> (July 29th, 1926 a)<br/> <i>Uganda</i> (June 28th, 1929 a)<br/> <i>Bahamas</i> (January 23rd, 1931 a)<br/> <i>Burma (excluding the Karenni States under His Majesty's suzerainty)</i> (October 19th, 1938 a)<br/>           His Majesty reserves the right to limit the obligations mentioned in the first paragraph of Article 1 to contracts which are considered commercial under the law of Burma.</p> <p>New Zealand (June 9th, 1926)</p> <p>India (October 23rd, 1937)<br/>           Is not binding as regards the enforcement of the provisions of this Protocol upon the territories in India of any Prince or Chief under the suzerainty of His Majesty.<br/>           India reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under its national law.</p> <p>Czechoslovakia<sup>2</sup> (September 18th, 1931)<br/>           The Czechoslovak Republic will regard itself as being bound only in relation to States which will have ratified the Convention of September 26th, 1927, on the Execution of Foreign Arbitral Awards, and the Czechoslovak Republic does not intend by this</p> | <p>signature to invalidate in any way the bilateral treaties concluded by it which regulate the questions referred to in the present Protocol by provisions going beyond the provisions of the Protocol.</p> <p>Denmark (April 6th, 1925)<br/>           Under Danish law, arbitral awards made by an Arbitral Tribunal do not immediately become operative; it is necessary in each case, in order to make an award operative, to apply to the ordinary courts of law. In the course of the proceedings, however, the arbitral award will generally be accepted by such courts without further examination as a basis of the final judgments in the affair.</p> <p>Estonia (May 16th, 1929)<br/>           Limits, in accordance with Article 1, paragraph 2 of this Protocol, the obligation mentioned in paragraph 1 of the said article to contracts which are considered as commercial under its national law.</p> <p>Finland (July 10th, 1924)</p> <p>France (June 7th, 1928)<br/>           Reserves the right to limit the obligation mentioned in paragraph 2 of Article 1 to contracts which are considered as commercial under its national law. Its acceptance of the present Protocol does not include the Colonies, Overseas Possessions or Protectorates or Territories in respect of which France exercises a mandate.</p> <p>Germany (November 5th, 1924)</p> <p>Greece (May 26th, 1926)</p> <p>Iraq (March 12th, 1926 a)</p> <p>Italy (excluding Colonies) (July 28th, 1924)</p> <p>Japan (June 4th, 1928)<br/>           Chosen, Taiwan, Karafuto, the leased territory of Kwantung, and the territories in respect of which Japan exercises a mandate. (February 26th, 1929 a)</p> <p>Luxembourg (September 15th, 1930)<br/>           Reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under its national law.</p> <p>Monaco (February 8th, 1927)<br/>           Reserves the right to limit its obligation to contracts which are considered as commercial under its national law.</p> <p>Netherlands (including the <i>Netherlands Indies, Surinam and Curaçao</i>)<sup>3</sup> (August 6th, 1925)<br/>           The Government of the Netherlands declares its opinion that the recognition in principle of the validity of arbitration clauses in no way affects either the restrictive provisions at present existing under Netherlands law or the right to introduce other restrictions in the future.<sup>3</sup></p> <p>Norway (September 2nd, 1927)</p> <p>Poland (June 26th, 1931)</p> |
|---|--|

Under reservation that, in conformity with paragraph 2 of Article 1, the undertaking contemplated in the said Article will apply only to contracts which are declared as commercial in accordance with national Polish law.

Portugal (December 10th, 1930)

(1) In accordance with the second paragraph of Article 1, the Portuguese Government reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under its national law.

(2) According to the terms of the first paragraph of Article 8, the Portuguese Government declares that its acceptance of the present Protocol does not include its Colonies.

Romania (March 12th, 1925)

Subject to the reservation that the Royal Government may in all circumstances limit the obligation mentioned in Article 1, paragraph 2, to contracts which are considered as commercial under its national law.

Spain (July 29th, 1926)

Reserves the right to limit the obligation mentioned in Article 1, paragraph 2, to contracts which are considered as commercial under its national law.

Its acceptance of the present Protocol does not include the Spanish Possessions in Africa, or the territories of the Spanish Protectorate in Morocco.

Sweden (August 8th, 1929)

Switzerland (May 14th, 1928)

Thailand (September 3rd, 1930)

**Signatures not yet perfected by ratifications**

Bolivia  
Chile  
Latvia

Reserves the right to limit the obligation mentioned in paragraph 2 of Article 1 to contracts which are considered as commercial under its national law.

Liechtenstein<sup>4</sup>

Subject to the following reservation:

Agreements which are the subject of a special contract, or of clauses embodied in other contracts, attributing competence to a foreign tribunal, if they are concluded between nationals and foreigners or between nationals in the country, shall henceforth be valid only when they have been drawn up in due legal form.

This provision shall apply also to stipulations in articles of association, deeds of partnership and similar instruments and also to agreements for the submission of a dispute to an arbitral tribunal sitting

in a foreign country.

Any agreement which submits to a foreign tribunal or to an arbitral tribunal a dispute relating to insurance contracts shall be null and void if the person insured is domiciled in the country or if the interest insured is situated in the country.

It shall be the duty of the tribunal to ensure as a matter of routine that this provision is observed even during procedure for distraint or during bankruptcy proceedings.

Lithuania  
Nicaragua  
Panama  
Paraguay  
Peru  
Salvador  
Uruguay

**Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations**

<i>Participant</i> <sup>5,6</sup>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i> <sup>5,6</sup>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Antigua and Barbuda .		25 Oct 1988 d	Republic of Korea . . .	4 Mar 1968	
Bahamas . . . . .		16 Feb 1977 d	Slovakia <sup>2</sup> . . . . .		28 May 1993 d
Bangladesh . . . . .	27 Jun 1979	27 Jun 1979	the former Yugoslav Republic of Macedonia . . . . .		10 Mar 1994 d
Croatia . . . . .		26 Jul 1993 d	Uganda . . . . .	5 May 1965	
Czech Republic <sup>2</sup> . . . . .		9 Feb 1996 d	Yugoslavia . . . . .	13 Mar 1959	13 Mar 1959
Ireland . . . . .	29 Nov 1956	11 Mar 1957	Zimbabwe . . . . .		1 Dec 1998 d
Israel . . . . .	24 Oct 1951	13 Dec 1951			
Malta . . . . .		16 Aug 1966 d			
Mauritius . . . . .		18 Jul 1969 d			

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 27, p. 157.  
<sup>2</sup> See note 11 in chapter 1.2.  
<sup>3</sup> Further, when signing and ratifying, the Netherlands Government made a reservation which it withdrew, in respect of the Kingdom of Europe, on February 22nd, 1938 (see League of Nations, *Treaty Series*, vol. 185, p. 372) and, as regards the Netherlands Indies, Surinam and Curaçao, on April 16th, 1940 (see *ibid.*, vol. 200, p. 500). See also note 8 in chapter 1.1.  
<sup>4</sup> This reservation has been submitted to the States parties to the Protocol for acceptance.  
<sup>5</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Protocol as from 4 April 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application as from 4 April 1958, of the Protocol of 24 September 1923 on Arbitration Clauses, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law



and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of the reapplication of the Protocol on Arbitration Clauses of 24 September 1923 to which it acceded on the basis of the succession of States."

See also note 14 in chapter I.2.

<sup>6</sup> The United Kingdom of Great Britain and Northern Ireland acceded on behalf of Hong Kong on 10 February 1965.

On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notification as the one made under note 4 in chapter IV.1.]*



## 7. CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS

Geneva, 26 September 1927

**ENTRY INTO FORCE:** 25 July 1929, in accordance with article 8.  
**REGISTRATION:** 25 July 1929, No. 2096<sup>1</sup>.

### Ratifications

Austria	(July 18th, 1930)	Under Danish law, arbitral awards made by an Arbitral Tribunal do not immediately become operative; it is necessary in each case, in order to make an award operative, to apply to the ordinary Courts of Law. In the course of the proceedings, however, the arbitral award will generally be accepted by such courts without further examination as a basis of the final judgments in the affair.
Belgium	(April 27th, 1929)	
Reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
<i>Belgian Congo, Territory of Ruanda-Urundi</i> (June 5th, 1930)		
a)		
United Kingdom of Great Britain and Northern Ireland <sup>2</sup>	(July 2nd, 1930)	
<i>Newfoundland</i> (January 7th, 1931 a)		
<i>Bahamas, British Guiana, British Honduras, Falkland Islands, Gibraltar, Gold Coast [(a) Colony, (b) Ashanti, (c) Northern Territories, (d) Togoland under British Mandate], Jamaica (including Turks and Caicos Islands and Cayman Islands), Kenya, Palestine (excluding Trans-Jordan), Tanganyika Territory, Uganda Protectorate, Windward Islands (Grenada, St. Lucia, St. Vincent), Zanzibar</i> (May 26th, 1931 a)		
<i>Mauritius</i> (July 13th, 1931 a)		
<i>Northern Rhodesia</i> (July 13th, 1931 a)		
<i>Leeward Islands (Antigua, Dominica, Montserrat, St. Christopher-Nevis, Virgin Islands)</i> (March 9th, 1932 a)		
<i>Malta</i> (October 11th, 1934 a)		
<i>Burma (excluding the Karenni States under His Majesty's suzerainty)</i> (October 19th, 1938 a)		
His Majesty reserves the right to limit the obligations mentioned in Article 1 to contracts which are considered commercial under the law of Burma.		
New Zealand (Western Samoa included)		
	(April 9th, 1929)	
India	(October 23rd, 1937)	
Is not binding as regards the enforcement of the provisions of this Convention upon the territories in India of any Prince or Chief under the suzerainty of His Majesty.		
India reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under its national law.		
Czechoslovakia <sup>3</sup>	(September 18th, 1931)	
The Czechoslovak Republic does not intend to invalidate in any way the bilateral treaties concluded by it with various States, which regulate the questions referred to in the present Convention by provisions going beyond the provisions of the Convention.		
Denmark	(April 25th, 1929)	
Estonia	(May 16th, 1929)	
Reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
Finland	(July 30th, 1931)	
France	(May 13th, 1931)	
Reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
Germany	(September 1st, 1930)	
Greece	(January 15th, 1932)	
The Hellenic Government reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
Italy	(November 12th, 1930)	
Luxembourg	(September 15th, 1930)	
Reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
Netherlands (for the Kingdom in Europe) <sup>4</sup>		
	(August 12th, 1931)	
<i>Netherlands Indies, Surinam and Curaçao</i> (January 28th, 1933 a)		
Portugal	(December 10th, 1930)	
(1) The Portuguese Government reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
(2) The Portuguese Government declares, according to the terms of Article 10, that the present Convention does not apply to its Colonies.		
Romania	(June 22nd, 1931)	
Reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered as commercial under its national law.		
Spain	(January 15th, 1930)	
Sweden	(August 8th, 1929)	
Switzerland	(September 25th, 1930)	
Thailand	(July 7th, 1931)	

### Signatures not yet perfected by ratification

Bolivia  
Nicaragua

Peru

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>5,6</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>5,6</sup></i>	<i>Signature</i>	<i>Ratification, Accession (a), Succession (d)</i>
Antigua and Barbuda .		25 Oct 1988 d	Mauritius . . . . .		18 Jul 1969 d
Bahamas . . . . .		16 Feb 1977 d	Republic of Korea . . .	4 Mar 1968	
Bangladesh . . . . .	27 Jun 1979	27 Jun 1979	Slovakia <sup>3</sup> . . . . .		28 May 1993 d
Croatia . . . . .		26 Jul 1993 d	the former Yugoslav Republic of Mace- donia . . . . .		10 Mar 1994 d
Czech Republic <sup>3</sup> . . . . .		9 Feb 1996 d	Uganda . . . . .	5 May 1965	
Ireland . . . . .	29 Nov 1956	10 Jun 1957	Yugoslavia . . . . .	13 Mar 1959	13 Mar 1959
Israel . . . . .	24 Oct 1951	27 Feb 1952			
Japan . . . . .	4 Feb 1952	11 Jul 1952			
Malta . . . . .		16 Aug 1966 d			

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol.92, p.301.

<sup>2</sup> In a notification received on 16 December 1985, the Government of the United Kingdom recalled the following:

At the time of accession, Anguilla was part of the territory of St. Christopher and Nevis. By 1978, Anguilla had a separate constitutional status, as part of the St. Christopher and Nevis/Anguilla group. St. Christopher and Nevis became independent on 19 September 1983 and Anguilla then reverted to being a dependant territory of the United Kingdom. Therefore, the Convention continues to apply to Anguilla.

<sup>3</sup> See note 11 in chapter I.2.

<sup>4</sup> See note 8 in chapter I.1.

<sup>5</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 22 January 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 22 January 1958, of the Convention of 26 September 1927 on the

Execution of Foreign Arbitral Awards, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention on the Execution of Foreign Arbitral Awards of 26 September 1927 to which it acceded on the basis of the succession of States."

See also note 14 in chapter I.2.

<sup>6</sup> The United Kingdom of Great Britain and Northern Ireland acceded on behalf of Hong Kong on 10 February 1965.

On 10 June 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

*[Same notification as the one made under note 4 in chapter IV.1.]*

**8. CONVENTION FOR THE SETTLEMENT OF CERTAIN CONFLICTS OF LAWS IN CONNECTION WITH BILLS OF EXCHANGE AND PROMISSORY NOTES**

*Geneva, 7 June 1930*

**ENTRY INTO FORCE:** 1 January 1934, in accordance with article 16.  
**REGISTRATION:** 1 January 1934, No. 3314<sup>1</sup>.

***Ratifications or definitive accessions***

Austria	(August 31st, 1932)	Japan	(August 31st, 1932)
Belgium	(August 31st, 1932)	Monaco	(January 25th, 1934 a)
Brazil	(August 26th, 1942 a)	The Netherlands (for the Kingdom in Europe) <sup>3</sup>	(August 20th, 1932)
Denmark	(July 27th, 1932)	<i>Netherlands Indies and Curacao</i>	(July 16th, 1935 a)
The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.		<i>Surinam</i>	(August 7th, 1936 a)
Finland	(August 31st, 1932)	Norway	(July 27th, 1932)
France	(April 27th, 1936 a)	Poland	(December 19th, 1936 a)
Germany <sup>2</sup>	(October 3rd, 1933)	Portugal <sup>2, 4</sup>	(June 8th, 1934)
Greece	(August 31st, 1931)	Sweden	(July 27th, 1932)
Italy	(August 31st, 1932)	Switzerland <sup>5</sup>	(August 26th, 1932)
		Union of Soviet Socialist Republics	(November 25th, 1936 a)

***Signatures not yet perfected by ratification***

Colombia		Spain	
Czechoslovakia <sup>6</sup>		Turkey	
Ecuador		Yugoslavia	
Peru			

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations (See also note 4)***

<i>Participant<sup>4,7</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>4,7</sup></i>	<i>Ratification, Accession (a), Succession (a)</i>
Belarus.....	4 Feb 1998 d	Luxembourg.....	5 Mar 1963
Hungary.....	28 Oct 1964 a	Ukraine.....	8 Oct 1999 a
Kazakhstan.....	20 Nov 1995 a		

**Notes:**

- <sup>1</sup> League of Nations, *Treaty Series*, vol.143, p.317.
- <sup>2</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government however, is of opinion that this ratification has the character of an accession.
- <sup>3</sup> See note 8 in chapter I.1.
- <sup>4</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see League of Nations, *Treaty Series*, vol. 143, p. 319). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of that reservation.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (29 September 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility

for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding

Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Convention for the Settlement of Certain Conflicts of Laws in Connection with Bills of Exchange and Promissory Notes (and Protocol), done at Geneva on 7 June 1930 (hereinafter referred to as the "Convention and the Protocol"), which applies to Macau at present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention and the Protocol.

<sup>5</sup> According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary, of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect for Switzerland, as from that date.

<sup>6</sup> See note 11 in chapter 1.2.

<sup>7</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the Convention of 7 June 1930 for the Settlement of Certain Conflicts of Laws in connection with Bills of Exchange and Promissory Notes, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention for the Settlement of Certain Conflicts of Laws in Connection with Bills of Exchange and Promissory Notes of 7 June 1930 to which it acceded on the basis of the succession of States."

See also note 14 in chapter 1.2.

**9. CONVENTION FOR THE SETTLEMENT OF CERTAIN CONFLICTS OF LAWS IN  
CONNECTION WITH CHEQUES**

*Geneva, 19 March 1931*

**ENTRY INTO FORCE:** 1 January 1934, in accordance with article 14.  
**REGISTRATION:** 1 January 1934, No. 3317<sup>1</sup>.

***Ratifications or definitive accessions***

Brazil	(August 26th, 1942 a)	Monaco	(February 9th, 1933)
Denmark	(July 27th, 1932)	The Netherlands (for the Kingdom in Europe) <sup>2,3</sup>	(April 2nd, 1934)
The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.		<i>Netherlands Indies and Curaçao</i>	(September 30th, 1935 a)
Finland	(August 31st, 1932)	<i>Surinam</i>	(August 7th, 1936 a)
France	(April 27th, 1936 a)	Nicaragua	(March 16th, 1932 a)
Germany <sup>2</sup>	(October 3rd, 1933)	Norway	(July 27th, 1932)
Greece <sup>2</sup>	(June 1st, 1934)	Poland	(December 19th, 1936 a)
Italy	(August 31st, 1933)	Portugal <sup>2,4</sup>	(June 8th, 1934)
Japan	(August 25th, 1933)	Sweden	(July 27th, 1932)
		Switzerland <sup>5</sup>	(August 26th, 1932)

***Signatures not yet perfected by ratification***

Czechoslovakia <sup>6</sup>	Spain
Ecuador	Turkey
Mexico	Yugoslavia
Romania	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the  
United Nations (See also note 3)***

<i>Participant<sup>7</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>7</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>
Austria . . . . .	1 Dec 1958	Indonesia . . . . .	9 Mar 1959 d
Belgium <sup>8</sup> . . . . .	18 Dec 1961	Luxembourg . . . . .	1 Aug 1968 a
Hungary . . . . .	28 Oct 1964 a		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 143, p.407.  
<sup>2</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

<sup>3</sup> See note 8 in chapter I. I.

<sup>4</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see League of Nations, *Treaty Series*, vol. 143, p. 409). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of this reservation.

Subsequently, the Secretary-General received, on 29 September 1999, from the Government of Portugal, the following communication:

*Portugal (29 September 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General the following:]

The Convention for the Settlement of Certain Conflicts of Laws in Connection with Cheques (and Protocol), done at Geneva on 19 March 1931 (hereinafter referred to as the "Convention and the Protocol"), which applies to Macau at present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention and the Protocol.

<sup>5</sup> According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect for Switzerland, as from that date.

<sup>6</sup> See note 11 in chapter I.2.

<sup>7</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application as from 6 June 1958, of the Convention of 19 March 1931 for the Settlement of Certain Conflicts of Laws in connection with cheques, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the Declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 18 April 1976, the Government of the German Democratic Republic declared:

The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention for the Settlement of Certain Conflicts of Laws in Connection with Cheques of 19 March 1931 to which it acceded on the basis of the succession of States."

See also note 14 in chapter I.2.

<sup>8</sup> With a declaration that, in accordance with article 18 of the Convention, the Government of Belgium does not intend to assume any obligations in respect of the Trust Territory of Ruanda-Urundi.



10. CONVENTION PROVIDING A UNIFORM LAW FOR BILLS OF EXCHANGE AND  
PROMISSORY NOTES

Geneva, 7 June 1930

ENTRY INTO FORCE: 1 January 1934, in accordance with article VII.  
REGISTRATION: 1 January 1934, No. 3313<sup>1</sup>.

