

### 3. VIENNA CONVENTION ON DIPLOMATIC RELATIONS

*Vienna, 18 April 1961*

**ENTRY INTO FORCE:** 24 April 1964, in accordance with article 51.  
**REGISTRATION:** 24 June 1964, No. 7310.  
**STATUS:** Signatories: 60. Parties: 191.  
**TEXT:** United Nations, *Treaty Series*, vol. 500, p. 95.

*Note:* The Convention was adopted on 14 April 1961 by the United Nations Conference on Diplomatic Intercourse and Immunities held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961. The Conference also adopted the Optional Protocol concerning the Acquisition of Nationality, the Optional Protocol concerning the Compulsory Settlement of Disputes, the Final Act and four resolutions annexed to that Act. The Convention and two Protocols were deposited with the Secretary-General of the United Nations. The Final Act, by unanimous decision of the Conference, was deposited in the archives of the Federal Ministry for Foreign Affairs of Austria. The text of the Final Act and of the annexed resolutions is published in the United Nations, *Treaty Series*, vol. 500, p. 212. For the proceedings of the Conference, see *United Nations Conference on Diplomatic Intercourse and Immunities, Official Records*, vols. I and II (United Nations publication, Sales Nos: 61.X.2 and 62.X.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.....		6 Oct 1965 a	Burundi .....		1 May 1968 a
Albania.....	18 Apr 1961	8 Feb 1988	Cabo Verde .....		30 Jul 1979 a
Algeria .....		14 Apr 1964 a	Cambodia.....		31 Aug 1965 a
Andorra.....		3 Jul 1996 a	Cameroon.....		4 Mar 1977 a
Angola .....		9 Aug 1990 a	Canada .....	5 Feb 1962	26 May 1966
Antigua and Barbuda.....		17 Feb 2017 a	Central African Republic .....	28 Mar 1962	19 Mar 1973
Argentina .....	18 Apr 1961	10 Oct 1963	Chad.....		3 Nov 1977 a
Armenia .....		23 Jun 1993 a	Chile.....	18 Apr 1961	9 Jan 1968
Australia.....	30 Mar 1962	26 Jan 1968	China <sup>2,3,4</sup> .....		25 Nov 1975 a
Austria .....	18 Apr 1961	28 Apr 1966	Colombia .....	18 Apr 1961	5 Apr 1973
Azerbaijan.....		13 Aug 1992 a	Comoros.....		27 Sep 2004 a
Bahamas.....		17 Mar 1977 d	Congo.....		11 Mar 1963 a
Bahrain.....		2 Nov 1971 a	Costa Rica.....	14 Feb 1962	9 Nov 1964
Bangladesh.....		13 Jan 1978 d	Côte d'Ivoire .....		1 Oct 1962 a
Barbados .....		6 May 1968 d	Croatia <sup>1</sup> .....		12 Oct 1992 d
Belarus .....	18 Apr 1961	14 May 1964	Cuba.....	16 Jan 1962	26 Sep 1963
Belgium .....	23 Oct 1961	2 May 1968	Cyprus.....		10 Sep 1968 a
Belize .....		30 Nov 2000 a	Czech Republic <sup>5</sup> .....		22 Feb 1993 d
Benin.....		27 Mar 1967 a	Democratic People's Republic of Korea ....		29 Oct 1980 a
Bhutan.....		7 Dec 1972 a	Democratic Republic of the Congo.....	18 Apr 1961	19 Jul 1965
Bolivia (Plurinational State of).....		28 Dec 1977 a	Denmark .....	18 Apr 1961	2 Oct 1968
Bosnia and Herzegovina <sup>1</sup> .....		1 Sep 1993 d	Djibouti.....		2 Nov 1978 a
Botswana .....		11 Apr 1969 a	Dominica .....		24 Nov 1987 d
Brazil .....	18 Apr 1961	25 Mar 1965	Dominican Republic .....	30 Mar 1962	14 Jan 1964
