

Reference: C.N.633.2016.TREATIES-XVIII.14 (Depositary Notification)

UNITED NATIONS CONVENTION AGAINST CORRUPTION
NEW YORK, 31 OCTOBER 2003

HOLY SEE: ACCESSION

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

The above action was effected on 19 September 2016, with:

Reservations and declarations (Original: English)

By acceding to the United Nations Convention against Corruption, the Holy See, acting also in the name and on behalf of Vatican City State, intends to contribute and to give its moral support to the global prevention, repression and prosecution of such crime.

In conformity with its own nature, its Universal Mission, and the particular character of Vatican City State, the Holy See upholds the values of brotherhood, justice and peace between persons and peoples, whose protection and strengthening require the primacy of the rule of law and respect for human rights, and it reaffirms that instruments of criminal and judicial cooperation constitute effective safeguards in the face of criminal activities that jeopardize human dignity and peace.

Reservations

With regard to article 63.7, the Holy See, acting also in the name and on behalf of Vatican City State, specifically reserves the right to consent in each particular case, and on an *ad hoc* basis, to be subject to any mechanism or body to review the implementation of the Convention which has been established, or which may be established in the future, by the Conference of State Parties.

Pursuant to article 66.3 of the Convention, the Holy See, acting also in the name and on behalf of Vatican City State, declares that it does not consider itself bound by article 66.2 of the Convention. The Holy See, acting also in the name and on behalf of Vatican City State, specifically reserves the right to agree in a particular case, on an *ad hoc* basis, to any convenient means to settle any dispute arising out of this Convention.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are issued in electronic format only. Depositary notifications are made available to the Permanent Missions to the United Nations in the United Nations Treaty Collection at <https://treaties.un.org>, under "Depositary Notifications (CNs)". In addition, the Permanent Missions, as well as other interested individuals, can subscribe to receive depositary notifications by e-mail through the Treaty Section's "Automated Subscription Services", which is also available at https://treaties.un.org/Pages/Login.aspx?lang=_en.

Declarations

[...]

With regard to articles 43 to 48 of the Convention, the Holy See, acting also in the name and on behalf of Vatican City State, declares that, in light of its legal doctrine and the sources of its law (Vatican City State Law LXXI, 1 October 2008), nothing in the Convention shall be interpreted as imposing an obligation to extradite or to provide mutual legal assistance if there are substantial grounds for believing that the request is made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion; that compliance with the request would cause prejudice to that person's position for any of these reasons; or that the person would be subject to the death penalty or to torture.

In light of its own nature and its legal order (article 207 of the Vatican Criminal Code, amended by article 21 of Law N. IX on Amendments to the Criminal Code and the Code of Criminal Procedure, of 11 July 2013, and Motu Proprio on the Jurisdiction of Judicial Authorities of Vatican City State in Criminal Matters, of 11 July 2013), the Holy See declares that the following persons are deemed "public officials" for the purposes of Vatican criminal law:

- a) any person holding a legislative, administrative or judicial office in the Vatican City State, whether appointed or elected, permanent or temporary, paid or unpaid, irrespective of that person's seniority;
- b) any person who performs a public function in the Vatican City State, even for a public agency or public enterprise, or who provides a public service;
- c) members, officials and personnel of the various organs of the Roman Curia and of the Institutions connected to it;
- d) papal legates and diplomatic personnel of the Holy See;
- e) those persons who serve as representatives, managers or directors, as well as persons who even de facto manage or exercise control over the entities directly dependent on the Holy See and listed in the registry of canonical juridical persons kept by the Governorate of Vatican City State;
- f) any other person holding an administrative or judicial mandate in the Holy See, permanent or temporary, paid or unpaid, irrespective of that person's seniority.

The Convention will enter into force for the Holy See on 19 October 2016 in accordance with its article 68 (2) which reads as follows:

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“For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the thirtieth instrument of such action, this Convention shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Convention enters into force pursuant to paragraph 1 of this article, whichever is later.”

19 September 2016

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines, positioned below the date.

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