*Ratifications or definitive accessions*

- Austria<sup>2</sup> (August 31st, 1932)  
This ratification is given subject to the reservations mentioned in Article 6, 10, 14, 15, 17, and 20 of Annex II to this Convention.
- Belgium (August 31st, 1932)  
This ratification is subject to the utilization of the rights provided in Articles 1, 2, 3, 4, 5, 8, 10, 11, 13, 14, 15, 16, 17 and 20 of Annex II to this Convention. As regards the Belgian Congo and Ruanda-Urundi, the Belgian Government intends to reserve all the rights provided in the Annex in question, with the exception of the right mentioned in Article 21 of that Annex.
- Brazil (August 26th, 1942 a)  
This accession is given subject to the reservations mentioned in Articles 2, 3, 5, 6, 7, 9, 10, 13, 15, 16, 17, 19 and 20 of Annex II to the Convention.
- Denmark<sup>3</sup> (July 27th, 1932)  
The undertaking by the Government of the King to introduce in Denmark the Uniform Law forming Annex I to this Convention is subject to the reservations referred to in Articles 10, 14, 15, 17, 18 and 20 of Annex II to the said Convention.  
The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.
- Finland<sup>4</sup> (August 31st, 1932)  
This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to this Convention, and Finland has availed itself of the right granted to the High Contracting Parties by Articles 15, 17 and 18 of the said Annex to legislate on the matters referred to therein.
- France<sup>5</sup> (April 27th, 1936 a)  
Declares that Articles 1, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, 17, 18, 19, 20, 22 and 23 of Annex II to this Convention are being applied.
- Germany<sup>6</sup> (October 3rd, 1933)  
This ratification is given subject to the reservations mentioned in Articles 6, 10, 13, 14, 15, 17, 19 and 20 of Annex II to the Convention.
- Greece (August 31st, 1931)  
Subject to the following reservations with regard to Annex II:  
Article 8: Paragraphs 1 and 3.  
Article 9: As regards bills payable at a fixed date, or at a fixed period after date or after sight.  
Article 13.  
Article 15: (a) Proceedings against a drawer or endorser who has made an inequitable gain; (b) Same proceedings against an acceptor who has made an inequitable gain. "These proceedings shall be taken within a period of five years counting from the date of the bill of exchange."
- Article 17: The provisions of Greek law relating to short-term limitations shall apply.  
Article 20: The above-mentioned reservations apply equally to promissory notes.
- Italy (August 31st, 1932)  
The Italian Government reserves the right to avail itself of the right granted in Articles 2, 8, 10, 13, 15, 16, 17, 19 and 20 of Annex II to this Convention.
- Japan (August 31st, 1932)  
This ratification is given subject to the right referred to in the provisions mentioned in Annex II to this Convention, in virtue of Article 1, paragraph 2.
- Monaco (January 25th, 1934 a)
- Netherlands(for the Kingdom in Europe)<sup>7</sup> (August 20th, 1932)  
This ratification is subject to the reservation mentioned in Annex II to the Convention.  
*Netherlands Indies and Curaçao* (July 16th, 1935 a)  
Subject to the reservations mentioned in Annex II to the Convention.  
*Surinam* (August 7th, 1936 a)  
Subject to the reservations mentioned in Annex II to the Convention.
- Norway<sup>8</sup> (July 27th, 1932)  
This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to the Convention, and the Royal Norwegian Government reserves the right, at the same time, to avail itself of the right granted to each of the High Contracting Parties by Articles 10, 15, 17 and 18 of the said Annex to legislate on the matters referred to therein.
- Poland (December 19th, 1936 a)  
This accession is given subject to the reservations mentioned in Articles 2, 6, 7, 10, 11, 13, 14, 15, 17, 19, 20, 21, paragraph 2, and 22 of Annex II to the Convention.
- Portugal<sup>6,9</sup> (June 8th, 1934)
- Sweden<sup>10</sup> (July 27th, 1932)  
This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to the Convention, and the Royal Swedish Government has availed itself of the right granted to the High Contracting Parties by Articles 10, 15 and 17 of the said Annex to legislate on the matters referred to therein.
- Switzerland<sup>11</sup> (August 26th, 1932)  
This ratification is given subject to the reservations mentioned in Articles 2, 6, 14, 15, 16, 17, 18 and 19 of Annex II.
- Union of Soviet Socialist Republics (November 25th, 1936 a)  
Subject to the reservation mentioned in Annex II to the Convention.

*Signatures not yet perfected by ratification*

Colombia  
Czechoslovakia<sup>12</sup>  
Ecuador

Peru  
Spain  
Turkey

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations (see also notes 2, 3, 4, 8, 9 and 10)*

<i>Participant</i> <sup>13</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i> <sup>13</sup>	<i>Ratification, Accession (a), Succession (d)</i>
Belarus	4 Feb 1998 d	Luxembourg <sup>15</sup>	5 Mar 1963
Hungary <sup>4</sup>	28 Oct 1964 a	Ukraine	8 Oct 1999 a
Kazakhstan	20 Nov 1995 a		
Lithuania	10 Feb 1997 a		

**Declarations and Reservations**

*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**UKRAINE**

**Reservations:**

"This accession is subject to the reservations mentioned in Annex II to the Convention."

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol.143, p.257.

<sup>2</sup> In a communication received on 13 May 1963, the Government of Austria notified the Secretary-General that, in accordance with the third paragraph of article I of the Convention, it "has decided to make reservations referred to in article 18 of Annex II to the Convention, to the effect that certain business days shall be assimilated to legal holidays as regards presentment for acceptance of payment and all other acts relating to bills of exchange".

In a communication received on 26 November 1968, the Government of Austria, with reference to the above-mentioned reservations, notified the Secretary-General that "according to Austrian Law in force since July 26, 1967, no payment, acceptance or other acts may be demanded in respect of bills of exchange and promissory notes on the following legal holidays or days assimilated to such holidays: 1 January (New Year's Day), 6 January (Epiphany), Good Friday, Easter Monday, 1 May (Legal Holiday), Ascension, Whit-Monday, Corpus Christi, 15 August (Assumption), 26 October (National Day), 1 November (All Saints' Day), 8 December (Immaculate Conception), 25 December and 26 December (Christmas, Saturdays and Sundays)".

<sup>3</sup> In a communication received on 31 January 1966, the Government of Denmark notified the Secretary-General of the following: "As from December 1, 1965, the Danish laws giving effect to the uniform legislation introduced by the Convention were amended to provide that Saturdays shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I of the Convention."

In the same communication, the Government of Denmark also notified the Secretary-General that the declaration made on its behalf under article X, paragraph 1, of the Convention upon its ratification to the effect that it "does not intend to assume any obligations as regards Greenland", should be considered as withdrawn as from 1 July 1965.

<sup>4</sup> In a communication received on 29 July 1966, the Government of Finland notified the Secretary-General of the following: "As from 1 June 1966, the First of May and Saturdays of June, July and August shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I of the Convention."

In a communication received on 6 June 1977, the Government of Finland informed the Secretary-General of the following:

"As from 1 April 1968, the Finnish laws giving effect to the uniform legislation introduced by the two Conventions were amended to provide that Saturdays throughout the year shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I [of the Convention]."

<sup>5</sup> The Minister for Foreign Affairs of the French Republic informed the Secretary-General by a communication received at the Secretariat on October 20th, 1937, that, in consequence of certain changes introduced into French legislation regarding the maturity of commercial bills by the Decree-Law of August 31st, 1937, the holder of a bill of exchange may, in accordance with Article 38 of the Uniform Law for Bills of Exchange and Promissory Notes (Annex I to the Convention), present it, not only on the day on which it is payable, but either on that day or on one of the two following business days.

Consequently, the reservation made in this respect by France, on her accession to the Convention, concerning Article 5 of Annex II to the said instrument ceases to apply.

<sup>6</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

<sup>7</sup> See note 8 in chapter I.1.

<sup>8</sup> In a communication received on 15 April 1970, the Government of Norway notified the Secretary-General that as from 1 June 1970, legislation would be promulgated in Norway assimilating Saturdays and the first day of the month of May to legal holidays.

<sup>9</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see League of Nations, *Treaty Series*, vol.143, p.261). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of this reservation.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (29 September):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility

for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Convention providing a Uniform Law for Bills of Exchange and Promissory Notes (with annexes and protocol), done at Geneva on 7 June 1930 (hereinafter referred to as the "Convention with Annexes and Protocol"), which applies to Macau at present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention with Annexes and Protocol.

<sup>10</sup> In a communication received on 16 May 1961, the Government of Sweden notified the Secretary-General that the Swedish Government, after having obtained the approval of the Parliament, promulgated on 7 April 1961 the law under which Saturdays from 1 June to 30 September of each year shall be assimilated to legal holidays for the purposes including the presentation for acceptance or payment and all other acts relating to bills of exchange. The Government of Sweden further requested that this communication be considered as a notification of reservations made in accordance with the third paragraph of article I of the Convention.

In a communication received on 18 June 1965, the Government of Sweden notified the Secretary-General of the following: on 26 May 1965, the Swedish Government, with the approval of the Parliament, promulgated legal provisions under which the Swedish law giving effect to the uniform legislation introduced by the Convention was amended to provide that Saturdays shall be assimilated to legal holidays, as is already the case with the Saturdays of April, May, June, July, August and September. These provisions will enter into force on 1 October 1965.

<sup>11</sup> According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary, of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect, for Switzerland, as from that date.

<sup>12</sup> See note 11 in chapter I.2.

<sup>13</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democrat-

ic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the Convention of 7 June 1930 providing a Uniform Law for Bills of Exchange and Promissory Notes, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention Providing a Uniform Law for Bills of Exchange and Promissory Notes of 7 June 1930 to which it acceded on the basis of the succession of States."

See note 14 in chapter I.2.

<sup>14</sup> In a communication received on 5 January 1966, the Government of Hungary, with reference to the third paragraph of article I of the Convention and article 18 of Annex II thereof, notified the Secretary-General of the following: "In respect of bills of exchange and promissory notes, no payment may be demanded in Hungary on legal holidays, namely: 1 January (New Year's Day), 4 April (Liberation Day), 1 May (Labour Day), 20 August (Constitution Day), 7 November (Anniversary of the October Socialist Revolution), 25 December (Christmas Day), 26 December (Boxing Day), Easter Monday, and weekly rest days (usually Sundays)."

<sup>15</sup> The instrument of ratification stipulates that the Government of Luxembourg, in accordance with article I of the Convention, avails itself of all the reservations provided in articles 1, 4, 11, 12, 13, 15, 16, 18, 19 and 20 of Annex II to the Convention.

Subsequently, on 25 March 1985, the Secretary-General received from the Government of Hungary the following notification:

"In the circulation of bills of exchange between inlanders the protest may be replaced by a dated statement, written on the bill of exchange itself and signed by the drawee and the third person making the payment /Article 8./ Annex 2, respectively, unless an authentic protest is required by the drawer in the wording of the bill of exchange.

In the case mentioned in the above paragraph it is deemed that an undated negotiation of bill is dated as before the date of the protest."

In a further communication received on 21 June 1985, the Government of Hungary provided the following additional comments with respect to the above-mentioned notification:

"1/As regards conformity with Article 8 of Annex II, the wording "signed by the drawee and the third person making the payment, respectively" is intended by the competent Hungarian financial organs to express that the statement of the person to whom the bill of exchange is payable is required. If the bill of exchange is not domiciled with a named person for payment, the drawee's statement is required. In the case of an instrument domiciled with a named person payment, the statement signed by that named person is required.

2/The wording in regard to bills of exchange domiciled with a named person for payment had to be expanded for two reasons:

/a/As the third person named for payment can be considered as the drawee's "cashier", it is logical to authorize him to make the statement in case of non-payment. /b/A domiciled bill of exchange is to be presented for payment at maturity at the domicile. If the statement of the third person named for payment could not be accepted in lieu of protest and the statement of the drawee should therefore be obtained, it would often cause practically insurmountable difficulties in reaching the drawee within two and a half business days of frustrated payment.

Attention is called in this respect to the fact that the same solution is adopted by Art. 56, para. /3/, of the Draft Convention on International Bills of Exchange and International Promissory Notes /A/CN9/211/

prepared by the Working Group on International Negotiable Instruments."

## 11. CONVENTION PROVIDING A UNIFORM LAW FOR CHEQUES

Geneva, 19 March 1931

**ENTRY INTO FORCE:** 1 January 1934, in accordance with article VI.  
**REGISTRATION:** 1 January 1934, No. 3316<sup>1</sup>.

### *Ratifications or definitive accessions*

- Brazil** (August 26th, 1942 a)  
This accession is given subject to the reservations mentioned in Articles 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 29 and 30 of Annex II to the Convention.
- Denmark**<sup>2</sup> (July 27th, 1932)  
The undertaking of the Government of the King to introduce in Denmark the Uniform Law forming Annex I to this Convention is subject to the reservations referred to in Articles 4, 6, 9, 14, para. 1, 16 (a), 18, 25, 26, 27 and 29 of Annex II to the said Convention. The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.
- Finland**<sup>3</sup> (August 31st, 1932)  
This ratification is subject to the reservations mentioned in Articles 4, 6, 9, 14, paragraph 1, 16 (a), 18 and 27 of Annex II to this Convention, and has availed itself of the right granted to the High Contracting Parties by Articles 25, 26 and 29 of the said Annex to legislate on the matters referred to therein.
- France**<sup>4,5</sup> (April 27th, 1936 a)  
Declares that Articles 1, 2, 4, 5, 6, 9, 11, 12, 13, 15, 16, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30 and 31 of Annex II to this Convention are being applied.
- Germany**<sup>6</sup> (October 3rd, 1933)  
This ratification is given subject to the reservations mentioned in Articles 6, 14, 15, 16, paragraph 2, 18, 23, 24, 25, 26 and 29 of Annex II to the Convention.
- Greece**<sup>6</sup> (June 1st, 1934)  
Subject to the following conditions:  
A. The Hellenic Government does not avail itself of the reservations provided in Articles 1, 2, 5-8, 10-14, 16, paragraph 1 (a) and (b), 18, paragraph 1, 19-22, 24 and 26, paragraph 2, of Annex II.  
B. The Hellenic Government avails itself of the following reservations provided in Annex II:  
(1) The reservation in Article 3, paragraph 3 of Article 2 of the Uniform Law being replaced by the words: "A cheque which does not specify the place of payment shall be regarded as payable at the place where it was drawn".  
(2) The reservation in Article 4, the following paragraph being added to Article 3: "A cheque issued and payable in Greece shall not be valid as a cheque unless it is drawn on a banking Company or Greek legal person having the status of an institution of public law, engaging in banking business".  
(3) The reservation in Article 9, the following provision being added to paragraph 3 of Article 6 of the Uniform Law: "But in such exceptional case the issue of the cheque to bearer is prohibited."  
(4) The reservation in Article 15, the following paragraph being added to Article 31 of the Uniform Law: "By presidential decree, promulgated at the instance of the Ministers of Justice and National Economy, it may be decided what institutions in Greece are to be regarded as clearing-houses."
- (5) The reservation in the second paragraph of Article 16, it being laid down that "provisions with regard to the loss or theft of cheques shall be embodied in Greek law".
- (6) The reservation in Article 17, the following paragraph being added at the end of Article 35: "In exceptional circumstances connected with the rate of exchange of Greek currency, the effects of the stipulation contained in paragraph 3 of the present Article may be abrogated in each case by special legislation as regards cheques payable in Greece. The above provision may also be applied as regards cheques issued in Greece."
- (7) The reservation in Article 23, the following being added to No. 2 in Article 45 of the Uniform Law: "which, however, in the case of cheques issued and payable in Greece, shall be calculated in each case at the legal rate of interest in force in Greece". Similarly, the following is added to No. 2 of Article 46 of the Uniform Law: "except in the special case dealt with in No. 2 of the preceding Article".
- (8) The reservation in Article 25, the following Article being added to the National Law: "In the event of forfeiture of the bearer's rights or limitation of the right of action, proceedings may be taken against the drawer or endorser on the ground of his having made an inequitable gain. The right to take such proceedings lapses after three years from the date of the issue of the cheque."
- (9) The reservation in the first paragraph of Article 26, a provision being enacted to the following effect: "The causes of interruption or suspension of limitation of actions enacted in the present law shall be governed by the rules regarding limitation and short-term limitation of actions."
- (10) The reservation in Article 27, a separate Article being appended in the following terms: "Legal holidays within the meaning of the present law shall be all Sundays and all full days of rest observed by public offices."
- (11) The reservation in Article 28 and the reservation in Article 29.
- (12) The reservation in Article 30.
- Italy** (August 31st, 1933)  
In accordance with Article 1 of this Convention, the Royal Italian Government intends to avail itself of the rights provided in Articles 2, 3, 4, 5, 6, 7, 9, 10, 14, 16, para. 2, 19, 20, 21, para. 2, 23, 25, 26, 29 and 30 of Annex II.  
In connection with Article 15 of Annex II to this Convention, the institutions referred to in the said article are, in Italy, solely the "Stanze di compensazione".
- Japan** (August 25th, 1933)  
By application of Article 1, paragraph 2, of the Convention, this ratification is subject to the benefit of the provisions mentioned in Annex II to this Convention.
- Monaco** (February 9th, 1933)  
**The Netherlands (for the Kingdom in Europe)**<sup>6,7</sup> (April 2nd, 1934)

This ratification is subject to the reservations mentioned in Annex II to the Convention.

*Netherlands Indies and Curaçao* (September 30th, 1935 a)  
Subject to the reservations mentioned in Annex II to the Convention.

*Surinam* (August 7th, 1936 a)  
Subject to the reservations mentioned in Annex II to the Convention.

Nicaragua (March 16th, 1932 a)  
Norway<sup>8</sup> (July 27th, 1932)

This ratification is subject to the reservations mentioned in Articles 4, 6, 9, 14, paragraph 1, 16 (a) and 18 of Annex II to the Convention, and the Royal Norwegian Government reserves the right, at the same time, to avail itself of the right granted to each of the High Contracting Parties by Articles 25, 26, 27 and 29 of the said Annex to legislate on the matters referred to therein.

Poland (December 19th, 1936 a)

This accession is given subject to the reservations mentioned in Articles 3, 4, 5, 8, 9, 14, paragraph 1, 15, 16, paragraph 1 (a), 16, paragraph 2, 17, 23, 24, 25, 26, 28, 29 and 30 of Annex II to the Convention.

Portugal<sup>6,9</sup> (June 8th, 1934)  
Sweden<sup>10</sup> (July 27th, 1932)

This ratification is subject to the reservations mentioned in Articles 4, 6, 9, 14, paragraph 1, 16 (a) and 18 of Annex II to the Convention, and the Royal Swedish Government has availed itself of the right granted to the High Contracting Parties by Articles 25, 26 and 29 of the said Annex to legislate on the matters referred to therein.

Switzerland<sup>11</sup> (August 26th, 1932)

This ratification is given subject to the reservations mentioned in Articles 2, 4, 8, 15, 16, paragraph 2, 19, 24, 25, 26, 27, 29 and 30 of Annex II.

**Signatures not yet perfected by ratification**

Czechoslovakia<sup>12</sup>  
Ecuador  
Mexico  
Romania

Spain  
Turkey  
Yugoslavia

**Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations (See also notes 2, 3, 4, 8, 9 and 10)**

<i>Participant</i> <sup>13</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i> <sup>13</sup>	<i>Ratification, Accession (a), Succession (d)</i>
Austria <sup>14</sup> .....	1 Dec 1958	Lithuania .....	10 Feb 1997 a
Belgium <sup>15</sup> .....	18 Dec 1961	Luxembourg .....	1 Aug 1968 a
Hungary <sup>16</sup> .....	28 Oct 1964 a	Malawi <sup>17</sup> .....	[ 3 Nov 1965 a ]
Indonesia .....	9 Mar 1959 d		

**Notes:**

<sup>1</sup> Registered No.3316. League of Nations, *Treaty Series*, vol.143, p.355.

<sup>2</sup> See note 3 in Part II.10 in the League of Nations Treaties for the notification by Denmark, which also applies to this Convention.

<sup>3</sup> See note 4 in Part II.10 in the League of Nations Treaties for the notifications by Finland, which also apply to this Convention.

<sup>4</sup> The Secretary-General received, on 7 February 1979, from the Government of France the following communication:

The French Government is at present conducting a campaign against tax fraud. To this end, it has, inter alia, taken measures to impose restrictions on the endorsing of cheques; these measures are embodied in the French Finance Act of 1979.

These measures may well be deemed to conflict with the Convention of 19 March 1931 providing a Uniform Law for Cheques, for which the United Nations has assumed depositary functions. France has been a party to that Convention since 27 April 1936.

Accordingly, in order to avoid any conflict between French domestic legislation and the provisions of the Convention, the French Government intends to make, with respect to articles 5 and 14 of annex I, the reservation provided for in annex II, article 7, of the Convention of 19 March 1931.

Since no objections by the Contracting States were received within 90 days from the date of circulation of this communication by the Secretary-General (effected on 10 February 1979), the reservation was deemed accepted and took effect on 11 May 1979.

Subsequently, the Secretary-General received, on 20 February 1980, the following communication from the Government of the Federal Republic of Germany:

"The Government of the Federal Republic of Germany has taken note of the communication of the French Government on the Convention of 19 March 1931 providing a Uniform Law for Cheques, which was received by the Secretary-General of the United Nations on 7 February 1979 and distributed with circular note C.N.29.1979.Treaties-I of 10 February 1979 of the Acting Director of the General Legal Division and which informed about the modification of France's membership of the Convention effected by the said communication, and raises no objections thereto."

<sup>5</sup> The Minister for Foreign Affairs of the French Republic informed the Secretariat on October 20th, 1937, that, in consequence of certain changes introduced into French legislation regarding the maturity of commercial bills by the Decree-Law of August 31st, 1937, and in application of Article 27 of Annex II to the Convention and Article II of the Final Act of the Conference by which it was adopted, no payment whatsoever, in respect of a bill, draft cheque, current account, deposit of funds or securities or otherwise, may be demanded and no protest may be drawn up on Saturdays or Mondays, which for these purposes only, are assimilated to legal holidays.