Brunei Darussalam .....		24 May 2013 a	Ecuador.....	18 Apr 1961	21 Sep 1964
Bulgaria .....	18 Apr 1961	17 Jan 1968	Egypt.....		9 Jun 1964 a
Burkina Faso.....		4 May 1987 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>
El Salvador .....		9 Dec 1965 a	Lesotho .....		26 Nov 1969 a
Equatorial Guinea .....		30 Aug 1976 a	Liberia.....	18 Apr 1961	15 May 1962
Eritrea .....		14 Jan 1997 a	Libya.....		7 Jun 1977 a
Estonia .....		21 Oct 1991 a	Liechtenstein.....	18 Apr 1961	8 May 1964
Ethiopia.....		22 Mar 1979 a	Lithuania .....		15 Jan 1992 a
Fiji .....		21 Jun 1971 d	Luxembourg.....	2 Feb 1962	17 Aug 1966
Finland.....	20 Oct 1961	9 Dec 1969	Madagascar .....		31 Jul 1963 a
France .....	30 Mar 1962	31 Dec 1970	Malawi.....		19 May 1965 a
Gabon.....		2 Apr 1964 a	Malaysia.....		9 Nov 1965 a
Gambia.....		28 Mar 2013 a	Maldives .....		2 Oct 2007 a
Georgia .....		12 Jul 1993 a	Mali.....		28 Mar 1968 a
Germany <sup>6,7</sup> .....	18 Apr 1961	11 Nov 1964	Malta <sup>8</sup> .....		7 Mar 1967 d
Ghana.....	18 Apr 1961	28 Jun 1962	Marshall Islands.....		9 Aug 1991 a
Greece.....	29 Mar 1962	16 Jul 1970	Mauritania.....		16 Jul 1962 a
Grenada.....		2 Sep 1992 a	Mauritius.....		18 Jul 1969 d
Guatemala.....	18 Apr 1961	1 Oct 1963	Mexico .....	18 Apr 1961	16 Jun 1965
Guinea.....		10 Jan 1968 a	Micronesia (Federated States of) .....		29 Apr 1991 a
Guinea-Bissau.....		11 Aug 1993 a	Monaco .....		4 Oct 2005 a
Guyana.....		28 Dec 1972 a	Mongolia.....		5 Jan 1967 a
Haiti .....		2 Feb 1978 a	Montenegro <sup>9</sup> .....		23 Oct 2006 d
Holy See .....	18 Apr 1961	17 Apr 1964	Morocco.....		19 Jun 1968 a
Honduras.....		13 Feb 1968 a	Mozambique .....		18 Nov 1981 a
Hungary .....	18 Apr 1961	24 Sep 1965	Myanmar.....		7 Mar 1980 a
Iceland .....		18 May 1971 a	Namibia .....		14 Sep 1992 a
India .....		15 Oct 1965 a	Nauru .....		5 May 1978 d
Indonesia.....		4 Jun 1982 a	Nepal.....		28 Sep 1965 a
Iran (Islamic Republic of).....	27 May 1961	3 Feb 1965	Netherlands <sup>10</sup> .....		7 Sep 1984 a
Iraq.....	20 Feb 1962	15 Oct 1963	New Zealand <sup>11</sup> .....	28 Mar 1962	23 Sep 1970
Ireland.....	18 Apr 1961	10 May 1967	Nicaragua.....		31 Oct 1975 a
Israel .....	18 Apr 1961	11 Aug 1970	Niger .....		5 Dec 1962 a
Italy .....	13 Mar 1962	25 Jun 1969	Nigeria .....	31 Mar 1962	19 Jun 1967
Jamaica .....		5 Jun 1963 a	Norway .....	18 Apr 1961	24 Oct 1967
Japan .....	26 Mar 1962	8 Jun 1964	Oman .....		31 May 1974 a
Jordan.....		29 Jul 1971 a	Pakistan.....	29 Mar 1962	29 Mar 1962
Kazakhstan.....		5 Jan 1994 a	Panama.....	18 Apr 1961	4 Dec 1963
Kenya.....		1 Jul 1965 a	Papua New Guinea .....		4 Dec 1975 d
Kiribati.....		2 Apr 1982 d	Paraguay .....		23 Dec 1969 a
Kuwait .....		23 Jul 1969 a	Peru.....		18 Dec 1968 a
Kyrgyzstan.....		7 Oct 1994 a	Philippines .....	20 Oct 1961	15 Nov 1965
Lao People's Democratic Republic .....		3 Dec 1962 a	Poland .....	18 Apr 1961	19 Apr 1965
Latvia.....		13 Feb 1992 a	Portugal <sup>3</sup> .....		11 Sep 1968 a
Lebanon .....	18 Apr 1961	16 Mar 1971	Qatar .....		6 Jun 1986 a
			Republic of Korea <sup>12</sup> .....	28 Mar 1962	28 Dec 1970

