

Reference: C.N.182.2025.TREATIES-III.13 (Depositary Notification)

UNITED NATIONS CONVENTION ON JURISDICTIONAL IMMUNITIES OF
STATES AND THEIR PROPERTY
NEW YORK, 2 DECEMBER 2004

NETHERLANDS (KINGDOM OF THE): ACCESSION (FOR THE EUROPEAN PART AND THE
CARIBBEAN PART (THE ISLANDS OF BONAIRE, SINT EUSTATIUS AND SABA) OF THE
KINGDOM OF THE NETHERLANDS)

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

The above action was effected on 23 April 2025, with:

Declarations (Original: English)

“The Kingdom of the Netherlands interprets the Convention as not precluding the possibility
of restricting State immunity in case of war crimes or crimes of aggression as recognized by the
international community and in accordance with international law.

Recalling, inter alia, resolution 59/38 adopted by the General Assembly of the United Nations
on 2 December 2004, in which the General Assembly took into account, when adopting the Convention,
the statement of 25 October 2004 of the Chairman of the Ad Hoc Committee on Jurisdictional
Immunities of States and Their Property introducing the Committee’s report, the Kingdom of the
Netherlands expresses its understanding that the Convention does not apply to military activities,
including the activities of armed forces during an armed conflict, as those terms are understood under
international humanitarian law, and activities undertaken by military forces of a State in the exercise of
their official duties. Such activities remain subject to other rules of international law.”

Reservation (Original: English)

“The Kingdom of the Netherlands accepts the provisions of article 18 of the Convention
subject to the reservation that the conditions laid down in article 19, subparagraph (c) of the Convention
regarding post-judgment measures of constraint also apply to pre-judgment measures of constraint
against property of a State. Pre-judgment measures of constraint may be taken if it has been established
that the property is specifically in use or intended for use by the State for other than government non-
commercial purposes and is in the territory of the State of the forum, provided that pre-judgment
measures of constraint may only be taken against property that has a connection with the entity against
which the dispute was directed.”

25 April 2025