<sup>6</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

<sup>7</sup> See note 8 in chapter I.1.

<sup>8</sup> See note 8 in Part II.10 in the League of Nations Treaties for the notification by Norway which also applies to this Convention.

<sup>9</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see League of Nations, *Treaty Series*, vol.143, p.361). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of this reservation.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (29 September 1999) :*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Convention Providing a Uniform Law for Cheques (Annexes and Protocol), done at Geneva on 19 March 1931 (hereinafter referred to as the "Convention with Annexes and Protocol"), which applies to Macau at present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention with Annexes and Protocol.

<sup>10</sup> See note 10 in Part II.10 in the League of Nations Treaties for the notification by Sweden which also applies to this Convention.

<sup>11</sup> According to the declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary, of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect, for Switzerland, as from that date.

<sup>12</sup> See note 11 in chapter I.2.

<sup>13</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the Convention of 19 March 1931 providing a Uniform Law for Cheques, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention providing a Uniform Law for cheques of 19 March 1931 to which it acceded on the basis of the succession of States."

See also note 14 in chapter I.2.

<sup>14</sup> The ratification by the Government of Austria is made subject to the reservations contained in articles 6, 14, 15, 16 (paragraph 2), 17, 18, 23, 24, 25, 26, 27, 28, 29 and 30 of Annex II to the Convention.

In a communication received on 26 November 1968, the Government of Austria, with reference to the reservations provided for in article 27 of Annex II to the Convention, specified legal holidays or days assimilated to such holidays as regards the limit of time for presentment and all acts relating to cheques. For the list of holidays, see the second paragraph of note 2 in Part II.10 in the League of Nations Treaties.

<sup>15</sup> With a declaration that, in accordance with article X of the Convention, the Government of Belgium does not intend to assume any obligations in respect of the Trust Territory of Ruanda-Urundi. Moreover the Government of Belgium reserves its right to avail itself of all the provisions of Annex II to the Convention.

<sup>16</sup> The instrument of accession contains the following reservation:

"In accordance with article 30 of Annex II to the Convention, the Hungarian People's Republic declares that the Uniform Law for Cheques shall not be applicable to the special kinds of cheques used in inland trade between Socialist economic organizations."

In a communication received on 5 January 1966, the Government of Hungary, with reference to the third paragraph of article 1 of the Convention and article 27 of Annex II to the Convention, notified the Secretary-General that "in respect of cheques, no payment may be demanded in Hungary on legal holidays". For list of holidays, see note 2 in chapter II.10 in the League of Nations Treaties.

<sup>17</sup> In a communication received on 30 July 1968, the Government of Malawi informed the Secretary-General that it denounced the Convention under the procedure provided in the third paragraph of article 8 of the Convention, which read as follows:

"In urgent cases a High Contracting Party which denounces the Convention shall immediately notify direct all other High Contracting Parties, and the denunciation shall take effect two days after the receipt of such notification by the said High Contracting Parties. A High Contracting Party denouncing the Convention in these circumstances shall also inform the Secretary-General of the League of Nations of its decision."

And that, in accordance with the above-mentioned provisions, the denunciation took effect on 5 October 1967 in respect of France; on 8 October 1967 in respect of Austria, Denmark, Italy and Norway; on 9 October 1968 in respect of Portugal and Sweden; on 13 October 1967 in respect of Finland; on 14 October 1967 in respect of Poland; on 15 October 1967 in respect of Brazil, Greece, Hungary, Indonesia and Monaco; on 18 October 1967 in respect of Belgium and Switzerland; and on 24 April 1968 in respect of Japan.

The Government of Malawi further informed the Secretary-General that it no longer considered itself bound by the Convention in respect

of Nicaragua, the Government of that State having not acknowledged, inspite of several requests, the notification of denunciation addressed to it by the Government of Malawi, and that it had so notified the Government of Nicaragua. Subsequently, in a communication

addressed to the Secretary-General on 19 March 1969, the Government of Malawi informed him that the latter notification had been received by the Government of Nicaragua on 17 January 1969.



**12. CONVENTION ON THE STAMP LAWS IN CONNECTION WITH BILLS OF EXCHANGE  
AND PROMISSORY NOTES**

*Geneva, 7 June 1930*

**ENTRY INTO FORCE:** 1 January 1934, in accordance with article 6.  
**REGISTRATION:** 1 January 1934, No. 3315<sup>1</sup>.

***Ratifications or definitive accessions***

Austria	(August 31st, 1932)	Jamaica, including the Turks and Caicos Islands and the Cayman Islands (with limitation), Somaliland Protectorate (with limitation)(August 3rd, 1939 a)
Belgium	(August 31st, 1932)	
Brazil	(August 26th, 1942 a)	
Great Britain and Northern Ireland	(April 18th, 1934 a)	Australia <sup>3</sup> (September 3rd, 1939 a)
His Majesty does not assume any obligations in respect of any of his Colonies or Protectorates or any territories under mandate exercised by his Government in the United Kingdom.		Including the territories of <i>Papua</i> and <i>Norfolk Island</i> and the mandated territories of <i>New Guinea</i> and <i>Nauru</i> .
<i>Newfoundland</i>	(May 7th, 1934 a)	It is agreed that, insofar as concerns the Commonwealth of Australia, the only instruments to which the provisions of this Convention shall apply are bills of exchange presented for acceptance or accepted or payable elsewhere than in the Commonwealth of Australia.
Subject to the provision D.I. in the Protocol of the Convention		A similar limitation shall apply in the case of Territories of Papua and Norfolk Island and the Mandated Territories of New Guinea and Nauru.
<i>Barbados (with limitation)</i> <sup>2</sup> , <i>Basutoland, Bechuanaland Protectorate, Bermuda (with limitation), British Guiana (with limitation), British Honduras, Ceylon (with limitation), Cyprus (with limitation), Fiji (with limitation), Gambia (Colony and Protectorate), Gibraltar (with limitation), Gold Coast [(a) Colony, (b) Ashanti, (c) Northern Territories, (d) Togoland under British Mandate], Kenya (Colony and Protectorate) (with limitation), Malay States [(a) Federated Malay States: Negri Sembilan, Pahang, Perak, Selangor; (b) Unfederated Malay States: Johore, Kedah, Kelantan, Perlis, Trengganu, and Brunei (with limitation)], Malta, Northern Rhodesia, Nyasaland Protectorate, Palestine (excluding Trans-Jordan), Seychelles, Sierra Leone (Colony and Protectorate) (with limitation), Straits Settlements (with limitation), Swaziland, Trinidad and Tobago (with limitation), Uganda Protectorate (with limitation), Windward Islands (Grenada, St. Lucia, St. Vincent) (with limitation)</i> (July 18th, 1936 a)		Ireland <sup>4</sup> (July 10th, 1936 a)
<i>Bahamas (with limitation), British Solomon Islands Protectorate (with limitation), Falkland Islands and Dependencies (with limitation), Gilbert and Ellice Islands Colony (with limitation), Mauritius, Saint Helena and Ascension (with limitation), Tanganyika Territory (with limitation), Tonga (with limitation), Trans-Jordan (with limitation), Zanzibar (with limitation)</i> (September 7th, 1938 a)		Denmark (July 27th, 1932)
		The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.
		Finland (August 31st, 1932)
		France (April 27th, 1936 a)
		Germany <sup>5</sup> (October 3rd, 1933)
		Italy (August 31st, 1932)
		Japan (August 31st, 1932)
		Monaco (January 25th, 1934 a)
		The Netherlands (for the Kingdom in Europe) <sup>6</sup> (August 20th, 1932)
		<i>Netherlands Indies and Curaçao</i> (July 16th, 1935 a)
		<i>Surinam</i> (August 7th, 1936 a)
		<i>New Hebrides (with limitation)</i> (March 16th, 1939 a)
		Norway (July 27th, 1932)
		Poland (December 19th, 1936 a)
		Portugal <sup>5,7</sup> (June 8th, 1934)
		Sweden (July 27th, 1932)
		Switzerland <sup>8</sup> (August 26th, 1932)
		Union of Soviet Socialist Republics (November 25th, 1936 a)

***Signatures not yet perfected by ratification***

Colombia	Spain
Czechoslovakia <sup>9</sup>	Turkey
Ecuador	Yugoslavia
Peru	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant</i> <sup>7,10</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant</i> <sup>7,10</sup>	<i>Ratification, Accession (a), Succession (d)</i>
Bahamas <sup>11</sup>	19 May 1976 d	Luxembourg	5 Mar 1963
Belarus	4 Feb 1998 d	Malaysia	14 Jan 1960 d
Cyprus <sup>12</sup>	5 Mar 1968 d	Malta	6 Dec 1966 d
Fiji <sup>12</sup>	25 Mar 1971 d	Papua New Guinea	12 Feb 1981 a
Hungary	28 Oct 1964 a	Tonga <sup>12</sup>	2 Feb 1972 d
Kazakhstan	20 Nov 1995 a		

**Participant<sup>7,10</sup>**

Uganda . . . . .	15 Apr 1965 a
Ukraine . . . . .	8 Oct 1999 a

**Ratification,  
Accession (a),  
Succession (d)**

**Declarations and Reservations**  
*(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)*

**PAPUA NEW GUINEA**

"It is agreed that, insofar as concerns Papua New Guinea, the only instruments to which the provisions of the Convention

shall apply are bills of exchange presented for acceptance or accepted or payable elsewhere than in Papua New Guinea."

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol.143, p.337.

<sup>2</sup> The words "with limitation" placed after the names of certain territories indicate that the limitation contained in Section D of the Protocol of the Convention applies to these territories.

<sup>3</sup> This limitation was accepted by the States parties to the Convention, which were consulted in accordance with Section D, paragraph 4, of the Protocol of the said Convention.

<sup>4</sup> The Government of Ireland having informed the Secretary-General of the League of Nations of its desire to be allowed the limitation specified in paragraph 1 of Section D of the Protocol to this Convention, the Secretary-General has transmitted this desire to the interested States in application of paragraph 4 of the above-mentioned Section. No objection having been raised on the part of the said States, this limitation should be considered as accepted.

<sup>5</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

<sup>6</sup> See note 8 in chapter I.1.

<sup>7</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see League of Nations, *Treaty Series*, vol.143, p.339). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of this reservation.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (29 September 1999):*

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex 1 to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Convention on the Stamp Laws in Connection with Bills of Exchange and Promissory Notes (and Protocol), done at Geneva on 7 June 1930 (hereinafter referred to as the "Convention and the Protocol"), which applies to Macau at present, will continue to apply to the Macao Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention and the Protocol.

<sup>8</sup> According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect, for Switzerland, as from that date.

<sup>9</sup> See note 11 in chapter I.2.

<sup>10</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the Convention of 7 June 1930 on the Stamp Laws in connection with Bills of Exchange and Promissory Notes, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the

reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention on the Stamp Laws in Connection with Bills of Exchange and Promissory Notes of 7 June 1930 to which it acceded on the basis of the succession of States."

See note 14 in chapter I.2.

<sup>11</sup> Maintaining the limitations contained in Section D of the Protocol to the Convention, subject to which the Convention was made applicable to its territory.

<sup>12</sup> Maintaining the limitations contained in Section D of the Protocol of the Convention subject to which the Convention was made applicable to its territory before the attainment of independence.



### 13. CONVENTION ON THE STAMP LAWS IN CONNECTION WITH CHEQUES

Geneva, 19 March 1931

**ENTRY INTO FORCE:** 29 November 1933, in accordance with article 5.  
**REGISTRATION:** 29 November 1933, No. 3301<sup>1</sup>.

#### Ratifications or definitive accessions

Brazil	(August 26th, 1942 a)	<i>Cayman Islands</i>	(August 3rd, 1939 a)
Great Britain and Northern Ireland	(January 13th, 1932)	<i>Somaliland Protectorate</i>	(August 3rd, 1939 a)
This ratification does not include any British Colony or Protectorate or any mandated territory in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom.		Australia	(September 3rd, 1938 a)
<p><i>Barbados, Basutoland, Bechuanaland Protectorate, Bermuda, British Guiana, British Honduras, Ceylon, Cyprus, Fiji, Gambia (Colony and Protectorate), Gibraltar, Gold Coast [(a) Colony, (b) Ashanti, (c) Northern Territories, (d) Togoland under British Mandate], Kenya (Colony and Protectorate), Malay States [(a) Federated Malay States: Negri Sembilan, Pahang, Perak, Selangor; (b) Unfederated Malay States: Johore, Kedah, Kelantan, Perlis, Trengganu, and Brunei], Malta, Northern Rhodesia, Nyasaland Protectorate, Palestine (excluding Trans-Jordan), Seychelles, Sierra Leone (Colony and Protectorate), Straits Settlements, Swaziland, Trinidad and Tobago, Uganda Protectorate, Windward Islands (Grenada, St. Lucia, St. Vincent)</i></p>		<p>Including the territories of Papua and Norfolk Island and the mandated territories of New Guinea and Nauru</p>	
<p><i>Bahamas, British Solomon Islands Protectorate, Falkland Islands and Dependencies, Gilbert and Ellice Islands Colony, Mauritius, Saint Helena and Ascension, Tanganyika Territory, Tonga, Trans-Jordan, Zanzibar</i></p>		Ireland	(July 10th, 1936 a)
(July 18th, 1936 a)		Denmark	(July 27th, 1932)
<p><i>Jamaica, including the Turks and Caicos Islands and the</i></p>		<p>The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.</p>	
		Finland	(August 31st, 1932)
		France	(April 27, 1936 a)
		Germany <sup>2</sup>	(October 3rd, 1933)
		Greece <sup>2</sup>	(June 1st, 1934)
		Italy	(August 31st, 1933)
		Japan	(August 25th, 1933)
		Monaco	(February 9th, 1933)
		The Netherlands (for the Kingdom in Europe) <sup>2,3</sup>	(April 2nd, 1934)
		<i>Netherlands Indies and Curacao</i>	(September 30th, 1935 a)
		Surinam	(August 7th, 1936 a)
		<i>New Hebrides</i>	(March 16th, 1939 a)
		Nicaragua	(March 16th, 1932 a)
		Norway	(July 27th, 1932)
		Poland	(December 19th, 1936 a)
		Portugal <sup>2, 4</sup>	(June 8th, 1934)
		Sweden	(July 27th, 1932)
		Switzerland <sup>5</sup>	(August 26th, 1932)

#### Signatures not yet perfected by ratification

Czechoslovakia <sup>6</sup>	Spain
Ecuador	Turkey
Mexico	Yugoslavia
Romania	

#### Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations

Participant <sup>4,7</sup>	Ratification, Accession (a), Succession (d)	Participant <sup>4,7</sup>	Ratification, Accession (a), Succession (d)
Austria	1 Dec 1958	Luxembourg	1 Aug 1968 a
Bahamas	19 May 1976 d	Malaysia	14 Jan 1960 d
Belgium <sup>8</sup>	18 Dec 1961	Malta	6 Dec 1966 d
Cyprus	5 Mar 1968 d	Papua New Guinea	12 Feb 1981 a
Fiji	25 Mar 1971 d	Tonga	2 Feb 1972 d
Hungary	28 Oct 1964 a		
Indonesia	9 Mar 1959 d		

#### Notes:

<sup>1</sup> League of Nations, *Treaty Series*, vol. 143, p.7.

<sup>2</sup> All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipu-

lated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

<sup>3</sup> See note 8 in chapter I.1.

<sup>4</sup> The ratification was made subject to the reservation that the provisions of the Convention do not apply to the colonial territory of Portugal (see *ibid.*, vol. 143, p. 9). In a communication received on 18 August 1953, the Government of Portugal notified the Secretary-General of the withdrawal of this reservation.

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

*Portugal (29 September 1999):*

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

*China (19 October 1999):*

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

It is provided both in Section VIII of Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Macau, which is Annex I to the Joint Declaration, and Article 138 of the Basic Law of the Macau Special Administrative Region of the People's Republic of China, which was adopted on 31 March 1993 by the National People's Congress of the People's Republic of China, that international agreements to which the People's Republic of China is not yet a party but which are implemented in Macau may continue to be implemented in the Macau Special Administrative Region.

In accordance with the above provisions, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Convention on the Stamp Laws in Connection with Cheques (and Protocol), done at Geneva on 19 March 1931 (hereinafter referred to as the "Convention and the Protocol"), which applies to Macau at

present, will continue to apply to the Macau Special Administrative Region with effect from 20 December 1999.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Convention and the Protocol.

<sup>5</sup> According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary, of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect, for Switzerland, as from that date.

<sup>6</sup> See note 11 in chapter I.2.

<sup>7</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 13 January 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the Convention of 19 March 1931 on the Stamp Laws in connection with Cheques, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 28 April 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention on the Stamp Laws in Connection with Cheques of 19 March 1931 to which it acceded on the basis of the succession of States."

See also note 14 in chapter I.2.

<sup>8</sup> With a declaration that, in accordance with article 9 of the Convention, the Government of Belgium does not intend to assume any obligations in respect of the Trust Territory of Ruanda-Urundi.

## 14. a) International Convention for the Suppression of Counterfeiting Currency

Geneva, 20 April 1929

**ENTRY INTO FORCE:** 22 February 1931, in accordance with article 25.  
**REGISTRATION:** 22 February 1931, No. 2623<sup>1</sup>.

### *Ratifications or definitive accessions*

Austria	(June 25th, 1931)	Monaco	(October 21st, 1931)
Belgium	(June 6th, 1932)	The Netherlands	(April 30th, 1932)
Brazil	(July 1st, 1938 a)	Norway <sup>4</sup>	(March 16th, 1931)
Bulgaria	(May 22nd, 1930)	In view of the provisions of Article 176, paragraph 2, of the Norwegian Ordinary Criminal Code and Article 2 of the Norwegian Law on the Extradition of Criminals, the extradition provided for in Article 10 of the present Convention may not be granted for the offence referred to in Article 3, No. 2, where the person uttering the counterfeit currency himself accepted it bona fide as genuine.	
Colombia	(May 9th, 1932)	Poland	(June 15th, 1934)
Cuba	(June 13th, 1933)	Portugal	(September 18th, 1930)
Czechoslovakia <sup>2</sup>	(September 12th, 1931)	Romania	(March 7th, 1939)
Denmark <sup>3</sup>	(February 19th, 1931)	Spain	(April 28th, 1930)
Ecuador	(September 25th, 1937 a)	Turkey	(January 21st, 1937 a)
Estonia	(August 30th, 1930 a)	Union of Soviet Socialist Republics <sup>5</sup>	(July 13th, 1931)
Finland	(September 25th, 1936 a)	Yugoslavia	(November 24th, 1930)
Germany	(October 3rd, 1933)		
Greece	(May 19th, 1931)		
Hungary	(June 14th, 1933)		
Ireland	(July 24th, 1934 a)		
Italy	(December 27th, 1935)		
Latvia	(July 22nd, 1939 a)		
Mexico	(March 30th, 1936 a)		

### *Signatures not yet perfected by ratification*

Albania	of His Majesty.
United States of America	China <sup>6</sup>
India	Japan
	Luxembourg
	Panama

### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>7,8</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>7,8</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>
Algeria <sup>9</sup>	17 Mar 1965 a	Mali	6 Jan 1970 a
Australia	5 Jan 1982 a	Mauritius	18 Jul 1969 d
Bahamas	9 Jul 1975 d	Morocco <sup>12</sup>	4 May 1976 a
Benin	17 Mar 1966 a	Niger	5 May 1969 a
Burkina Faso	8 Dec 1964 a	Peru	11 May 1970 a
Côte d'Ivoire	25 May 1964 a	Philippines <sup>13</sup>	5 May 1971 a
Cyprus	10 Jun 1965 a	San Marino	18 Oct 1967 a
Czech Republic	9 Feb 1996 d	Senegal	25 Aug 1965 a
Egypt	15 Jul 1957 a	Singapore	12 Feb 1979 d
Fiji	25 Mar 1971 d	Slovakia <sup>2</sup>	28 May 1993 d
France	28 Mar 1958	Solomon Islands	3 Sep 1981 d
Gabon	11 Aug 1964 a	South Africa	28 Aug 1967 a
Ghana	9 Jul 1964 a	Sri Lanka	2 Jun 1967 a
Holy See	1 Mar 1965 a	Switzerland	30 Dec 1948
Indonesia <sup>10</sup>	3 Aug 1982 a	Syrian Arab Republic <sup>14</sup>	14 Aug 1964
Iraq	14 May 1965 a	Thailand	6 Jun 1963 a
Israel	10 Feb 1965 a	Togo	3 Oct 1978 a
Kenya	10 Nov 1977 a	Uganda	15 Apr 1965 a
Kuwait	9 Dec 1968 a	United Kingdom of Great Britain and Northern Ireland	28 Jul 1959
Lebanon	6 Oct 1966 a	Zimbabwe	1 Dec 1998 d
Malawi	18 Nov 1965 a		
Malaysia <sup>11</sup>	4 Jul 1972 a		

*Accessions in respect of territories*

Netherlands <sup>15</sup>	22 Mar 1954	Netherlands Antilles and Surinam
United Kingdom <sup>16</sup>	13 Oct 1960	Antigua, Bahamas, Basutoland, Bechuanaland Protectorate, Bermuda, British Guiana, British Honduras, British Solomon Islands, British Virgin Islands, Dominica, Falkland Island, Federation of Rhodesia and Nyasaland, Fiji, Gambia, Gibraltar, Gilbert and Ellice Islands, Grenada, Jamaica, Kenya, Mauritius, Montserrat, North Borneo, St. Christopher-Nevis and Anguilla, St. Lucia, St. Vincent, Sarawak, Sierra Leone, State of Singapore, Swaziland, Tanganyika, Trinidad, Uganda, Zanzibar
	7 Mar 1963	Barbados and its dependencies



**14. b) Protocol to the International Convention for the Suppression of Counterfeiting Currency**

*Geneva, 20 April 1929*

**ENTRY INTO FORCE:** 22 February 1931.  
**REGISTRATION:** 22 February 1931, No. 2623<sup>1</sup>.

*Note:* The Protocol came into force at the same time as the Convention, of which it forms an integral part, and was registered under the same number.