<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>
Republic of Moldova.....		26 Jan 1993 a	Tajikistan .....		6 May 1996 a
Romania.....	18 Apr 1961	15 Nov 1968	Thailand.....	30 Oct 1961	23 Jan 1985
Russian Federation .....	18 Apr 1961	25 Mar 1964	The former Yugoslav Republic of Macedonia <sup>1</sup> .....		18 Aug 1993 d
Rwanda .....		15 Apr 1964 a	Timor-Leste .....		30 Jan 2004 a
Samoa .....		26 Oct 1987 a	Togo.....		27 Nov 1970 a
San Marino .....	25 Oct 1961	8 Sep 1965	Tonga.....		31 Jan 1973 d
Sao Tome and Principe..		3 May 1983 a	Trinidad and Tobago .....		19 Oct 1965 a
Saudi Arabia .....		10 Feb 1981 a	Tunisia .....		24 Jan 1968 a
Senegal.....	18 Apr 1961	12 Oct 1972	Turkey.....		6 Mar 1985 a
Serbia <sup>1</sup> .....		12 Mar 2001 d	Turkmenistan.....		25 Sep 1996 a
Seychelles .....		29 May 1979 a	Tuvalu <sup>13</sup> .....		15 Sep 1982 d
Sierra Leone.....		13 Aug 1962 a	Uganda.....		15 Apr 1965 a
Singapore .....		1 Apr 2005 a	Ukraine .....	18 Apr 1961	12 Jun 1964
Slovakia <sup>5</sup> .....		28 May 1993 d	United Arab Emirates ....		24 Feb 1977 a
Slovenia <sup>1</sup> .....		6 Jul 1992 d	United Kingdom of Great Britain and Northern Ireland <sup>2</sup> .....	11 Dec 1961	1 Sep 1964
Somalia .....		29 Mar 1968 a	United Republic of Tanzania.....	27 Feb 1962	5 Nov 1962
South Africa.....	28 Mar 1962	21 Aug 1989	United States of America.....	29 Jun 1961	13 Nov 1972
Spain .....		21 Nov 1967 a	Uruguay .....	18 Apr 1961	10 Mar 1970
Sri Lanka.....	18 Apr 1961	2 Jun 1978	Uzbekistan .....		2 Mar 1992 a
St. Kitts and Nevis .....		6 Jul 2010 a	Venezuela (Bolivarian Republic of) .....	18 Apr 1961	16 Mar 1965
St. Lucia.....		27 Aug 1986 d	Viet Nam <sup>14</sup> .....		26 Aug 1980 a
St. Vincent and the Grenadines .....		27 Apr 1999 d	Yemen <sup>15</sup> .....		24 Nov 1976 a
State of Palestine .....		2 Apr 2014 a	Zambia <sup>16</sup> .....		16 Jun 1975 d
Sudan .....		13 Apr 1981 a	Zimbabwe .....		13 May 1991 a
Suriname.....		28 Oct 1992 a			
Swaziland.....		25 Apr 1969 a			
Sweden.....	18 Apr 1961	21 Mar 1967			
Switzerland .....	18 Apr 1961	30 Oct 1963			
Syrian Arab Republic ....		4 Aug 1978 a			

### ***Declarations and Reservations***

***(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto see hereinafter.)***

#### **AUSTRALIA**

"The Government of the Commonwealth of Australia does not regard the statements concerning paragraph (1) of Article 11 made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the Mongolian People's Republic as modifying any rights or obligations under that paragraph.

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to paragraph 2, Article 37, of the Convention made by the United Arab Republic and by Cambodia."

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Morocco and Portugal."

"The Government of Australia does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the German Democratic Republic, in a letter accompanying the instrument of accession as modifying any rights and obligations under that paragraph."

"The Government of Australia does not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3, and 4 of article 37 of that Convention."

"The Government of Australia does not regard the reservation made by the Government of the People's Democratic Republic of Yemen to paragraph (1) of article 11 as modifying any rights or obligations under that paragraph."

"Australia does not regard as valid the reservations made by the Kingdom of Saudi Arabia, the State of Bahrain, the State of Kuwait and the Socialist People's Libyan Arab Jamahiriya, in respect of treatment of the diplomatic bag under article 27 of the Vienna Convention on Diplomatic Relations."

