

Reference: C.N.62.2015.TREATIES-XVIII.13 (Depositary Notification)

AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE
INTERNATIONAL CRIMINAL COURT
NEW YORK, 9 SEPTEMBER 2002

CANADA: COMMUNICATION¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 16 January 2015.

(Original: English)

“The Permanent Mission of Canada to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the Agreement on the Privileges and Immunities of the International Criminal Court and the Secretary-General's communication of 6 January 2015. C.N.12.2015.TREATIES-XVIII.13, relating to that treaty. The Permanent Mission of Canada notes that this communication was made pursuant to the Secretary-General's capacity as Depositary for the Agreement on the Privileges and Immunities of the International Criminal Court. The Permanent Mission of Canada notes the technical and administrative role of the Depositary, and that it is for States Parties to a treaty, not the Depositary, to make their own determination with respect to any legal issues raised by instruments circulated by a depositary.

In that context, the Permanent Mission of Canada notes that 'Palestine' does not meet the criteria of a state under international law and is not recognized by Canada as a state. Therefore, in order to avoid confusion, the Permanent Mission of Canada wishes to note its position that in the context of the purported Palestinian accession to the Agreement on the Privileges and Immunities of the International Criminal Court, 'Palestine' is not able to accede to this convention, and that the Agreement on the Privileges and Immunities of the International Criminal Court does not enter into force, or have an effect on Canada's treaty relations, with respect to the 'State of Palestine'.”

23 January 2015



¹ Refer to depositary notification C.N.12.2015.TREATIES-XVIII.13 of 6 January 2015 (Accession: State of Palestine).