***Ratifications or definitive accessions***

Austria	(June 25th, 1931)	Ireland	(July 24th, 1934 a)
Belgium	(June 6th, 1932)	Italy	(December 27th, 1935)
Brazil	(July 1st, 1938 a)	Latvia	(July 22nd, 1939 a)
Bulgaria	(May 22nd, 1930)	Mexico	(March 30th, 1936 a)
Colombia	(May 9th, 1932)	Monaco	(October 21st, 1931)
Cuba	(June 13th, 1933)	The Netherlands	(April 30th, 1932)
Czechoslovakia <sup>2</sup>	(September 12th, 1931)	Norway	(March 16th, 1931)
Denmark <sup>3</sup>	(February 19th, 1931)	Poland	(June 15th, 1934)
Ecuador	(September 25th, 1937 a)	Portugal	(September 18th, 1930)
Estonia	(August 30th, 1930 a)	Romania	(March 7th, 1939)
Finland	(September 25th, 1936 a)	Spain	(April 28th, 1930)
Germany	(October 3rd, 1933)	Turkey	(January 21st, 1937 a)
Greece	(May 19th, 1931)	Union of Soviet Socialist Republics <sup>5</sup>	(July 13th, 1931)
Hungary	(June 14th, 1933)	Yugoslavia	(November 24th, 1930)

***Signatures not yet perfected by ratification***

Albania	India
United States of America	Luxembourg
China <sup>6</sup>	Panama
Japan	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant<sup>7,8</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Participant<sup>7,8</sup></i>	<i>Ratification, Accession (a), Succession (d)</i>
Algeria <sup>9</sup>	17 Mar 1965 a	Malaysia <sup>11</sup>	4 Jul 1972 a
Australia	5 Jan 1982 a	Mali	6 Jan 1970 a
Bahamas	9 Jul 1975 a	Mauritius	18 Jul 1969 d
Benin	17 Mar 1966 a	Niger	5 May 1969 a
Burkina Faso	8 Dec 1964 a	Peru	11 May 1970 a
Côte d'Ivoire	25 May 1964 a	Philippines <sup>13</sup>	5 May 1971 a
Cyprus	10 Jun 1965 a	San Marino	18 Oct 1967 a
Czech Republic	9 Feb 1996 d	Senegal	25 Aug 1965 a
Egypt	15 Jul 1957 a	Slovakia <sup>2</sup>	28 May 1993 d
Fiji	25 Mar 1971 d	Solomon Islands	3 Sep 1981 d
France	28 Mar 1958	South Africa	29 Aug 1967 a
Gabon	11 Aug 1964 a	Sri Lanka	2 Jun 1967 a
Ghana	9 Jul 1964 a	Switzerland	30 Dec 1958
Holy See	1 Mar 1965 a	Syrian Arab Republic	14 Aug 1964
Indonesia <sup>10</sup>	3 Aug 1982 a	Thailand	6 Jun 1963 a
Iraq	14 May 1965 a	Togo	3 Oct 1978 a
Israel	10 Feb 1965 a	Uganda	15 Apr 1965 a
Kuwait	9 Dec 1968 a	United Kingdom of Great Britain and Northern Ireland	28 Jul 1959
Lebanon	6 Oct 1966 a		
Malawi	18 Nov 1965 a		

*Accessions in respect of territories*

Netherlands <sup>15</sup>	22 Mar 1954	Netherlands Antilles and Surinam
United Kingdom <sup>16</sup>	13 Oct 1960	Antigua, Bahamas, Basutoland, Bechuanaland Protectorate, Bermuda, British Guiana, British Honduras, British Solomon Islands, British Virgin Islands, Dominica, Falkland Island, Federation of Rhodesia and Nyasaland, Fiji, Gambia, Gibraltar, Gilbert and Ellice Islands, Grenada, Jamaica, Kenya, Mauritius, Montserrat, North Borneo, St. Christopher-Nevis and Anguilla, St. Lucia, St. Vincent, Sarawak, Sierra Leone, State of Singapore, Swaziland, Tanganyika, Trinidad, Uganda, Zanzibar
	7 Mar 1963	Barbados and its dependencies

**Notes:**

<sup>1</sup> League of Nations. *Treaty Series*. vol.112, p.371.

<sup>2</sup> See note 11 in chapter 1.2.

<sup>3</sup> According to a Declaration made by the Danish Government when ratifying the Convention, the latter was to take effect in respect of Denmark only upon the coming into force of the Danish Penal Code of April 15th, 1930. This Code having entered into force on January 1st, 1933, the Convention has become effective for Denmark from the same date.

<sup>4</sup> The reservation by Norway has not given rise to any objection on the part of the States to which it was communicated in accordance with Article 22. it may be considered as accepted.

<sup>5</sup> Instrument deposited in Berlin.

<sup>6</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>7</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 2 March 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974, concerning the application, as from 6 June 1958, of the International Convention of 20 April 1929 for the Suppression of Counterfeiting Currency, the Government of the Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 17 June 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the International Convention for the Suppression of Counterfeiting Currency, April 20th, 1929 to which it established its status as a party by way of succession."

See note 14 in chapter 1.2

<sup>8</sup> The Republic of Viet-Nam had acceded to the Convention and the Protocol on 3 December 1964. See also note 1 in chapter III.6.

<sup>9</sup> With the following reservation, which is deemed to have been accepted by the other Contracting Parties in accordance with article 22 of the Convention:

The Democratic and Popular Republic of Algeria does not consider itself bound by article 19 of the Convention, which confers upon the

International Court of Justice jurisdiction with respect to any disputes concerning the Convention.

The jurisdiction of international tribunals may be accepted, by way of exception, in cases with respect to which the Algerian Government shall have expressly given its consent.

<sup>10</sup> With the following reservation, which is deemed to have been accepted by the other Contracting Parties in accordance with article 22 of the Convention:

"The Government of the Republic of Indonesia does not consider itself bound by the provisions of article 19 of this Convention but takes the position that any dispute relating to the interpretation or application of the Convention may be submitted to arbitration or to the International Court of Justice for decision, only with the agreement of all the parties to the dispute.

<sup>11</sup> With the following reservation, which is deemed to have been accepted by the other Contracting Parties in accordance with article 22 of the Convention:

"The Government of Malaysia does not consider itself bound by the provisions of article 19 of the Convention."

<sup>12</sup> With the following reservation, which is deemed to have been accepted by the other Contracting Parties in accordance with article 22 of the Convention: The Kingdom of Morocco does not consider itself bound by article 19 of the Convention which provides that any disputes which might arise relating to the said Convention shall be settled by the Permanent Court of International Justice.

However, it may accept the jurisdiction of the International Court, by way of exception, in cases where the Moroccan Government expressly states that it accepts such jurisdiction.

<sup>13</sup> With the following reservation, which is deemed to have been accepted by the other Contracting Parties in accordance with article 22 of the Convention:

"Articles 5 and 8 of the Convention shall be inoperative with respect to the Philippines unless and until Article 163 of the Revised Penal Code and Section 14 (a), Rule 110, of the Rules of the Court in the Philippines, shall have been amended to conform to the said provisions of the Convention."

<sup>14</sup> In a communication received on 14 August 1964, the Government of the Syrian Arab Republic, referring to Presidential decree No. 1147 of 20 June 1959, pursuant to which the application of the Convention for the Suppression of Counterfeiting Currency and Protocol, done at Geneva on 30 April 1929, was extended to the Syrian Province of the United Arab Republic, and to décret-loi No. 25 promulgated on 13 June 1962 by the President of the Syrian Arab Republic (see note 5 in chapter I.1.) has informed the Secretary-General that the Syrian Arab Republic considers itself a party to the said Convention and Protocol as from 20 June 1959.

<sup>15</sup> See note 8 in chapter I.1.

<sup>16</sup> See note 27 in chapter V.2.

**15. OPTIONAL PROTOCOL REGARDING THE SUPPRESSION OF COUNTERFEITING  
CURRENCY**

*Geneva, 20 April 1929*

**ENTRY INTO FORCE:** 30 August 1930.  
**REGISTRATION:** 22 February 1931, No. 2624<sup>1</sup>.

*Ratifications or definitive accessions*

Austria	(June 25th, 1931)	Greece	(May 19th, 1931)
Brazil	(July 1st, 1938 a)	Latvia	(July 22nd, 1939 a)
Bulgaria	(May 22nd, 1930)	Poland	(June 15th, 1934)
Colombia	(May 9th, 1932)	Portugal	(September 18th, 1930)
Cuba	(June 13th, 1933)	Romania	(November 10th, 1930)
Czechoslovakia <sup>2</sup>	(September 12th, 1931)	Spain	(April 28th, 1930)
Estonia	(August 30th, 1930 a)	Yugoslavia	(November 24th, 1930)
Finland	(September 25th, 1936 a)		

*Signatures not yet perfected by ratification*

Panama

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>3</sup></i>	<i>Accession (a), Succession (d)</i>	<i>Participant<sup>3</sup></i>	<i>Accession (a), Succession (d)</i>
Algeria.....	17 Mar 1965 a	Israel.....	10 Feb 1965 a
Burkina Faso.....	8 Dec 1964 a	Malawi.....	18 Nov 1965 a
Côte d'Ivoire.....	25 May 1964 a	Niger.....	5 May 1969 a
Cyprus.....	10 Jun 1965 a	Senegal.....	25 Aug 1965 a
Gabon.....	11 Av. 1964 a	Slovakia <sup>2</sup> .....	28 May 1993 d
Ghana.....	9 Jul 1964 a	Sri Lanka.....	2 Jun 1967 a
Iraq.....	14 May 1965 a		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 112, p. 395.

<sup>2</sup> See note 11 in chapter I.2.

<sup>3</sup> The Republic of Viet-Nam had acceded to the Protocol on 3 December 1964. See also note 1 in chapter III.6.



## 16. CONVENTION AND STATUTE ON FREEDOM OF TRANSIT

*Barcelona, 20 April 1921*

**ENTRY INTO FORCE:** 31 October 1922, in accordance with article 6.  
**REGISTRATION:** 8 October 1921, No. 171<sup>1</sup>.

### *Ratifications or definitive accessions*

<p>Albania (October 8th, 1921)</p> <p>Austria (November 15th, 1923)</p> <p>Belgium (May 16th, 1927)</p> <p>British Empire<sup>2</sup>, including Newfoundland (August 2nd, 1922)            Subject to the declaration inserted in the Procès-verbal of the meeting of April 19th, 1921, as to the British Dominions which have not been represented at the Barcelona Conference.</p> <p style="padding-left: 20px;"><i>Federated Malay States: Perak, Selangor, Negri Sembilan and Pahang</i> (August 22nd, 1923 a)</p> <p style="padding-left: 20px;"><i>Non-Federated Malay States: Brunei, Johore, Kedah, Perlis, Kelantan and Trengganu</i> (August 22nd, 1923 a)</p> <p style="padding-left: 20px;"><i>Palestine</i> (January 28th, 1924 a)</p> <p>New Zealand (August 2nd, 1922)</p> <p>India (August 2nd, 1922)</p> <p>Bulgaria (July 11th, 1922)</p> <p>Chile (March 19th, 1928)</p> <p>Czechoslovakia<sup>3</sup> (October 29th, 1923)</p> <p>Denmark (November 13th, 1922)</p> <p>Estonia (June 6th, 1925)</p> <p>Finland (January 29th, 1923)</p> <p>France (September 19th, 1924)</p>	<p><i>Syria and Lebanon</i></p> <p>Germany</p> <p>Greece</p> <p>Hungary</p> <p>Iran</p> <p>Iraq</p> <p>Italy</p> <p>Japan</p> <p>Latvia</p> <p>Luxembourg</p> <p>The Netherlands<sup>4</sup> (including the <i>Netherlands Indies, Surinam and Curacao</i>)</p> <p>Norway</p> <p>Poland</p> <p>Romania</p> <p>Spain</p> <p>Sweden</p> <p>Switzerland</p> <p>Thailand</p> <p>Turkey</p> <p>Yugoslavia</p>	<p>(February 7th, 1929 a)</p> <p>(April 9th, 1924 a)</p> <p>(February 18th, 1924)</p> <p>(May 18th, 1928 a)</p> <p>(January 29th, 1931)</p> <p>(March 1st, 1930 a)</p> <p>(August 5th, 1922)</p> <p>(February 20th, 1924)</p> <p>(September 29th, 1923)</p> <p>(March 19th, 1930)</p> <p>(April 17th, 1924)</p> <p>(September 4th, 1923)</p> <p>(October 8th, 1924)</p> <p>(September 5th, 1923)</p> <p>(December 17th, 1929)</p> <p>(January 19th, 1925)</p> <p>(July 14th, 1924)</p> <p>(November 29, 1922 a)</p> <p>(June 27th, 1933 a)</p> <p>(May 7th, 1930)</p>
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### *Signatures or accessions not yet perfected by ratification*

<p>Bolivia</p> <p>China<sup>5</sup></p> <p>Ethiopia (a)</p> <p>Guatemala</p> <p>Lithuania</p>	<p>Panama</p> <p>Peru (a)</p> <p>Portugal</p> <p>Uruguay</p>
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### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>2,6</sup></i>	<i>Accession (a), Succession (d)</i>	<i>Participant<sup>2,6</sup></i>	<i>Accession (a), Succession (d)</i>
Antigua and Barbuda	25 Oct 1988 d	Mauritius	18 Jul 1969 d
Bosnia and Herzegovina	1 Sep 1993 d	Nepal	22 Aug 1966 a
Cambodia	12 Apr 1971 d	Nigeria	3 Nov 1967 a
Croatia	3 Aug 1992 d	Rwanda <sup>3</sup>	10 Feb 1965 d
Czech Republic <sup>3</sup>	9 Feb 1996 d	Slovakia <sup>3</sup>	28 May 1993 d
Fiji	15 Mar 1972 d	Slovenia	6 Jul 1992 d
Georgia	2 Jun 1999 a	Swaziland	24 Nov 1969 a
Lao People's Democratic Republic	24 Nov 1956 d	Zimbabwe	1 Dec 1998 d
Lesotho	23 Oct 1973 d		
Malta	13 May 1966 d		

#### *Notes:*

<sup>1</sup> League of Nations, *Treaty Series*, vol.7, p.11.

<sup>2</sup> On 6 June and 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[Same notification as the one made under note 2 in chapter V.3.]

United Kingdom of Great Britain and Northern Ireland:

[Same notification as the one made under note 4 in chapter IV.1.]

The notification by China also contained the following reservation:

The Government of the People's Republic of China also declares that it has reservation to Article 13 of the [said Convention and Statute].

<sup>3</sup> See note 11 in chapter I.2.

<sup>4</sup> See note 8 in chapter I.1.

<sup>5</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>6</sup> In a letter addressed to the Secretary-General on 3 September 1968, the President of the Republic of Malawi, referring to the Convention and Statute on Freedom of Transit, done at Barcelona on 20 April 1921, stated the following:

"As I mentioned in my previous letter to you of the 24th November 1964, concerning Malawi's inherited treaty obligations, my Government regards all multilateral treaties validly applied to the

former Nyasaland, including this Convention and Statute, as remaining in force on a reciprocal basis as between Malawi and any other party to the treaty, pending our notification to the depositary of the treaty confirming Malawi's succession, acceding in her own right, or terminating all legal connection therewith.

"On behalf of the Government of Malawi, I would now inform you, as depositary for this Convention and Statute, that my Government considers that as from this date any legal obligations and rights which may have devolved upon Malawi from the previous ratification by the United Kingdom are terminated. Accordingly, Malawi considers herself to have no further legal connection with the Convention and Statute on Freedom of Transit, signed at Barcelona on 20th April 1921. The Government of Malawi wishes, however, to reserve the right to accede to this Convention and Statute at a later date should this become necessary."

**17. CONVENTION AND STATUTE ON THE RÉGIME OF NAVIGABLE WATERWAYS OF  
INTERNATIONAL CONCERN**

*Barcelona, 20 April 1921*

**ENTRY INTO FORCE:** 31 October 1922, in accordance with article 6.  
**REGISTRATION:** 8 October 1921, No. 172<sup>1</sup>.

***Ratifications or definitive accessions***

Albania	(October 8th, 1921)	Finland	(January 29th, 1923)
Austria	(November 15th, 1923)	France	(December 31st, 1926)
British Empire <sup>2</sup> , including Newfoundland	(August 2nd, 1922)	Greece	(January 3rd, 1928)
Subject to the declaration inserted in the Procès-verbal of the meeting of April 19th, 1921, as to the British Dominions which have not been represented at the Barcelona Conference.		Hungary	(May 18th, 1928 a)
<i>Federated Malay States: Perak, Selangor, Negri Sembilan and Pahang</i>	(August 22nd, 1923 a)	Italy	(August 5th, 1922)
<i>Non-Federated Malay States: Brunei, Johore, Kedah, Perlis, Kelantan and Trengganu</i>	(August 22nd, 1923 a)	Luxembourg	(March 19th, 1930)
<i>Palestine</i>	(January 28th, 1924 a)	Norway	(September 4th, 1923)
New Zealand	(August 2nd, 1922)	Romania	(May 9th, 1924 a)
India <sup>3</sup>	[August 2nd, 1922]	In so far as its provisions are not in conflict with the principles of the new Danube Statute drawn up by the International Commission which was appointed in accordance with Articles 349 of the Treaty of Versailles, 304 of the Treaty of Saint-Germain, 232 of the Treaty of Neuilly and 288 of the Treaty of Trianon.	
Bulgaria	(July 11th, 1922)	Sweden	(September 15th, 1927)
Chile	(March 19th, 1928)	Thailand	(November 29th, 1922 a)
Czechoslovakia <sup>4</sup>	(September 8th, 1924)	Turkey	(June 27th, 1933 a)
Denmark	(November 13th, 1922)		

***Signatures not yet perfected by ratification***

Belgium	Panama
Bolivia	Peru (a)
China <sup>5</sup>	Poland
Colombia (a)	Portugal
Estonia	Spain
Guatemala	Uruguay
Lithuania	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant</i> <sup>2,6</sup>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant</i> <sup>2,6</sup>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>
Antigua and Barbuda.	25 Oct 1988 d		Nigeria	3 Nov 1967 a	
Cambodia	12 Apr 1971 d		Slovakia <sup>4</sup>	28 May 1993 d	
Fiji	15 Mar 1972 d		Solomon Islands	3 Sep 1981 d	
India <sup>3</sup>		26 Mar 1956	Swaziland	16 Oct 1970 a	
Malta	13 May 1966 d		Zimbabwe	1 Dec 1998 d	
Morocco	10 Oct 1972 a				

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 7, p. 35.

<sup>2</sup> On 6 June and 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

**China:**

[Same notification as the one made under note 2 in chapter V.3.]

**United Kingdom of Great Britain and Northern Ireland:**

[Same notification as the one made under note 4 in chapter IV.1.]

The notification by China also contained the following reservation:

The Government of the People's Republic of China also declares that it has reservation to Article 22 of the [said Convention and Statute].

<sup>3</sup> With effect from 26 March 1957.

<sup>4</sup> See note 11 in chapter I.2.

<sup>5</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>6</sup> In a letter addressed to the Secretary-General on 21 March 1969, the President of the Republic of Malawi, referring to the Convention

and Statute on the Régime of Navigable Waterways of International Concern, done at Barcelona on 20 April 1921, stated the following:

"In my letter to you of the 24th November 1964, concerning the disposition of Malawi's inherited treaty obligations, my Government declared that with respect to any multilateral treaty which was applied or extended to the former Nyasaland Protectorate, any Party to such a treaty could on the basis of reciprocity rely as against Malawi on the terms of that treaty until Malawi notified its depositary of what action it wished to take by way of confirmation of termination, confirmation of succession, or accession.