"Australia does not regard as valid the reservations made by the State of Qatar and the Yemen Arab Republic in respect of treatment of the diplomatic bag under Article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961."

#### **BAHRAIN<sup>17</sup>**

"1. With respect to paragraph 3 of article 27, relating to the 'Diplomatic Bag', the Government of the State of Bahrain reserves its right to open the diplomatic bag if there are serious grounds for presuming that it contains articles the import or export of which is prohibited by law.

"2. The approval of this Convention does not constitute a recognition of Israel, or amount to entering with it into any transaction required by the aforesaid Convention."

#### **BELARUS**

##### *Reservation concerning article 11, paragraph 1:*

In accordance with the principle of the equality of rights of States, the Byelorussian Soviet Socialist Republic considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

##### *Declaration concerning articles 48 and 50:*

The Byelorussian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality no State has the right to bar other States from accession to a Convention of this nature.

The Government of the Byelorussian Soviet Socialist Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations.

[Same reservation, mutatis mutandis, as the one made by the Russian Federation on 6 October 1986.]

[Same reservation, mutatis mutandis, as the one made by the Russian Federation on 6 November 1986.]

#### **BOTSWANA**

"Subject to the reservation that article 37 of the Convention should be applicable on the basis of reciprocity only."

#### **BULGARIA**

##### *Reservation concerning article 11, paragraph 1:*

In accordance with the principle of the equality of States, the People's Republic of Bulgaria considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

##### *Declaration concerning articles 48 and 50:*

The People's Republic of Bulgaria considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The provisions of these articles are inconsistent with the very nature of the Convention, which is universal in character and should be open for accession by all States. In accordance with the principle of equality, no State has the right to bar other States from accession to a convention of this kind.

#### **CAMBODIA**

The diplomatic immunities and privileges provided for in article 37, paragraph 2, of the afore-mentioned Convention, recognized and admitted in customary law and in the practice of States in favour of heads of missions and members of diplomatic staff of the mission, cannot be granted by the Royal Government of Cambodia for the benefit of other categories of mission staff, including administrative and technical staff.

#### **CANADA**

"The Government of Canada does not regard the statement concerning paragraph 1 of Article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under this paragraph."

"The Government of Canada does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China. Similarly the Government of Canada does not regard as valid the reservations to paragraph 2 of article 37 of the Convention which have been made by the Government of the United Arab Republic (now the Arab Republic of Egypt), the Government of Cambodia (now Kampuchea) and the Government of the Kingdom of Morocco.

"The Government of Canada does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic, the Government of Bulgaria, the Government of the German Democratic Republic and the People's Democratic Republic of Yemen as modifying any rights and obligations under that paragraph.

"The Government of Canada also desires to place on record that it does not regard as valid the reservations to paragraph 3 of article 27 of the Convention made by the Government of Bahrain and the reservations to paragraph 4 of article 27 made by the State of Kuwait and the Government of the Libyan Arab Jamahiriya."

#### **CHINA<sup>18</sup>**

The Government of the People's Republic of China holds reservations on the provisions about nuncios and the representative of the Holy See in articles 14 and 16 and on the provisions of paragraphs 2, 3 and 4 of article 37.

#### **CUBA**

The Revolutionary Government of Cuba makes an explicit reservation in respect of the provisions of articles 48 and 50 of the Convention, because it considers that, in view of the nature of the contents of the Convention and the subject it concerns, all free and sovereign States have the right to participate in it: for that reason, the Revolutionary Government of Cuba favours facilitating the admission of all countries of the International Community, without any distinction based on the extent of a State's territory, the number of its inhabitants or its social, economic or political system.

#### **DENMARK**

"The Government of Denmark does not regard the statement concerning paragraph 1 of Article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph. Further, the Government of Denmark does not regard as valid the reservation to paragraph 2 of Article 37 made by the United Arab Republic, Cambodia and Morocco. This statement shall not be regarded as precluding the entry into force of the Convention between Denmark and the above-mentioned countries."

"The Government of Denmark does not regard the reservation to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Portugal on 11th of September 1968 as valid.

"This statement shall not be regarded as precluding the entry into force of the said Convention between Denmark and Portugal."

"The Government of Denmark does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This statement is not to be regarded as preventing the Convention's entry into force as between Denmark and the People's Republic of China.

