

Reference: C.N.41.2018.TREATIES-XVIII.12.b (Depositary Notification)

PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA  
AND AIR, SUPPLEMENTING THE UNITED NATIONS CONVENTION  
AGAINST TRANSNATIONAL ORGANIZED CRIME

NEW YORK, 15 NOVEMBER 2000

SLOVENIA: OBJECTION TO THE RESERVATION MADE BY AFGHANISTAN UPON ACCESSION<sup>1</sup>

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

The above action was effected on 19 January 2018.

(Original: English)

“The Republic of Slovenia has carefully examined the reservation made by the Islamic Republic of Afghanistan upon accession to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, adopted in New York on 15 November 2000.

The Republic of Slovenia considers that the reservation made by the Islamic Republic of Afghanistan regarding the exclusion of the application of Article 18 of the Protocol in its entirety, is incompatible with the object and purpose of the Protocol, namely the return of smuggled migrants to a State Party's own territory and promotion of cooperation among States Parties and is therefore not permissible under Article 19 (c) of the Vienna Convention on the Law of Treaties. Furthermore, the option of reservations to Article 18 of the Protocol is not provided for in the Protocol.

Therefore the Republic of Slovenia objects to the reservation made by Islamic Republic of Afghanistan to Article 18 of the aforementioned Protocol. This objection shall not preclude the entry into force of the Protocol between the Republic of Slovenia and the Islamic Republic of Afghanistan. The Protocol shall thus become operative between the two States without the Islamic Republic of Afghanistan benefitting from this reservation.”

19 January 2018



<sup>1</sup> Refer to depositary notification C.N.46.2017.TREATIES-XVIII.12.b of 3 February 2017 (Accession: Afghanistan).