"I am to inform you as depositary of this Convention that the Government of Malawi now wishes to terminate any connection with this Convention which it might have inherited. The Government of Malawi considers that any legal relationship with the aforementioned Convention and Statute on the Régime of Navigable Waterways of International Concern, Barcelona, 1921 which might have devolved upon it by way of succession from the ratification of the United Kingdom, is terminated as of this date."



**18. ADDITIONAL PROTOCOL TO THE CONVENTION ON THE REGIME OF NAVIGABLE  
WATERWAYS OF INTERNATIONAL CONCERN**

*Barcelona, 20 April 1921*

**ENTRY INTO FORCE:** 31 October 1922.  
**REGISTRATION:** 8 October 1921, No. 173<sup>1</sup>.

**Ratifications or definitive accessions**

Albania	(October 8th, 1921)	New Zealand	(August 2nd, 1922)
Austria	(November 15th, 1923 a)	Accepting paragraph (a).	
To the full extent indicated under paragraph (a) of the Protocol.		India	[August 2nd, 1922]
British Empire	(August 2nd, 1922)	In respect of India only accepting paragraph (a).	
In respect of the United Kingdom only accepting paragraph (a).		Chile	(March 19th, 1928)
<i>Newfoundland</i>	(August 2nd, 1922)	Accepting paragraph (b).	
To the full extent indicated under paragraph (a).		Czechoslovakia <sup>2</sup>	(September 8th, 1924)
<i>Nyasaland Protectorate and Tanganyika Territory</i>	(August 2nd, 1922)	Accepting paragraph (b).	
To the full extent indicated in paragraph (b).		Denmark	(November 13th, 1922)
<i>Bahamas, Barbados, British Guiana, British Solomon Islands, Ceylon, Cyprus, Fiji, Gambia Colony and Protectorate, Gibraltar, Gilbert and Ellice Islands Colony, Gold Coast (Ashanti and Northern Territories), Hong-Kong, Jamaica (including Turks and Caicos Islands and Cayman Islands), Kenya Colony and Protectorate, Leeward Islands, Malta, Mauritius, Nigeria Colony and Protectorate, Seychelles, Sierra Leone Colony and Protectorate, St. Helena, Straits Settlements, Tonga Islands, Trinidad and Tobago, Uganda Protectorate, Windward Islands (Grenada, St. Lucia and St. Vincent), Zanzibar</i>	(August 2nd, 1922 a)	Accepting paragraph (a).	
To the full extent indicated under paragraph (a).		Finland	(January 29th, 1923)
<i>Federated Malay States: Perak, Selangor, Negri Sembilan and Pahang</i>	(August 22nd, 1923 a)	Accepting paragraph (b).	
To the full extent indicated under paragraph (a).		Greece	(January 3rd, 1928)
<i>Non-Federated Malay States: Brunei, Johore, Kedah, Perlis, Kelantan and Trengganu</i>	(August 22nd, 1923 a)	Hungary	(May 18th, 1928 a)
To the full extent indicated under paragraph (a).		To the full extent indicated in paragraph (a).	
<i>Palestine</i>	(January 28th, 1924 a)	Luxembourg	(March 19th, 1930)
To the full extent indicated in paragraph (a) of the Protocol.		To the full extent indicated in paragraph (a).	
<i>Bermuda</i> (December 27th, 1928 a)		Norway	(September 4th, 1923)
To the full extent indicated in paragraph (a).		Accepting paragraph (a).	
		Romania	(May 9th, 1924 a)
		Is unable to accept any restriction of her liberty in administrative matters on the waterways which are not of international concern, that is to say, on purely national rivers, while at the same time accepting the principles of liberty in accordance with the laws of the country.	
		Sweden	(September 15th, 1927 a)
		Accepting paragraph (b).	
		Thailand	(November 29th, 1922 a)
		To the full extent indicated under paragraph (a).	
		Turkey	(June 27th, 1933 a)
		To the full extent indicated in paragraph (a).	

**Signatures or accessions not yet perfected by ratification**

Belgium	Accepting paragraph (a)	Portugal	
Peru (a)		Spain	Accepting paragraph (a)

**Actions subsequent to the assumption of depositary functions  
by the Secretary-General of the United Nations**

<i>Participant</i>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant</i>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>
Antigua and Barbuda <sup>2</sup>	25 Oct 1988 d		Nigeria <sup>4</sup>	3 Nov 1967 a	
Fiji <sup>2</sup>	15 Mar 1972 d		Slovakia <sup>6</sup>	28 May 1993 d	
India <sup>5</sup>		26 Mar 1956	Solomon Islands <sup>2</sup>	3 Sep 1981 d	
Malta <sup>2</sup>	13 May 1966 d				
Morocco <sup>3</sup>	10 Oct 1972 a				

**Notes:**

- <sup>1</sup> League of Nations, *Treaty Series*, vol. 7, p. 65.
- <sup>2</sup> To the full extent indicated in paragraph (a).
- <sup>3</sup> To the full extent indicated in paragraph (a) "on all navigable waterways".
- <sup>4</sup> To the full extent indicated in paragraph (a), namely, on condition of reciprocity on all navigable waterways.
- <sup>5</sup> With effect from 26 March 1957.
- <sup>6</sup> See note 11 in chapter 1.2.

**19. DECLARATION RECOGNISING THE RIGHT TO A FLAG OF STATES HAVING NO SEA-COAST**

*Barcelona, 20 April 1921*

**ENTRY INTO FORCE:** 20 April 1921.  
**REGISTRATION:** 8 October 1921, No. 174<sup>1</sup>.

*Ratifications or definitive accessions*

Albania	(October 8th, 1921)	Hungary	(May 18th, 1928 a)
Austria	(July 10th, 1924)	Iraq <sup>3</sup>	(April 17th, 1935 a)
Belgium	(May 16th, 1927)	Italy <sup>3</sup>	
British Empire, including Newfoundland	(October 9th, 1922)	Japan	(February 20th, 1924)
Canada	(October 31st, 1922 a)	Latvia	(February 12th, 1924)
Australia	(October 31st, 1922 a)	Mexico	(October 17th, 1935 a)
New Zealand	(October 9th, 1922)	The Netherlands <sup>3,4</sup> (including NetherlandsIndies, Surinam and Curaçao)	(November 28th, 1921)
Union of South Africa	(October 31st, 1922 a)	Norway	(September 4th, 1923)
India	(October 9th, 1922)	Poland	(December 20th, 1924)
Bulgaria	(July 11th, 1922)	Romania	(February 22nd, 1923 a)
Chile	(March 19th 1928)	Spain	(July 1st, 1929)
Czechoslovakia <sup>2</sup>	(September 8th, 1924)	Sweden	(January 19th, 1925)
Denmark <sup>3</sup>	(November 13th, 1922)	Switzerland <sup>3</sup>	
Estonia <sup>3</sup>		Thailand	(November 29th, 1922 a)
Finland	(September 22nd, 1922 a)	Turkey	(June 27th, 1933 a)
France <sup>3</sup>		Union of Soviet Socialist Republics	(May 16th, 1935 a)
Germany	(November 10th, 1931 a)	Yugoslavia	(May 7th, 1930)
Greece	(January 3rd, 1928)		

*Signatures or accessions not yet perfected by ratification*

Bolivia	Panama
China <sup>5</sup>	Peru (a)
Guatemala	Portugal
Iran	Uruguay
Lithuania	

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>6,7</sup></i>	<i>Accession (a), Succession (d)</i>	<i>Participant<sup>6,7</sup></i>	<i>Accession (a), Succession (d)</i>
Antigua and Barbuda.....	25 Oct 1988 d	Mongolia.....	15 Oct 1976 a
Croatia.....	3 Aug 1992 d	Rwanda.....	10 Feb 1965 d
Czech Republic <sup>2</sup> .....	9 Feb 1996 d	Slovakia <sup>2</sup> .....	28 May 1993 d
Fiji.....	15 Mar 1972 d	Solomon Islands.....	3 Sep 1981 d
Lesotho.....	23 Oct 1973 d	Swaziland.....	16 Oct 1970 a
Malawi.....	11 Jun 1969 d	Zimbabwe.....	1 Dec 1998 d
Malta.....	21 Sep 1966 d		
Mauritius.....	18 Jul 1969 d		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 7, p. 73.  
<sup>2</sup> See note 11 in chapter I.2.  
<sup>3</sup> Accepts Declaration as binding without ratification.  
<sup>4</sup> See note 8 in chapter I.1.  
<sup>5</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).  
<sup>6</sup> In a notification received on 31 January 1974, the Government of the German Democratic Republic stated that the German Democrat-

ic Republic had declared the reapplication of the Convention as of 4 June 1958.

In this connection, the Secretary-General received, on 23 February 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 31 January 1974, concerning the application, as from 4 June 1958, of the Declaration of 20 April 1921 recognizing the Right to a Flag of States having no Sea-coast, the Government of the Federal Republic of Germany declares that in the relation between the Federal

Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 17 June 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an

internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Declaration recognizing the Right to a Flag of States having no Sea-coast, April 20th, 1921 to which it established its status as a party by way of succession."

See also note 14 in chapter I.2.

<sup>7</sup> On 6 June 1997, the Government of China notified the Secretary-General of the following:

*[Same notification as the one made under note 2 in chapter V.3.]*

## 20. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF MARITIME PORTS

*Geneva, 9 December 1923*

**ENTRY INTO FORCE:** 26 July 1926, in accordance with article 6.  
**REGISTRATION:** 2 December 1926, No. 1379<sup>1</sup>.

### *Ratifications or definitive accessions*

Austria	(January 20th, 1927 a)	With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute.
Belgium	(May 16th, 1927)	Denmark (April 27th, 1926) Excluding Greenland, the maritime ports of which are subject to a separate regime.
Does not apply to the Belgian Congo or to the territory of Ruanda-Urundi under Belgian mandate, without prejudice to the right of ratification at a subsequent date on behalf of either or both of these territories. With regard to Article 12 of the Statute, the Belgian Government declares that legislation exists in Belgium on the transport of emigrants, and that this legislation, whilst it does not distinguish between flags and consequently does not affect the principle of equality of treatment of flags, imposes special obligations on all vessels engaged in the transport of emigrants.		Estonia (November 4th, 1931) The Estonian Government reserves the right regarding emigration provided for in Article 12 of the Statute.
British Empire <sup>2</sup>	(August 29th, 1924)	France (August 2nd, 1932) Shall have the power, in conformity with Article 8 of the Statute, of suspending the benefit of equality of treatment as regards the mercantile marine of a State which, under the provisions of Article 12, paragraph 1, has itself departed from equality of treatment in favour of its own marine. Does not include any of the Protectorates, Colonies, Overseas Possessions or Territories under the sovereignty or authority of the French Republic.
This ratification shall not be deemed to apply in the case of the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa or the Irish Free State (or any territories under their authority) or in the case of India, and that, in pursuance of the power reserved in Article 9 of this Convention, it shall not be deemed to apply in the case of any of the Colonies, Possessions or Protectorates or of the territories in respect of which His Britannic Majesty has accepted a mandate; without prejudice, however, to the right of subsequent ratification or accession on behalf of any or all those Dominions, Colonies, Possessions, Protectorates or Territories.		Germany (May 1st, 1928) In conformity with Article 12 of the Statute on the International Regime of Maritime Ports, the German Government declares that it reserves the right of limiting the transport of emigrants, in accordance with the provisions of its own legislation, to vessels which have been granted special authorization as fulfilling the requirements of the said legislation. In exercising this right, the German Government will continue to be guided as far as possible by the principles of this Statute.
<i>Newfoundland</i>	(April 23rd, 1925 a)	Greece (January 24th, 1927) With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute.
<i>Southern Rhodesia</i>	(April 23rd, 1925 a)	Hungary (March 21st, 1929) With reservation as to the right regarding emigration provided in Article 12 of the Statute.
<i>Bahamas, Barbados, Bermuda, British Guiana, British Honduras, British Solomon Islands Protectorate, Brunei, Ceylon, Cyprus, Falkland Islands and Dependencies, Fiji, Gambia (Colony and Protectorate), Gibraltar, Gilbert and Ellice Islands, Gold Coast, Grenada, Hong-Kong, Jamaica (excluding Turks and Caicos Islands and Cayman Islands), Kenya (Colony and Protectorate), Leeward Islands (Antigua, Dominica, Montserrat, St. Christopher-Nevis, Virgin Islands), Malay States [(a) Federated Malay States: Perak, Selangor, Negri Sembilan and Pahang; (b) Non-Federated Malay States: Johore, Kedah, Perlis, Kelantan, Trengganu], Mauritius, Nigeria [(a) Colony, (b) Protectorate, (c) Cameroons under British Mandate], Palestine (excluding Trans-Jordan), St. Helena, St. Lucia, St. Vincent, Seychelles, Sierra Leone (Colony and Protectorate), Somaliland, Straits Settlements, Tanganyika Territory, Tonga, Trans-Jordan, Trinidad and Tobago, Zanzibar</i>	(September 22nd, 1925 a)	Iraq (May 1st, 1929 a) With reservation as to the rights regarding emigration provided in Article 12 of the Statute.
<i>Malta</i>	(November 7th, 1925 a)	Italy (October 16th, 1933) With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute. This ratification does not apply to the Italian colonies or possessions. This ratification cannot be interpreted as implying the admission or the recognition of any reservation or declaration made with a view to limiting in any way the rights granted by Article 12 of the Statute to the High Contracting Parties.
Australia	(June 29th, 1925 a)	Japan (September 30th, 1926) With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute.
New Zealand	(April 1st, 1925)	Mexico (March 5th, 1934 a)
Including the mandated territory of Western Samoa.		The Netherlands <sup>4</sup> (February 22nd, 1928) Netherlands Indies, Surinam and Curacao (February 22nd, 1928 a)
India	(April 1st, 1925)	
Czechoslovakia <sup>3</sup>	(July 10th, 1931)	

The Netherlands Government reserves the right mentioned in Article 12, paragraph 1, of the Statute annexed to the Convention, it being understood that no discrimination shall be made against the flag of any contracting State which in regard to the transport of emigrants does not discriminate against the Netherlands flag.  
Ratifications or definitive accessions

Norway (June 21st, 1928)  
Sweden (September 15th, 1927)  
Switzerland (October 23rd, 1926)  
Thailand (January 9th, 1925)  
Yugoslavia (November 20th, 1931)  
With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute.

*Signatures or accessions not yet perfected by ratification*

Brazil  
Bulgaria  
Chile  
Lithuania  
With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute

Panama (a)  
El Salvador  
Spain  
With reservation as to the right relating to emigrants mentioned in Article twelve (12) of the Statute.  
Uruguay

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant</i>	<i>Accession (a), Succession (d)</i>	<i>Denunciation</i>
Antigua and Barbuda	27 Feb 1989 d		Mauritius	18 Jul 1969 d	
Burkina Faso	18 Jul 1966 a		Monaco	20 Feb 1976 a	
Côte d'Ivoire	22 Jun 1966 a		Morocco	19 Oct 1972 a	
Croatia	3 Aug 1992 d		Nigeria	3 Nov 1967 a	
Cyprus	9 Nov 1964 d		Slovakia <sup>3</sup>	28 May 1993 d	
Czech Republic <sup>3</sup>	9 Feb 1996 d		Thailand		2 Oct 1973
Fiji	15 Mar 1972 d		Trinidad and Tobago	14 Jun 1966 a	
Madagascar <sup>5</sup>	4 Oct 1967 a		Vanuatu	8 May 1991 a	
Malaysia	31 Aug 1966 a		Zimbabwe	1 Dec 1998 d	
Malta	18 Apr 1966 d				
Marshall Islands	2 Feb 1994 a				

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 58, p. 285.  
<sup>2</sup> On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

**China:**

[Same notification as the one made under note 2 in chapter V.3.]

**United Kingdom of Great Britain and Northern Ireland:**

[Same notification as the one made under note 4 in chapter IV.1.]

<sup>3</sup> See note 11 in chapter I.2.

<sup>4</sup> See note 8 in chapter I.1.

<sup>5</sup> The Government of Madagascar shall have the power, in conformity with article 8 of the Statute, of suspending the benefit of equality of treatment as regards the mercantile marine of a State which, under the provisions of article 12, paragraph 1, has itself departed from equality of treatment in favour of its own marine.

## 21. CONVENTION ON THE TAXATION OF FOREIGN MOTOR VEHICLES

*Geneva, 30 March 1931*

**ENTRY INTO FORCE:** 9 May 1933, in accordance with article 14.  
**REGISTRATION:** 9 May 1933, No. 3185<sup>1</sup>.

### *Ratifications or definitive accessions*

<p>Belgium Subject to subsequent accession for the colonies and territories under mandate.</p> <p>Great Britain and Northern Ireland Does not include any colonies, protectorates or overseas territories or territories under suzerainty or mandate.</p> <p style="padding-left: 20px;"><i>Southern Rhodesia</i> <i>Newfoundland</i> <i>Ceylon, Cyprus, Gold Coast [(a) Colony, (b) Ashanti, (c) Northern Territories, (d) Togoland under British Mandate], Hong-Kong, Jamaica, Malta, Windward Islands (Grenada, St. Lucia, St. Vincent)</i></p> <p style="padding-left: 20px;"><i>Nigeria [(a) Colony, (b) Protectorate, (c) Cameroons under British Mandate], Sierra Leone (Colony under Protectorate)</i></p> <p style="padding-left: 20px;"><i>Palestine (excluding Trans-Jordan)</i> <i>Malay States [(a) Federated Malay States: Negri Sembilan, Pahang, Perak, Selangor; (b) Unfederated Malay States: Johore, Kedah, Kelantan, Perlis, Trengganu], Straits Settlements (November 6th, 1937 a) Kenya (Colony and Protectorate), Northern Rhodesia, Nyasaland, Tanganyika Territory, Uganda,</i></p>	<p>(November 9th, 1932)</p> <p>[April 20th, 1932]</p> <p>(August 6th, 1932 a)</p> <p>(January 9th, 1933 a)</p> <p>(January 3rd, 1935 a)</p> <p>(March 11th, 1936 a)</p> <p>(April 29th, 1936 a)</p> <p>(January 3rd, 1935 a)</p> <p>(June 19th, 1935 a)</p> <p>(June 3rd, 1933)</p> <p>(November 9th, 1933)</p> <p>(October 19th, 1934)</p> <p>(September 25th, 1936)</p> <p>(July 23rd, 1935 a)</p> <p>(May 9th, 1933 a)</p>	<p style="text-align: center;"><i>Zanzibar</i></p> <p>Ireland Bulgaria Denmark Egypt Finland Greece Iraq Italy Latvia Luxembourg The Netherlands<sup>2</sup> (including the <i>Netherlands Indies, Surinam and Curaçao</i>) Poland Portugal Does not assume any obligation as regards its Colonies. Romania Spain Sweden Switzerland Turkey Union of Soviet Socialist Republics Yugoslavia</p> <p>(May 3rd, 1938 a) Trinidad (May 21st, 1940 a) [November 27th, 1933 a] (March 5th, 1932 a) (December 4th, 1931) (May 20th, 1939 a) [May 23rd, 1934 a] (June 6th, 1939 a) (September 20th, 1938 a) (September 25th, 1933) (January 10th, 1939 a) [March 31st, 1933] (January 16th, 1934) (June 15th, 1934) (January 23rd, 1932) [June 19th, 1935 a] (June 3rd, 1933) (November 9th, 1933) (October 19th, 1934) (September 25th, 1936) (July 23rd, 1935 a) (May 9th, 1933 a)</p>
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### *Signature not yet perfected by ratification*

Czecho-Slovakia

### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations<sup>3</sup>*

<i>Participant<sup>4,6</sup></i>	<i>Denunciation, Succession (d)</i>	<i>Participant<sup>4,6</sup></i>	<i>Denunciation, Succession (d)</i>
Denmark . . . . .	7 Mar 1968	Romania . . . . .	10 Jul 1967
Finland <sup>5</sup> . . . . .	10 Sep 1956	United Kingdom of Great Britain and Northern Ireland . . . . .	14 Jan 1963
Ireland . . . . .	18 Mar 1963	Zimbabwe . . . . .	1 Dec 1998 d
Luxembourg . . . . .	2 Jun 1965		
Poland . . . . .	26 May 1971		

**Notes:**

<sup>1</sup> League of Nations. *Treaty Series*, vol. 138, p. 149.  
<sup>2</sup> See note 8 in chapter I.1.  
<sup>3</sup> A new convention on the subject of the taxation of foreign motor vehicles was drawn up within the framework of the Inland Transport Committee of the United Nations Economic Commission for Europe and opened for signature at Geneva on 18 May 1956, namely, the Convention on the Taxation of Road Vehicles for Private Use in International Traffic. Its article 4 provides as follows:

"As soon as a country which is a Contracting Party to the Convention of 30 March 1931 on the Taxation of Foreign Motor Vehicles becomes a Contracting Party to the present Convention, it shall take the

measures laid down in article 17 of the 1931 Convention to denounce that Convention."

For the list of signatures, ratifications and accessions to the Convention of 18 May 1956, see chapter XI.B-10.

<sup>4</sup> In accordance with article 17, denunciation takes effect one year after date of its receipt by the Secretary-General.

<sup>5</sup> In a communication of 31 July 1957, the Government of Finland, with reference to its notification of denunciation, has informed the Secretary-General that the said notification has been intended to take effect in respect of Finland on 10 September 1957, i.e., one year after the date of its receipt by the Secretary-General, only "if the Convention on the Taxation of Road Vehicles for Private Use in International Traffic of

18 May 1956, to which Finland is a party, has entered into force by that date. If the Convention has not entered into force on 10 September 1957, it is the intention of the Government of Finland that the denunciation should take effect on such date thereafter as the Convention shall enter into force."

<sup>6</sup> In a communication received on 1 March 1960, the Government of the Netherlands has informed the Secretary-General that it "will no

longer consider itself bound, for the Realm as a whole, by the provisions of the 1931 Convention in its relations with those Parties to the said Convention for whom the Convention of 1956 [on the Taxation of Road Vehicles for Private Use in International Traffic] has come into force, this as from the date on which the Convention of 1956 enters into force between those States and the Kingdom of the Netherlands but not before one year after the day on which you will have received this declaration".



**22. INTERNATIONAL CONVENTION RELATING TO THE SIMPLIFICATION OF CUSTOMS FORMALITIES**

*Geneva, 3 November 1923*

**ENTRY INTO FORCE:** 27 November 1924, in accordance with article 26.  
**REGISTRATION:** 27 November 1924, No. 775<sup>1</sup>.

***Ratifications or definitive accessions***

Austria (September 11th, 1924)  
 Belgium (October 4th, 1924)  
 Brazil (July 10th, 1929)  
 British Empire<sup>2</sup> (August 29th, 1924)

It is stated in the instrument of ratification that this ratification shall not be deemed to apply in the case of the Dominion of Canada, the Commonwealth of Australia (or any territory under its authority) or the Irish Free State or in the case of India, and that in pursuance of the power reserved in Article XXIX of the Convention, it shall not be deemed to apply in the case of the Island of Newfoundland or of the territories of Iraq and Nauru, in respect of which His Britannic Majesty has accepted a mandate. It does not apply to the Sudan.

*Burma*<sup>3</sup>

Australia (March 13th, 1925)  
 Excluding Papua, Norfolk Island and the Mandated Territory of New Guinea  
 New Zealand (August 29th, 1924)  
 Includes the mandated territory of Western Samoa.  
 Union of South Africa (August 29th, 1924)  
 India (March 13th, 1925)  
 Bulgaria (December 10th, 1926)  
 China<sup>4</sup> (February 23rd, 1926)  
 Czechoslovakia<sup>5</sup> (February 10th, 1927)  
 Denmark (May 17th, 1924)  
 Egypt (March 23rd, 1925)  
 Estonia (February 28th, 1930 a)  
 Finland (May 23rd, 1928)  
 France (September 13th, 1926)

Does not apply to the Colonies under its sovereignty.

Morocco (French Protectorate) (November 8th, 1926)  
 Tunis (November 8th, 1926)  
 Syria and Lebanon (March 9th, 1933 a)  
 (August 1st, 1925)  
 Germany (July 6th, 1927)  
 Greece (February 23rd, 1926)  
 Hungary (May 8th, 1925 a)  
 Iran (May 3rd, 1934 a)  
 Iraq (June 13th, 1924)  
 Italy (September 28th, 1931 a)  
 Latvia (June 10th, 1927)  
 Luxembourg (May 30th, 1925)  
 The Netherlands (including the *Netherlands Indies, Surinam and Curaçao*) (September 7th, 1926)  
 Norway (September 4th, 1931)  
 Poland (December 23rd, 1925)  
 Romania

Under the same reservations as those formulated by the other Governments and inserted in Article 6 of the Protocol, the Royal Government understands that Article 22 of the Convention confers the right to have recourse to the procedure provided for in this Article for questions of a general nature solely on the High Contracting Parties, private persons being only entitled to appeal to their own judicial authorities in case any dispute arises with the authorities of the Kingdom.

Sweden (February 12th, 1926)  
 Switzerland (January 3rd, 1927)  
 Thailand (May 19th, 1925)  
 Yugoslavia (May 2nd, 1929)

***Signatures not yet perfected by ratification***

Chile  
 Lithuania  
 Paraguay  
 Portugal  
 Spain  
 Uruguay

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<i>Participant</i> <sup>2,6</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>	<i>Participant</i> <sup>2,6</sup>	<i>Ratification, Accession (a), Succession (d)</i>	<i>Denunciation</i>
Cyprus	6 May 1964 d		Nigeria	14 Sep 1964 d	
Czech Republic <sup>5</sup>	9 Feb 1996 d		Pakistan	27 Jan 1951 d	
Fiji	31 Oct 1972 d	31 Oct 1972	Singapore	22 Dec 1967 a	
Israel	29 Aug 1966 a		Slovakia <sup>7</sup>	28 May 1993 d	
Japan	29 Jul 1952		Solomon Islands	3 Sep 1981 d	
Lesotho	12 Jan 1970 a		Tonga	11 Nov 1977 d	
Malawi	16 Feb 1967 a		Zimbabwe	1 Dec 1998 d	
Niger	14 Mar 1966 a				

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 30, p.371. The Convention and Protocol came into force on the same day.

<sup>2</sup> On 6 June and 10 June 1997, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

**China:**

*[Same notification as the one made under note 2 in chapter V.3.]*

**United Kingdom of Great Britain and Northern Ireland:**

*[Same notification as the one made under note 4 in chapter IV.1.]*

The notification made by China also contained the following reservation:

The Government of the People's Republic of China also declares that it has reservation to paragraph 3 of Article 22 of the [said Convention].

<sup>3</sup> See note 4 in Part II.2.

<sup>4</sup> See note concerning signatures, ratifications, accessions, etc.. on behalf of China (note 4 in chapter I.1).

<sup>5</sup> See note 11 in chapter I.2.

<sup>6</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 6 June 1958.

In this connection, the Secretary-General received, on 10 June 1976, the following communication from the Government of the Federal Republic of Germany:

The Government of the Federal Republic of Germany declares that the notification by the Ministry of Foreign Affairs of the German Democratic Republic of 31 January 1974 concerning the application, as from 6 June 1958, of the International Convention of 3 November 1923 relating to the Simplification of Custom Formalities cannot, either for the past or for the future by itself have the effect of establishing contractual relations between the Federal Republic of Germany and the German Democratic Republic.

See also note 14 in chapter I.2.

**23. INTERNATIONAL CONVENTION FOR THE CAMPAIGN AGAINST CONTAGIOUS  
DISEASES OF ANIMALS**

*Geneva, 20 February 1935*

**ENTRY INTO FORCE:** 23 March 1938, in accordance with articles 13 and 14.  
**REGISTRATION:** 23 March 1938, No. 4310<sup>1</sup>.

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***Ratifications or definitive accessions***

Belgium	(July 21st, 1937)	Bulgaria	(August 28th, 1936)
The Belgian Government does not regard the mere fact that in Belgium the inspection of meat, while carried out by Government veterinary surgeons or by veterinary surgeons approved by the Government, is placed under the supervision of the Minister of the Interior (Inspection of Foodstuffs), as being contrary to the provisions of Article 3, paragraph 5, of the present Convention; particularly since all the requirements of the said Article are observed in Belgium.		Iraq	(December 24th, 1937 a)
		Latvia	(May 4th, 1937)
		Poland	(January 3rd, 1939)
		Romania	(December 23rd, 1937)
		Turkey	(March 19th, 1941)
		Union of Soviet Socialist Republics	(September 20th, 1937)

***Signatures or accessions not yet perfected by ratification***

Austria	Italy
Chile (a)	The Netherlands (for the Kingdom in Europe)
Czechoslovakia <sup>2</sup>	Spain
France	Switzerland
Greece	

***Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations***

<b><i>Participant</i></b>	<b><i>Accession (a)</i></b>
Yugoslavia.....	8 Feb 1967 a

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***Notes:***

<sup>1</sup> League of Nations, *Treaty Series*, vol. 186, p. 173.

<sup>2</sup> See note 11 in chapter I.2.



24. INTERNATIONAL CONVENTION CONCERNING THE TRANSIT OF ANIMALS, MEAT  
AND OTHER PRODUCTS OF ANIMAL ORIGIN

Geneva, 20 February 1935

**ENTRY INTO FORCE:** 6 December 1938 , in accordance with articles 20 and 21.  
**REGISTRATION:** 6 December 1938, No. 4486<sup>1</sup>.

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*Ratifications*

Belgium	(July 21st, 1937)	Romania	(December 23rd, 1937)
Bulgaria	(September 7th, 1938)	Turkey	(March 19th, 1941)
Latvia	(May 4th, 1937)	Union of Soviet Socialist Republics	(September 20th, 1937)

*Signatures or accessions not yet perfected by ratification*

Austria	of which is to facilitate the transit of animals and of animal products.
Chile (a)	France
Czechoslovakia <sup>2</sup>	Greece
The Czechoslovak Government does not consider that it can waive the right to make the transit of animals across its territory subject to a previous authorization. It intends, in practice, to exercise the right so reserved in as liberal a spirit as possible, in conformity with the principles which are at the basis of the present Convention, the object	Italy
	The Netherlands (for the Kingdom in Europe)
	Poland
	Spain
	Switzerland

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Accession (a)</i>
Yugoslavia.....	8 Feb 1967 a

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*Notes:*

<sup>1</sup> League of Nations, *Treaty Series*, vol. 193, p. 37.

<sup>2</sup> See note 11 in chapter I.2.



**25. INTERNATIONAL CONVENTION CONCERNING THE EXPORT AND IMPORT OF  
ANIMAL PRODUCTS (OTHER THAN MEAT, MEAT PREPARATIONS, FRESH ANIMAL  
PRODUCTS, MILK AND MILK PRODUCTS)**

*Geneva, 20 February 1935*

**ENTRY INTO FORCE:** 6 December 1938 , in accordance with articles 14 and 15.  
**REGISTRATION:** 6 December 1938, No. 4487<sup>1</sup>.

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*Ratifications*

Belgium	(July 21st, 1937)	Romania	(December 23rd, 1937)
Bulgaria	(September 7th, 1938)	Turkey	(March 19th, 1941)
Latvia	(May 4th, 1937)	Union of Soviet Socialist Republics	(September 20th, 1937)

*Signatures or accessions not yet perfected by ratification*

Austria	Italy
Chile (a)	The Netherlands (for the Kingdom in Europe)
Czechoslovakia <sup>2</sup>	Poland
France	Spain
Greece	Switzerland

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Accession (a)</i>
Yugoslavia.....	8 Feb 1967 a

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**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 193, p. 59.

<sup>2</sup> See note 11 in chapter 1.2.





## 26. CONVENTION ESTABLISHING AN INTERNATIONAL RELIEF UNION

*Geneva, 12 July 1927*

**ENTRY INTO FORCE:** 27 December 1932, in accordance with article 18.  
**REGISTRATION:** 27 December 1932, No. 3115<sup>1</sup>.

### *Ratifications or definitive accessions*

Albania	(August 31st, 1929)	Greece	[January 16th, 1931]
Belgium	(May 9th, 1929)	Hungary <sup>5</sup>	(April 17th, 1929)
Great Britain and Northern Ireland	[January 9th, 1929 a]	It being understood that "the most extensive immunities, facilities and exemptions" mentioned in Article 10 of the present Convention shall not include extritoriality or the other rights and immunities enjoyed in Hungary by duly accredited diplomatic agents.	
Does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate.			
Burma <sup>2</sup>			
New Zealand	[December 22nd, 1928 a]	Iran	(September 28th, 1932 a)
On the understanding that no contribution to the initial fund of the Union will fall due by New Zealand before the commencement of the next financial year in that country, viz., April 1st, 1929.		Iraq <sup>5</sup>	(June 12th, 1934 a)
India	[April 2nd, 1929]	Italy	(August 2nd, 1928)
Bulgaria	(May 22nd, 1931)	Applies also to the Italian Colonies.	
China <sup>3</sup>	(May 29th, 1935 a)	Luxembourg	[June 27th, 1929 a]
Cuba	[June 18th, 1934]	Monaco	(May 21st, 1929)
Czechoslovakia <sup>4</sup>	(August 20th, 1931)	Poland	(July 11th, 1930)
Ecuador	(July 30th, 1928)	Romania	[September 11th, 1928]
Egypt	[August 7th, 1928]	San Marino	(August 12th, 1929)
Subject to later acceptance by the Egyptian Government of the decisions of the Executive Committee fixing its contribution.		Sudan	(May 11th, 1928 a)
Finland	(April 10th, 1929)	Switzerland	(January 2nd, 1930 a)
France	(April 27th, 1932)	Turkey	(March 10th, 1932)
Germany	(July 22nd, 1929)	Venezuela	(June 19th, 1929)
		Yugoslavia	[August 28th, 1931 a]

### *Signatures not yet perfected by ratification*

Brazil	Peru
Colombia	Portugal
Guatemala	Spain
Latvia	Uruguay
Nicaragua	

### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

	<i>Notification of withdrawal from the International Relief Union</i>		<i>Notification of withdrawal from the International Relief Union</i>
<i>Participant<sup>4,5,6</sup></i>		<i>Participant<sup>4,5,6</sup></i>	
Cuba	8 Oct 1956	Myanmar	1 Oct 1951
Egypt	1 Aug 1955	New Zealand	2 Aug 1950
France	20 Feb 1973	Romania <sup>7</sup>	24 Dec 1963
Greece	6 Nov 1963	United Kingdom of Great Britain and Northern Ireland	4 May 1948
Hungary <sup>4</sup>		Yugoslavia	5 Jul 1951
India	9 Nov 1950		
Iraq <sup>5</sup>			
Luxembourg	20 Apr 1964		

#### *Notes:*

<sup>1</sup> League of Nations, *Treaty Series*, vol. 135, p.247.

<sup>2</sup> See note 4 in Part II.2.

<sup>3</sup> See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>4</sup> See note 5 below and note 11 in chapter I.2.

<sup>5</sup> In a letter of 6 December 1968, the Executive Secretary of the International Relief Union informed the Secretary-General that the Governments of the following States had withdrawn from the said Union, by notifying it directly of their withdrawal on the dates indicated:

Czechoslovakia*	30 June 1951
Hungary	13 November 1951
Iraq	10 April 1961

\* See also note 4 above.

<sup>6</sup> In accordance with article 19, the provisions of the Convention cease to be applicable to the territory of the withdrawing Member one

year after the receipt of the notice of withdrawal by the Secretary-General

<sup>7</sup> The notice of withdrawal contains the following statement:

The Romanian People's Republic hereby gives notice of its decision [of withdrawal] and accordingly considers itself free from any obligations deriving from the Convention establishing an International Relief Union.

As regards the question of dealing with the consequences of national disasters the Government of the Romanian People's Republic will continue as heretofore to give assistance to countries which suffer such disasters in the manner it considers appropriate.

## 27. CONVENTION ON THE INTERNATIONAL RÉGIME OF RAILWAYS

*Geneva, 9 December 1923*

**ENTRY INTO FORCE:** 23 March 1926, in accordance with article 6.  
**REGISTRATION:** 23 March 1926, No. 1129<sup>1</sup>.

### *Ratifications or definitive accessions*

Austria	(January 20th, 1927)	<i>Sierra Leone (Colony and Protectorate), Straits Settlements</i>
Belgium	(May 16th, 1927)	<i>September 22nd, 1925 a) Tanganyika Territory, Trans-Jordan</i>
Does not apply to the Belgium Congo or to the territory of Ruanda-Urundi under Belgian mandate, without prejudice to the right of ratification at a subsequent date on behalf of either or both of these territories.		(September 22nd, 1925 a)
New Zealand		(April 1st, 1925)
Including the mandated territory of Western Samoa.		
India		(April 1st, 1925)
Denmark		(April 27th, 1926)
Estonia		(September 21st, 1929)
Ethiopia		(September 20th, 1928 a)
Finland		(February 11th, 1937)
France		(August 28th, 1935)
Subject to the reservation contained in Article 9 of the present Convention to the effect that its provisions do not apply to the various Protectorates, Colonies, Possessions or Overseas Territories under the sovereignty or authority of the French Republic.		
Germany		(December 5th, 1927)
Greece		(March 6th, 1929)
Hungary		(March 21st, 1929)
Italy		(December 10th, 1934)
This ratification does not apply to the Italian colonies or possessions.		
Japan		(September 30th, 1926)
Latvia		(October 8th, 1934)
The Netherlands (for the Kingdom in Europe)		(February 22nd, 1928)
		(February 24th, 1926)
Norway		(January 7th, 1928)
Poland		(December 23rd, 1925)
Romania		(January 15th, 1930)
Spain		(September 15th, 1927)
Sweden		(October 23rd, 1926)
Switzerland		(January 9th, 1925)
Thailand		(May 7th, 1930)
Yugoslavia		
Southern Rhodesia	(April 23rd, 1925 a)	
Newfoundland	(April 23rd, 1925 a)	
British Guiana, British Honduras, Brunei		(September 22nd, 1925 a)
Federated Malay States [(a) Perak, Selangor, Negri Sembilan, Pahang; (b) Non-Federated Malay States: Johore, Kedah, Perlis, Kelantan, Trengganu]		(September 22nd, 1925 a)
Gambia (Colony and Protectorate), Gold Coast (a) Colony, (b) Ashanti, (c) Northern Territories, (d) Togoland under British Mandate]		(September 22nd, 1925 a)
Hong-Kong		(September 22nd, 1925 a)
Nigeria [(a) Colony, (b) Protectorate, (c) Cameroons under British Mandate], Northern Rhodesia, Nyasaland		(September 22nd, 1925 a)
Palestine (excluding Trans-Jordan)		(September 22nd, 1925 a)

### *Signatures or accessions not yet perfected by ratification*

Brazil	agreements for the purpose of putting the provisions of the Statute into force in cases where existing agreements are not adequate for this purpose.
Bulgaria	
Chile	
China (a) <sup>2</sup>	
The Chinese Government, subject to the declarations made in its name by the delegates whom it instructed to take part in the discussions on this Convention, confirms the said declarations regarding:	
(1) The whole of Part III: "Relations between the rail way and its users". Articles 14, 15, 16 and 17; (2) In Part VI: "General Regulations". Article 37, relating to the conclusion of special	
Colombia (a)	
Czechoslovakia <sup>3</sup>	
Lithuania	
Panama (a)	
Portugal	
El Salvador	
Uruguay	

*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>1</sup></i>	<i>Succession (d)</i>
Malawi .....	7 Jan 1969 d
Zimbabwe .....	1 Dec 1998 d

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**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 47, p. 55.

<sup>2</sup> See note concerning signatures, ratification, accessions, etc., on behalf of China (note 4 in chapter I.1).

<sup>3</sup> See note 11 in chapter I.2.

<sup>4</sup> In a communication received on 4 October 1974, the Government of the German Democratic Republic stated that the German Democratic Republic had declared the reapplication of the Convention as of 26 September 1958.

In this connection, the Secretary-General received, on 24 February 1976, the following communication from the Government of the Federal Republic of Germany:

With reference to the communication by the German Democratic Republic of 30 September 1974, concerning the application, as from 26 September 1958, of the Convention and Statute of 9 December 1923 on the International Régime of Railways, the Government of the

Federal Republic of Germany declares that in the relation between the Federal Republic of Germany and the German Democratic Republic the declaration of application has no retroactive effect beyond 21 June 1973.

Subsequently, in a communication received on 17 June 1976, the Government of the German Democratic Republic declared:

"The Government of the German Democratic Republic takes the view that in accordance with the applicable rules of international law and the international practice of States the regulations on the reapplication of agreements concluded under international law are an internal affair of the successor State concerned. Accordingly, the German Democratic Republic was entitled to determine the date of reapplication of the Convention and Statute on the International Régime of Railways, December 9th, 1923 to which it established its status as a party by way of succession."

See also note 14 in chapter I.2.

**28. CONVENTION REGARDING THE MEASUREMENT OF VESSELS EMPLOYED IN  
INLAND NAVIGATION**

*Paris, 27 November 1925*

**ENTRY INTO FORCE:** 1 October 1927, in accordance with article 12.  
**REGISTRATION:** 1 October 1927, No. 1539<sup>1</sup>.

*Ratifications or definitive accessions*

Belgium	(July 2nd, 1927)	described in Article 10 of the Annex to the Convention; that the old measurement plates shall be marked with a cross instead of being withdrawn; and that, if new plates are affixed, the old plates shall be placed at the same level and near to the new ones. In the case provided for above, the notification provided for in the third paragraph of Article 5 and in Article 6 of the Convention shall also be addressed to the original office of inscription.
Albania		
British Empire (for Great Britain and Northern Ireland)	(July 14th, 1927)	
Denmark		
Estonia		
Bulgaria	(July 2nd, 1927)	
Iran		
Czechoslovakia <sup>2</sup>	(January 17th, 1929)	
Ireland		
France	(July 2nd, 1927)	
<p>It being understood on behalf of the French Government, and as provided for in Article 6 of the Protocol of Signature, that in the event of a re-measurement of a vessel originally measured by its own officials the original indelible marks, when they are not intended solely to indicate that the vessel has been measured, shall have added to them an indelible cross having arms of equal length, and that this addition shall be regarded as equivalent to the removal</p>		
		Germany (July 2nd, 1927)
		Greece (February 6th, 1931)
		Hungary (January 3rd, 1928)
		Italy (September 27th, 1932)
		The Netherlands (for the Kingdom in Europe) (July 2nd, 1927)
		Poland (June 16th, 1930)
		Romania (May 18th, 1928)
		Spain (July 11th, 1927)
		Switzerland (July 2nd, 1927)
		Yugoslavia (May 7th, 1930)
		Under Clause IV of the Protocol of Signature.

*Open to accession by:*

Albania	Lithuania
Denmark	Luxembourg
Estonia	Norway
Iran	Portugal
Ireland	Sweden
Latvia	Turkey

*Signatures not yet perfected by ratification*

Finland	Union of Soviet Socialist Republics
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*Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant<sup>2</sup></i>	<i>Denunciation</i>	<i>Participant<sup>2</sup></i>	<i>Denunciation</i>
Belgium.....	9 Mar 1972	Netherlands.....	14 Aug 1978
Bulgaria.....	4 Mar 1980	Romania.....	24 May 1976
France.....	13 Jun 1975	Switzerland.....	7 Feb 1975
Germany <sup>3</sup> .....	14 Feb 1975	Yugoslavia <sup>4</sup> .....	28 Jul 1975
Hungary.....	5 Jan 1978		

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol.67, p.63.

<sup>2</sup> Czechoslovakia had notified its denunciation on 19 April 1974. See also note 11 in chapter I.2.

<sup>3</sup> In a notification received on 21 February 1974, the Government of the German Democratic Republic stated that the German Democratic Republic has declared the reapplication of the Convention as of 21 August 1958. See also note 14 in chapter I.2.

<sup>4</sup> In a communication received on 24 November 1975, the Government of Yugoslavia informed the Secretary-General that the denunciation should be considered, for the purpose of article 14 of the Convention of 1925, as having taken effect on 19 April 1975, the date when the Convention of 15 February 1966 on the same subject entered into force in respect of Yugoslavia.



29. GENERAL ACT OF ARBITRATION (PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES)

Geneva, 26 September 1928

**ENTRY INTO FORCE:** 16 August 1929, in accordance with article 44.

**REGISTRATION:** 16 August 1929, No. 2123<sup>1</sup>.

**FIVE-YEAR PERIODS OF OBLIGATION (Article 45).**

1st period: August 16th, 1929–August 15th, 1934–Expired.

2nd period: August 16th, 1934–August 15th, 1939–Expired.

3rd period: August 16th, 1939–August 15th, 1944–Current period.

4th period: August 16th, 1944–August 15th, 1949–Period next following etc . . .

Under the system established by the General Act (Article 45), States cannot be released from their obligation before the expiration of a five-year period.

In order to obtain release for the ensuing period, they must notify their denunciation six months before the expiration of the current period.

*I. Accessions: 22*

*A (20 accessions)*

*All the provisions of the Act*

Belgium

(May 18th, 1929)

Subject to the reservation provided in Article 39 (2) (a), with the effect of excluding from the procedures described in this Act disputes arising out of facts prior to the accession of Belgium or prior to the accession of any other Party with whom Belgium may have a dispute.

United Kingdom of Great Britain and Northern Ireland (May 21st, 1931)

Subject to the following conditions:

1. That the following disputes are excluded from the procedure described in the General Act, including the procedure of conciliation:

(i) Disputes arising prior to the accession of His Majesty to the said General Act or relating to situations or facts prior to the said accession; (ii) Disputes in regard to which parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; (iii) Disputes between His Majesty's Government in the United Kingdom and the Government of any other Member of the League which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree; (iv) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States; and (v) Disputes with any Party to the General Act who is not a Member of the League of Nations.

2. That His Majesty reserves the right in relation to the disputes mentioned in Article 17 of the General Act to require that the procedure prescribed in Chapter II of the said Act shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the procedure, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute.

3.(i) That, in the case of a dispute not being a dispute mentioned in Article 17 of the General Act which is brought before the Council of the League of Nations in accordance with the provisions of the Covenant, the procedure prescribed in Chapter I of the General Act shall not be applied, and, if already commenced, shall be suspended, unless the Council determines that the said procedure shall be adopted.

(ii) That, in the case of such a dispute, the procedure described in Chapter III of the General Act shall not be applied unless the Council has failed to effect a settlement of the dispute within twelve months from the date on which it was first submitted to the Council, or, in a case where the procedure prescribed in Chapter I has been adopted without producing an agreement between the parties, within six months from the termination of the work of the Conciliation Commission. The Council may extend either of the above periods by a decision of all its Members other than the parties to the dispute.

His Majesty's Secretary of State for Foreign Affairs, by a communication which was received at the Secretariat on February 15th, 1939, made the following declaration:

"His Majesty's Government in the United Kingdom will continue, after the 16th August 1939, to participate in the General Act for the Pacific Settlement of International Disputes subject to the reservation that, as from that date, the participation of His Majesty's Government in the United Kingdom in the General Act will not, should they unfortunately find themselves involved in hostilities, cover disputes arising out of events occurring during the war. This reservation applies also to the procedure of conciliation."

The participation of His Majesty's Government in the United Kingdom in the General Act, after the 16th August 1939, will continue, as heretofore, to be subject to the reservations set forth in their instrument of accession."

Canada

(July 1st, 1931)

Subject to the following conditions:

1. That the following disputes are excluded from the procedure described in the General Act, including the procedure of conciliation:

(i) Disputes arising prior to the accession in respect of Canada to the said General Act or relating to situations or facts prior to the said accession; (ii) Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; (iii) Disputes between His Majesty's Government in Canada and the Government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree; (iv) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States; and (v) Disputes with any Party to the General Act who is not a Member of the League of Nations.

2. That His Majesty in respect of Canada reserves the right in relation to the disputes mentioned in Article 17 of the General Act to require that the procedure prescribed in Chapter II of the said Act shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the procedure, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute.

3.(i) That, in the case of a dispute, not being a dispute mentioned in Article 17 of the General Act, which is brought before the Council of the League of Nations in accordance with the provisions of the Covenant, the procedure prescribed in Chapter I of the General Act shall not be applied, and, if already commenced, shall be suspended, unless the Council determines that the said procedure shall be adopted.

(ii) That, in the case of such a dispute, the procedure described in Chapter III of the General Act shall not be applied unless the Council has failed to effect a settlement of the dispute within twelve months from the date on which it was first submitted to the Council, or, in a case where the procedure prescribed in Chapter I has been adopted without producing an agreement between the parties, within six months from the termination of the work of the Conciliation Commission. The Council may extend either of the above periods by a decision of all its Members other than the parties to the dispute.

By a letter of December 7th, 1939, which the Secretary-General was asked to communicate to the Governments concerned,<sup>3</sup> the Permanent Delegate of Canada to the League of Nations notified the Secretary-General that, in view of the considerations set out in the letter:

The Canadian Government will not regard their acceptance of the General Act as covering disputes arising out of events occurring during the present war. Australia (May 21st, 1931) Subject to the following conditions:

1. That the following disputes are excluded from the procedure described in the General Act, including the procedure of conciliation:

(i) Disputes arising prior to the accession of His Majesty to the said General Act or relating to situations or facts prior to the said accession; (ii) Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; (iii) Disputes between His Majesty's Government in the Commonwealth of Australia and the Government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which

disputes shall be settled in such a manner as the parties have agreed or shall agree; (iv) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States; and (v) Disputes with any Party to the General Act who is not a Member of the League of Nations.

2. That His Majesty reserves the right in relation to the disputes mentioned in Article 17 of the General Act to require that the procedure prescribed in Chapter II of the said Act shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the procedure, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute.

3.(i) That, in the case of a dispute, not being a dispute mentioned in Article 17 of the General Act, which is brought before the Council of the League of Nations in accordance with the provisions of the Covenant, the procedure prescribed in Chapter I of the General Act shall not be applied, and, if already commenced, shall be suspended, unless the Council determines that the said procedure shall be adopted.

(ii) That, in the case of such a dispute, the procedure described in Chapter III of the General Act shall not be applied unless the Council has failed to effect a settlement of the dispute within twelve months from the date on which it was first submitted to the council, or, in a case where the procedure prescribed in Chapter I has been adopted without producing an agreement between the parties, within six months from the termination of the work of the Conciliation Commission. The Council may extend either of the above periods by a decision of all its Members other than the parties to the dispute.

By a telegram of September 7th, 1939, which the Secretary-General was asked to communicate to the Governments concerned,<sup>4</sup> the Prime Minister of the Commonwealth of Australia notified the Secretary-General that, in view of the considerations set out in the telegram:

His Majesty's Government in the Commonwealth of Australia will not regard its accession to the General Act as covering or relating to any disputes arising out of events occurring during the present crisis.

New Zealand

(May 21st, 1931)

Subject to the following conditions:

1. That the following disputes are excluded from the procedure described in the General Act, including the procedure of conciliation:

(i) Disputes arising prior to the accession of His Majesty to the said General Act or relating to situations or facts prior to the said accession; (ii) Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; (iii) Disputes between His Majesty's Government in New Zealand and the Government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree; (iv) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States; and (v) Disputes with any Party to the General Act who is not a Member of the League of Nations.



2. That His Majesty reserves the right in relation to the disputes mentioned in Article 17 of the General Act to require that the procedure prescribed in Chapter II of the said Act shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the procedure, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute.

3.(i) That, in the case of a dispute, not being a dispute mentioned in Article 17 of the General Act, which is brought before the Council of the League of Nations in accordance with the provisions of the Covenant, the procedure prescribed in Chapter I of the General Act shall not be applied, and, if already commenced, shall be suspended, unless the Council determines that the said procedure shall be adopted.

(ii) That, in the case of such a dispute, the procedure described in Chapter III of the General Act shall not be applied unless the Council has failed to effect a settlement of the dispute within twelve months from the date on which it was first submitted to the Council, or, in a case where the procedure prescribed in Chapter I has been adopted without producing an agreement between the parties, within six months from the termination of the work of the conciliation Commission. The Council may extend either of the above periods by a decision of all its Members other than the parties to the dispute.

The High Commissioner for New Zealand in London, by a communication which, was received at the Secretariat on February 15th, 1939, made the following declaration:

"His Majesty's Government in the Dominion of New Zealand will continue, after the 16th August 1939, to participate in the General Act for the Pacific Settlement of International Disputes subject to the reservation that, as from that date, the participation of the New Zealand Government will not, should it unfortunately find itself involved in hostilities, cover disputes arising out of events occurring during the war. This reservation applies also to the procedures of conciliation.

"The participation of the New Zealand Government in the General Act, after the 16th August 1939, will continue, as heretofore, to be subject to the reservations set forth in its instrument of accession."

Ireland (September 26th, 1931)  
India (May 21st, 1931)

Subject to the following conditions:

1. That the following disputes are excluded from the procedure described in the General Act, including the procedure of conciliation:

(i) Disputes arising prior to the accession of His Majesty to the said General Act or relating to situations or facts prior to the said accession; (ii) Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; (iii) Disputes between the Government of India and the Government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree; (iv) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States; and (v) Disputes with any Party to the General Act who is not a Member of the League of Nations.

2. That His Majesty reserves the right in relation to the disputes mentioned in Article 17 of the General Act to require that the procedure prescribed in Chapter II of the said Act shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the procedure, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute.

3.(i) That, in the case of a dispute, not being a dispute mentioned in Article 17 of the General Act, which is brought before the Council of the League of Nations in accordance with the provisions of the Covenant, the procedure prescribed in Chapter I of the General Act shall not be applied, and, if already commenced, shall be suspended, unless the Council determines that the said procedure shall be adopted.

(ii) That, in the case of such a dispute, the procedure described in Chapter III of the General Act shall not be applied unless the Council has failed to effect a settlement of the dispute within twelve months from the date on which it was first submitted to the Council, or, in a case where the procedure prescribed in Chapter I has been adopted without producing an agreement between the parties, within six months from the termination of the work of the Conciliation Commission. The Council may extend either of the above periods by a decision of all its Members other than the parties to the dispute.

His Majesty's Secretary of State for India, by a communication which was received at the Secretary on February 15th, 1939, made the following declaration:

"India will continue, after the 16th August 1939, to participate in the General Act for the Pacific Settlement of International Disputes subject to the reservation that, as from that date, the participation of India will not, should she unfortunately find herself involved in hostilities, cover disputes arising out of events occurring during the war. This reservation applies also to the procedure of conciliation.

"The participation of India in the General Act, after the 16th August 1939, will continue, as heretofore, to be subject to the reservations set forth in the instrument of accession in respect of India."

Denmark (April 14th, 1930)  
Estonia (September 3rd, 1931)

Subject to the following conditions: The following disputes are excluded from the procedures described in the General Act, including the procedure of conciliation:

(a) Disputes resulting from facts prior either to the accession of Estonia or to the accession of another Party with whom Estonia might have a dispute;

(b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States.

Ethiopia (March 15th, 1935)  
Finland (September 6th, 1930)  
France (May 21st, 1931)

The said accession concerning all disputes that may arise after the said accession with regard to situations or facts subsequent thereto, other than those which the Permanent Court of International Justice may recognize as bearing on a question left by international law to the exclusive competence of the State, it being understood that in application of Article 39 of the said Act the

disputes which the parties or one of them may have referred to the Council of the League of Nations will not be submitted to the procedures described in this Act unless the Council has been unable to pronounce a decision under the conditions laid down in Article 15, paragraph 6, of the Covenant.

Furthermore, in accordance with the resolution adopted by the Assembly of the League of Nations "on the submission and recommendations of the General Act", Article 28 of this Act is interpreted by the French Government as meaning in particular that "respect for rights established by treaty or resulting from international law" is obligatory upon arbitral tribunals constituted in application of Chapter III of the said General Act.

The Minister for Foreign Affairs of the French Republic, by a communication which was received at the Secretariat on February 14th, 1939, made the following declaration:

"The Government of the French Republic declares that it adds to the instrument of accession to the General Act of Arbitration deposited in its name on May 21st, 1931, the reservation that in future that accession shall not extend to disputes relating to any events that may occur in the course of a war in which the French Government is involved."

Greece (September 14th, 1931)

Subject to the following conditions: The following disputes are excluded from the procedures described in the General Act, including the procedure of conciliation referred to in Chapter I:

(a) Disputes resulting from facts prior either to the accession of Greece or to the accession of another Party with whom Greece might have a dispute;

(b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States and in particular disputes relating to the territorial status of Greece, including disputes relating to its rights of sovereignty over its ports and lines of communication.

Italy (September 7th, 1931)

Subject to the following reservations:

I. The following disputes shall be excluded from the procedure described in the said Act:

(a) Disputes arising out of facts or situations prior to the present accession; (b) Disputes relating to questions which international law leaves to the sole jurisdiction of States; (c) Disputes affecting the relations between Italy and any third Power.

II. It is understood that, in conformity with Article 29 of the said Act, disputes for the solution of which a special procedure is provided by other conventions shall be settled in accordance with the provisions of those conventions; and that, in particular, disputes which may be submitted to the Council or Assembly of the League of Nations in virtue of one of the provisions of the Covenant shall be settled in accordance with those provisions.

III. It is further understood that the present accession in no way affects Italy's accession to the Statute of the Permanent Court of International Justice and to the clause in that Statute concerning the compulsory jurisdiction of the Court.

Latvia (September 17th, 1935)

Luxembourg (September 15th, 1930)

Norway<sup>5</sup> (June 11th, 1930)

Peru (November 21st, 1931)

Subject to reservation (b) provided for in Article 39, paragraph 2.

Spain<sup>6</sup> : Denunciation (April 8th, 1939)

Switzerland (December 7th, 1934)

Turkey (June 26th, 1934)

Subject to the following reservations: The following disputes are excluded from the procedure described in the Act: (a) Disputes arising out of facts or situations prior to the present accession; (b) Disputes relating to questions which by international law are solely within the domestic jurisdiction of States; (c) Disputes affecting the relations between Turkey and any third Power.

### B (2 accessions)

#### *Provisions relating to conciliation and judicial settlement (Chapters I and II) and general provisions dealing with these procedures (Chapter IV)*

The Netherlands<sup>2</sup> (including Netherlands Indies, Surinam and Curaçao) (August 8th, 1930)

Sweden (May 13th, 1929)

### C Provisions relating to conciliation (Chapter I) and general provisions concerning that procedure (Chapter IV)

#### 2. Open to accession by: (1) The Members of the League of Nations which have not acceded:

(2) Further, the following States:

United States of America

Brazil

Chile

Costa Rica

Germany

Guatemala

Honduras

Hungary

Japan

Nicaragua

Paraguay

Salvador

Spain

Union of Soviet Socialist

Republics

Venezuela

*Notification received by the Secretary-General of the Organization of the United Nations after he assumed the functions of depositary*

Australia<sup>7</sup>

Dominica<sup>8</sup>

**Notes:**

<sup>1</sup> League of Nations, *Treaty Series*, vol. 93, p. 343.

<sup>2</sup> See note 8 in chapter I.1.

<sup>3</sup> The letter was received by the Secretariat of the League of Nations on December 8th, 1939. For the text, see *Official Journal of the League of Nations*, Nos. 1-3, January, February, March 1940.

<sup>4</sup> The telegram was received by the Secretariat of the League of Nations on September 8th, 1939. For the text, see *Official Journal of the League of Nations*, Nos. 9-10, September-October 1939.

<sup>5</sup> On June 11th, 1929, Norway acceded to Chapters I, II and IV. On June 11th, 1930, it extended its accession to the whole of the Act.

<sup>6</sup> Spain acceded on September 16th, 1930.

By a letter dated April 1st, 1939, and received by the Secretariat on April 8th, the Spanish National Government denounced the accession of Spain, pursuant to the terms of Article 45 of the General Act.

Under Article 45, this denunciation should have been effected six months before the expiration of the current five-year period—that is to say, in this case, before February 16th, 1939.

In regard to this point, the National Government states in its letter that, as the Secretary-General and almost all the States which are parties to the General Act have "in the past . . . refused to receive any communications from the National Government, this Government could not have acted earlier in pursuance of the right which it now exercises in virtue of Article 45 of the Act".

The Secretary-General brought this communication to the knowledge of the Governments concerned.

<sup>7</sup> On 17 March 1975, the Secretary-General received a declaration to the effect that the Government of Australia, in accordance with article 40, of the above-mentioned Act, abandons all the conditions to which its acceptance is subject (instrument of accession deposited with the Secretary-General of the League of Nations on 21 May 1931) with the exception of the condition relating to disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement.

<sup>8</sup> In a notification received on 24 November 1987, the Government of Dominica declared the following:

"The Government of the Commonwealth of Dominica has now examined the General Act for the Pacific Settlement of International Disputes signed in Geneva on 26th September 1928 and is of the opinion that the provisions of the Act ceased to apply to the Commonwealth of Dominica after 8th February 1974 when the United Kingdom formally denounced it and in any case the Commonwealth of Dominica does not regard itself bound by that Act after its Independence."

<sup>9</sup> In a notification received on 10 January 1974, the Government of France declared the following:

In a case dealt with by the International Court of Justice the Government of the French Republic noted that it was contended that the 1928 General Act for the Pacific Settlement of International Disputes could, in the present circumstances, justify the exercise of jurisdiction by the Court.

On that occasion the French Government specified the reasons why it considered that view to be unfounded.

While reaffirming that position, and, accordingly, without prejudice to it, the French Government requests you, with a view to avoiding any new controversy, to take cognizance of the fact that, with respect to any State or any institution that might contend that the General Act is still in force, the present letter constitutes denunciation of that Act in conformity with Article 45 thereof.

<sup>10</sup> In a notification received on 18 September 1974, the Minister of External Affairs of India declared the following:

"I have the honour to refer to the General Act of 26th September 1928 for the Pacific Settlement of International Disputes, which was accepted for British India by the then His Majesty's Secretary of State for India by a communication addressed to the Secretariat of the League of Nations dated 21st May 1931, and which was later revised on 15th February 1939.

"The Government of India never regarded themselves as bound by the General Act of 1928 since her Independence in 1947, whether by succession or otherwise. Accordingly, India has never been and is not a party to the General Act of 1928 ever since her Independence. I write this to make our position absolutely clear on this point so that there is no doubt in any quarter."

<sup>11</sup> The notification of succession specified that the Government of Pakistan does not maintain the reservations formulated by British India upon accession to the General Act of Arbitration.

The notification also contains the following declaration:

When Pakistan became a Member of the United Nations in October 1947, the delegation of India communicated to the Secretary-General the text of the Constitutional arrangements made at the time when India and Pakistan became independent (Document A/C.6/161 of 7 October 1947), with reference to the devolution upon them, as successor States of the former British India, of British India's international rights and obligations.

Among the rights and obligations of former British India were those of the General Act for the Pacific Settlement of International Disputes done at Geneva on 26th September 1928, which was acceded to by British India on 21st May 1931. The Government of Pakistan regards the Act as continuing in force as between parties to the Act as established on 26th September 1928 and all successor States. Article 17 of the said Act is given efficacy by Article 37 of the Statute of International Court of Justice, as between Members of the United Nations or parties to the Statute of the Court.

As a result of the arrangements mentioned in paragraph 1, Pakistan has been a separate party to the General Act of 1928 from the date of her independence, i.e. the 14th August 1947, since in accordance with Section 4 of the Indian Independence (International Arrangements), Order, 1947 (Document No. A/C.6/161 of 7 October 1946), Pakistan succeeded to the rights and obligations of British India under all multilateral treaties binding upon her before her partition into the two successor States. By virtue of these arrangements, the Government of Pakistan did not need to take any steps to indicate its consent de novo to acceding to multilateral conventions by which British India had been bound. Nevertheless, the Secretary-General of the United Nations was made aware of the situation through the communication referred above.

However, in order to dispel all doubts in this connection and without prejudice to Pakistan's rights as a successor State to British India, the Government of Pakistan have decided to notify Your Excellency, in your capacity as depositary of the General Act of 1928, that the Government of Pakistan continues to be bound by the accession of British India of the General Act of 1928. The Government of Pakistan does not, however, affirm the reservations made by British India.

In this regard, the Secretary-General received on 18 September 1974 a communication from the Minister of External Affairs of India stating inter alia:

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2. In the aforementioned communication, the Prime Minister of Pakistan has stated, inter alia, that as a result of the constitutional arrangements made at the time when India and Pakistan became independent, Pakistan has been a separate party to the General Act of 1928 for the Pacific Settlement of International Disputes from the date of her independence, i.e. 14th August 1947, since in accordance with Section 4 of the Indian Independence (International Arrangements) Order 1947, Pakistan succeeded to the rights and obligations of British

India under all multilateral treaties binding upon her before her partition into the two successor States.

The Prime Minister of Pakistan has further stated that accordingly, the Government of Pakistan did not need to take any steps to communicate its consent *de novo* to acceding to multilateral conventions by which British India had been bound. However, in order to dispel all doubts in this connection, the Government of Pakistan have stated that they continue to be bound by the accession of British India to the General Act of 1928. The communication further adds that 'the Government of Pakistan does not, however, affirm the reservations made by British India'.

3. In this connection, the Government of India has the following observations to make:

(1) The General Act of 1928 for the Pacific Settlement of International Disputes was a political agreement and was an integral part of the League of Nations system. Its efficacy was impaired by the fact that the organs of the League of Nations to which it refers have now disappeared. It is for these reasons that the General Assembly of the United Nations on 28 April 1949 adopted the Revised General Act for the Pacific Settlement of International Disputes. (2) Whereas British India did accede to the General Act of 1928, by a communication of 21 May 1931, revised on 15 February 1939, neither India nor Pakistan, into which British India was divided in 1947, succeeded to the General Act of 1928, either under general international law or in accordance with the provisions of the Indian Independence (International Arrangements) Order, 1947. (3) India and Pakistan have not yet acceded to the Revised General Act of 1949. (4) Neither India nor Pakistan have regarded themselves as being party to or bound by the provisions of the General Act of 1928. This is clear from the following: (a) In 1947, a list of treaties to which the Indian Independence (International Arrangements) Order, 1947 was to apply was prepared by 'Expert Committee No. 9 on Foreign Relations'. Their report is contained in Partition Proceedings, Volume III, pages 217-276. The list comprises 627 treaties in force in 1947. The 1928 General Act is not included in that list. The report was signed by the representatives of India and Pakistan. India should not therefore have been listed in any record as a party to the General Act of 1928 since 15 August 1947. (b) In several differences or disputes since 1947, such as those relating to the uses of river waters or the settlement of the boundary in the Rann of Kutch area, the 1928 General Act was not relied upon or cited either by India or by Pakistan. (c) In a case decided in 1961, the Supreme Court of Pakistan while referring to the Indian Independence (International Arrangements) Order, 1947 held that this Order 'did not and, indeed, could not provide for the devolution of treaty rights and obligations which were not capable of being succeeded to by a part of a country, which is severed from the parent State and established as an independent sovereign power, according to the practice of States'. Such treaties would include treaties of alliance, arbitration or commerce. The Court held that 'an examination of the provision of the said Order of 1947 also reveals no intention to depart from this principle'. (d) Statements on the existing international law of succession clearly establish that political treaties like the 1928 General Act are not transmissible by succession or by devolution agreements. Professor O'Connell states as follows: 'Clearly not all these treaties are transmissible; no State has yet acknowledged its succession to the General Act for the Pacific Settlement of International Disputes' (1928). (State Succession in Municipal Law and International Law, vol. II, 1967, page 213.) See also Sir Humphrey Waldock's Second Report (article 3) and Third Report (articles 6 and 7) on State Succession submitted to the International Law Commission in 1969 and 1970, respectively; Succession of States and Governments, Doc. A/CN.4/149-Add.1 and A/CN.4/150-Memorandums prepared by UN Secretariat on 3 December 1962 and 10 December 1962, respectively; and Oscar Schachter, 'The Development of International Law through Legal Opinions of the United Nations Secretariat', British Yearbook of International Law (1948) pages 91, 106-107. (e) The Government of Pakistan had attempted to establish the jurisdiction of the International Court of Justice in the Trial of Prisoners of War case in May 1973 and in that connection, as an alternative pleading, for the first time cited the provisions of the General Act of 1928 in support of the Court's jurisdiction to deal with the matter. Although the Government of India did not appear in these proceedings on the ground that their consent, required under the relevant treaty, had not been obtained before

instituting these proceedings, their views regarding the non-application of the General Act of 1928 to India-Pakistan were made clear to the Court by a communication dated 4 June 1973 from the Indian Ambassador at The Hague.

4. To sum up the 1928 General Act, being an integral part of the League of Nations system, ceased to be a treaty in force upon the disappearance of the organs of the League of Nations. Being a political agreement it could not be transmissible under the law of succession. Neither India nor Pakistan have regarded themselves as bound by the General Act of 1928 since 1947. The General Act of 1928 was not listed in the list of 627 agreements to which the Indian Independence (International Arrangements) Order, 1947 related and India and Pakistan could therefore not have been listed in any record as parties to the 1928 General Act. Nor have Pakistan or India yet acceded to the Revised General Act of 1949.

5. The Government of Pakistan, by their communication dated 30 May 1974, have now expressed their intention to be bound by the General Act of 1928, without the reservations made by British India. This new act of Pakistan may or may not amount to accession to the General Act of 1928 depending upon their wishes as a sovereign State and the position in international law of the treaty in question. In view of what has been stated above, the Government of India consider that Pakistan cannot, however, become a party to the General Act of 1928 by way of succession under the Indian Independence (International Arrangements) Order, 1947, as stated by Pakistan.

12 In a notification received on 18 December 1978 the Government of Turkey declared the following:

"In a case being dealt with by the International Court of Justice, it has been alleged that the General Act for the Pacific Settlement of International Disputes of 26 September 1928 provides a basis of jurisdiction for the Court to entertain a unilateral application. In that connection, the Government of Turkey has made clear its position that the General Act is no longer in force. The Government of Turkey reaffirms this position.

"Nevertheless, without prejudice to that position, and for the removal of any possibility of doubt that might arise as a result of any state or any institution considering that the afore-mentioned General Act continues to have any force or validity, the Government of Turkey hereby gives notice of denunciation of the General Act and requests that this notice be treated as a formal notification of denunciation under Article 45 thereof in so far as the General Act might be regarded as still in force."

"Article 45 of the General Act provides as follows:

"1. The present General Act shall be concluded for a period of five years, dating from its entry into force.

"2. It shall remain in force for further successive periods of five years in the case of Contracting Parties which do not denounce it at least six months before the expiration of the current period.

"3. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-member States referred to in Article 43.

"4. A denunciation may be partial only, or may consist in notification of reservations not previously made.

"5. Notwithstanding denunciation by one of the Contracting Parties concerned in a dispute, all proceedings pending at the expiration of the current period of the General Act shall be duly completed."

13 In a notification received on 8 February 1974, the Government of the United Kingdom declared *inter alia* the following:

"In the light of events since then [the accession of the United Kingdom to the General Act] doubts have been raised as to the continued legal force of the General Act. Without prejudice to the views of the United Kingdom as to the continued force of the General Act,

(i) insofar as the General Act may be regarded as still in force, the United Kingdom hereby gives notice of its denunciation of the General Act in accordance with the provisions of paragraph 2 of Article 45 thereof;

**(ii) insofar as the General Act may be regarded as no longer in force, this notice serves to place beyond doubt the position of the United Kingdom in this matter."**

**In a notification received on 1 March 1974, the Government of the United Kingdom subsequently indicated that the notification received on 8 February 1974 was to be treated as a formal notification of denunciation under Article 45 of the General Act in so far as the latter might be regarded as still in force.**



### 30. CONVENTION CONCERNING THE UNIFICATION OF ROAD SIGNALS

Geneva, 30 March 1931

**ENTRY INTO FORCE:** 16 July 1934, in accordance with article 11<sup>2</sup>.  
**REGISTRATION:** 16 July 1934, No. 3459<sup>1</sup>.

#### Ratifications or definitive accessions

Egypt	(June 10th, 1940 a)	subparagraph (2), of the Annex to the Convention, at a distance	
France	(October 11th, 1934)	from the obstacle which shall not be less than 60 metres, without	
Does not assume any obligation in regard to Algeria, colonies, protectorates and territories under its mandate.		making special arrangements.	
Algeria	(July 22nd, 1935 a)	Poland	
Hungary	(January 8th, 1937)	(April 5th, 1934)	
Italy	(September 25th, 1933)	Portugal	
Latvia	(January 10th, 1939 a)	(April 13th, 1932 a)	
Luxembourg	(April 9th, 1936)	Does not include the Portuguese Colonies.	
Monaco	(January 19th, 1932 a)	Romania	
The Netherlands <sup>3</sup> (for the Kingdom Europe, Surinam and Curacao)	(January 16th, 1934 a)	(June 19th, 1935 a)	
<i>Netherlands Indies</i>	(January 29th, 1940 a)	Spain	
In view of the special character of the roads in the Netherlands Indies, the Netherlands Government reserves the right to place upon them the danger signals referred to in paragraph 1,		(July 18th, 1933)	
		Sweden	
		(February 25th, 1938 a)	
		Switzerland	
		(October 19th, 1934)	
		Turkey	
		(October 15th, 1936)	
		Union of Soviet Socialist Republics	
		(July 23rd, 1935 a)	
		Belgium	

#### Signatures subject to ratification:

Belgium	Denmark
Subject to subsequent accession for the colonies and territories under mandate.	Germany
Czechoslovakia <sup>4</sup>	Yugoslavia

#### Subject to subsequent accession for the colonies and territories under mandate.

Czechoslovakia <sup>4</sup>	Germany
Denmark	Yugoslavia

#### Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations

Participant	Denunciation	Participant	Denunciation
Austria	2 May 1956	Poland	29 Oct 1958
France	19 Oct 1954	Portugal	6 Jun 1957
Hungary	30 Jul 1962	Romania	26 May 1961
Italy	29 May 1953	Russian Federation	26 Apr 1961
Luxembourg	30 Nov 1954	Spain	28 Feb 1958
Monaco	18 May 1953	Sweden	31 Mar 1952
Netherlands <sup>5</sup>	26 Dec 1952		

#### Notes:

<sup>1</sup> League of Nations, *Treaty Series*, vol. 150, p. 247.  
<sup>2</sup> The Convention ceased to have effect on 30 July 1963, the number of States bound by its provisions having been reduced to less than five as the result of successive denunciations.  
<sup>3</sup> This reservation has been submitted to the States Parties to the Convention for acceptance.

<sup>4</sup> See note 11 in chapter 1.2.  
<sup>5</sup> Denunciation for the Kingdom in Europe only; The Netherlands wishes to remain a party to the Convention in respect of the Netherlands Antilles, Surinam and Netherlands New Guinea until the Protocol of 19 September 1949 has become applicable to those territories (see chapter XI.B-2).





### 31. AGREEMENT CONCERNING MARITIME SIGNALS

*Lisbon, 23 October 1930*

**ENTRY INTO FORCE:** 22 November 1931, in accordance with article 12.  
**REGISTRATION:** 22 November 1931, No. 2849<sup>1</sup>.

#### *Definitive signatures or accessions and Ratifications*

Belgium	(February 10th, 1932)	<i>French Equatorial Africa</i>	"
Belgium cannot undertake, for the present, to apply the provisions relating to "Warning of gale expected to affect the locality" which form the first chapter of the Regulations of this Agreement.		<i>French Settlements in India</i>	"
Further, the ratification by Belgium of the provisions which are the object of Chapter II (Tide and depth signals), and Chapter III (Signals concerning the movement of vessels at the entrances of harbours or important channels), will only take effect when Germany, Denmark, France, Great Britain, the Netherlands and Norway shall have themselves notified their effective ratifications of the provisions contained in these two chapters.		<i>French West Africa</i>	"
The ratification by Belgium does not apply to the Belgian Congo.		<i>Guadeloupe, Guyana</i>	"
Brazil	(November 21st, 1932 a)	<i>Indo-China</i>	"
China	(May 29th 1935)	<i>Madagascar, Martinique</i>	"
Free City of Danzig (through the intermediary of Poland)	(October 2nd, 1933)	<i>New Caledonia</i>	"
Finland	(June 12th, 1936)	<i>Oceania</i>	"
France	(July 13th, 1931)	<i>Reunion</i>	"
<i>Morocco</i>	(September 3rd, 1931)	<i>St. Pierre and Miquelon</i>	"
<i>Tunis</i>	(October 27th, 1931)	<i>Togoland</i>	"
French Colonies and Mandated Territories as follows:		Greece	(September 14th, 1932)
<i>Cameroon</i>	(October 28th, 1933 a)	Latvia	(September 17th, 1935 a)
<i>French Cost of Somaliland</i>	"	Monaco	(November 3rd, 1933)
		The Netherlands	(August 24th, 1931 s)
		(Including the Netherlands Indies.)	
		Poland	(October 2nd, 1933)
		Portugal	(October 23rd, 1930 s)
		Romania	(June 1st, 1931 s)
		Spain	(November 3rd, 1933)
		Turkey	(June 27th, 1936 a)
		Union of Soviet Socialist Republics	(April 27th, 1931 s)
		Yugoslavia	(December 11th, 1937)

#### *Signatures subject to ratification:*

Union of South Africa	Germany
Cuba	Sweden
Estonia	

#### *Open to accession by:*

Albania	Iraq
Argentine Republic	Ireland
Australia	Italy
Bulgaria	Japan
Canada	Liberia
Chile	Lithuania
Colombia	Mexico
Costa Rica	New Zealand
Denmark	Nicaragua
Dominican Republic	Norway
Ecuador	Panama
Egypt	Peru
Great Britain and Northern Ireland	Salvador
Guatemala	Tangier
Haiti	Thailand
Honduras	United States of America
Iceland	Uruguay
India	Venezuela
Iran	

**Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations**

<i>Participant</i>	<i>Denunciation</i>	<i>Participant</i>	<i>Denunciation</i>
Belgium .....	1 Oct 1985	Greece.....	24 Jul 1986
France.....	11 Jul 1983	Netherlands.....	29 Dec 1992

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**Notes:**

<sup>1</sup> See *Treaty Series* of the League of Nations, vol. 125, p. 95. Ratifications and accessions subsequent to registration: vol. 138, p. 453;

vol. 142, p. 379; vol. 156, p. 241; vol. 160, p. 393; vol. 164, p. 390 and vol. 181, p. 395.

32. CONVENTION RELATIVE À LA NON-FORTIFICATION ET À LA NEUTRALISATION DES  
ÎLES D'ALAND

Genève, 20 octobre 1921

EN VIGUEUR pour chaque Puissance signataire ou adhérente dès le dépôt de sa ratification ou de son acte d'adhésion (article 10)<sup>1</sup>.

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<i>Ratifications or definitive accessions</i>			
British Empire	(April 6th, 1922)	Germany	(April 6th, 1922)
Denmark	(April 6th, 1922)	Italy	(May 11th, 1922)
Estonia	(April 3rd, 1923)	Latvia	(September 9th, 1922)
Finland	(April 6th, 1922)	Poland	(June 29th, 1922)
France	(April 6th, 1922)	Sweden	(April 6th, 1922)

*Notifications received by the Secretary-General of the Organization of the United Nations after he assumed the functions of depositary*

Estonia<sup>2</sup>  
Latvia<sup>3</sup>

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*Notes:*

<sup>1</sup> Registered No. 255. See *Treaty Series*, League of Nations, vol. 9, p. 211.

<sup>2</sup> In a notification received on 21 July 1992, the Government of Estonia declared the following:

The Ministry of Foreign Affairs of the Republic of Estonia [notifies] the declaration of continuity by Estonia regarding the [said] Convention."

<sup>3</sup> In a notification received on 14 April 1992, the Government of Latvia declared the following:

"The Ministry of Foreign Affairs declares, in conformity with article 8 and article 10 of the Convention [ . . . ] that the said Convention is still binding for the Republic of Latvia and the provisions so accepted shall be observed in their entirety."



### 33. AGREEMENT CONCERNING MANNED LIGHTSHIPS NOT ON THEIR STATIONS

*Lisbon, 23 October 1930*

**ENTRY INTO FORCE:** 21 January 1931, in accordance with article 4.  
**REGISTRATION:** 21 January 1931, No. 2603<sup>1</sup>.

#### *Ratifications or definitive accessions*

Belgium	(February 10th, 1923)	<i>French West Africa</i>	(October 28th, 1933 a)
This ratification does not apply to the Belgian Congo.		<i>Guadeloupe, Guiana</i>	(October 28th, 1933 a)
Brazil	(November 21st, 1932 a)	<i>Indo-China</i>	(October 28th, 1933 a)
Great Britain and Northern Ireland	(October 23rd, 1930 s)	<i>Madagascar, Martinique</i>	(October 28th, 1933 a)
Does not include any Colonies, Protectorates or Territories under suzerainty or mandate of His Britannic Majesty.		<i>New Caledonia</i>	(October 28th, 1933 a)
<i>Burma</i> <sup>2</sup>		<i>Oceania</i>	(October 28th, 1933 a)
India	(October 23rd, 1930 s)	<i>Reunion</i>	(October 28th, 1933 a)
Does not include any of the Indian States under British suzerainty.		<i>St. Pierre and Miquelon</i>	(October 28th, 1933 a)
China	(May 29th, 1935)	<i>Togoland</i>	(October 28th, 1933 a)
Free City of Danzig	(through the intermediary of	Greece	(October 23rd, 1930 s)
Poland)	(October 2nd, 1933)	Iraq	(October 15th, 1935 a)
Denmark	(April 29th, 1931 s)	Latvia	(September 17th, 1935 a)
Estonia	(September 16th, 1936)	Monaco	(October 23rd, 1930 s)
Finland	(May 23rd, 1934)	The Netherlands	(October 23rd, 1930 s)
France	(October 23rd, 1930 s)	(Including the Netherlands Indies.)	
<i>Morocco</i>	(October 23rd, 1930 s)	Poland	(October 2nd, 1933)
<i>Tunis</i>	(October 23rd, 1930 s)	Portugal	(October 23rd, 1930 s)
French Colonies and Mandated Territories as follows:		Romania	(June 1st, 1931 s)
<i>Cameroons</i>	(October 28th, 1933 a)	Spain	(November 3rd, 1933)
<i>French Coast of Somaliland</i>	(October 28th, 1933 a)	Sweden	(February 3rd, 1933)
<i>French Equatorial Africa</i>	(October 28th, 1933 a)	Union of Soviet Socialist Republics	(April 27th, 1931 s)
<i>French Settlements in India</i>	(October 28th, 1933 a)	Turkey	(June 27th, 1936 a)
		Yugoslavia	(January 16th, 1934)

#### *Signatures not yet perfected by ratification*

Cuba  
Germany

#### *Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations*

<i>Participant</i>	<i>Denunciation</i>
Netherlands <sup>3</sup> .....	29 Dec 1992

#### *Notes:*

<sup>1</sup> See *Treaty Series* of the League of Nations, vol. 112, p. 21.

<sup>2</sup> See note 4 in Part II.2.

<sup>3</sup> For the Kingdom of Europe. With effect from 29 December 1993.



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