#### **ECUADOR<sup>19</sup>**

#### **EGYPT<sup>17,20</sup>**

"1. Paragraph 2 of article 37 shall not apply."

#### **FRANCE**

The Government of the French Republic considers that article 38, paragraph 1, is to be interpreted as granting to a diplomatic agent who is a national of or permanently resident in the receiving State only immunity from jurisdiction, and inviolability, both being confined to official acts performed by the said diplomatic agent in the exercise of his functions.

The Government of the French Republic declares that the provisions of the bilateral agreements in force between France and foreign States are not affected by the provisions of the Convention.

The Government of the French Republic does not regard the statements concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the People's Republic of Bulgaria, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under that paragraph.

The Government of the French Republic does not regard as valid the reservation to article 27, paragraph 4, made by the State of Kuwait.

The Government of the French Republic does not regard as valid the reservations to article 37, paragraph 2, made by the Government of Cambodia, the Government of the Kingdom of Morocco, the Government of Portugal and the Government of the United Arab Republic.

None of these declarations shall be regarded as an obstacle to the entry into force of the Convention between the French Republic and the States mentioned.

The Government of the French Republic does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be regarded as preventing the Convention's entry into force as between the French Republic and the People's Republic of China.

1. The Government of the French Republic declares that it does not recognize as valid the reservation entered by the Government of the Yemen Arab Republic which would make it permissible to request the opening of the diplomatic bag and to return it to the sender. The Government of the French Republic considers that this or any similar reservation is inconsistent with the object and the purpose of the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961.

2. This declaration shall not be regarded as an obstacle to the entry into force of the said Convention between the French Republic and the Yemen Arab Republic.

#### **GREECE<sup>21</sup>**

#### **GUATEMALA**

The Government of Guatemala rejects formally the reservations to articles 48 and 50 of the Convention made by the Government of Cuba in its instrument of ratification.

#### **HAITI**

The Haitian Government considers that the reservation expressed by the Government of Bahrain with regard to the inviolability of diplomatic correspondence may destroy the effectiveness of the Convention, one of the main aims of which is precisely to put an end to certain practices impeding the performance of the functions assigned to diplomatic agents.

#### **HUNGARY**

"The Hungarian People's Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States were precluded from signing and are precluded from acceding to the Convention. The Convention deals with matters which affect the interests

of all States and therefore, in accordance with the principle of sovereign equality of States, no State should be barred from participation in a Convention of this nature."

"The reservation made by the Government of Bahrain to article 27, paragraph 3, of the 1961 Vienna Convention on Diplomatic Relations is contrary to the principle of the inviolability of the diplomatic bag which is generally recognized in the international practice, and is incompatible with the objectives of the Convention.

"Therefore, the Hungarian People's Republic does not recognize this reservation as valid."

"The Government of the Hungarian People's Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations."

#### **IRAQ**

"With reservation that paragraph 2 of article 37 shall be applied on the basis of reciprocity."

#### **IRELAND**

"The Government of Ireland object to the reservations made by the Government of the People's Republic of China concerning the provisions relating to Nuncios and the representative of the Holy See in articles 14 and 16 of the Vienna Convention on Diplomatic Relations. The Government of Ireland do not regard these reservations as modifying any rights or obligations under those articles.

"The Government of Ireland do not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37.

"This statement is not to be regarded as preventing the entry into force of the Convention as between Ireland and the People's Republic of China."

#### **JAPAN**

*Declaration with regard to article 34 (a) of the said Convention:*

"It is understood that the taxes referred to in article 34 (a) include those collected by special collectors under the laws and regulations of Japan provided that they are normally incorporated in the price of goods or services. For example, in the case of the travelling tax, railway, shipping and airline companies are made special collectors of the tax by the Travelling Tax Law. Passengers of railroad trains, vessels and airplanes who are legally liable to pay the tax for their travels within Japan are required to purchase travel tickets normally at a price incorporating the tax with out being specifically informed of its amount. Accordingly, taxes collected by special collectors such as the travelling tax have to be considered as the indirect taxes normally incorporated in the price of goods or services referred to in article 34 (a)."

"With respect to paragraphs 3 and 4 of article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961, the Government of Japan believes that the protection of diplomatic correspondence by means of diplomatic bags constitutes an important element of the Convention, and any reservation intended to allow a receiving State to open diplomatic bags without the consent of the sending State is incompatible with the object and purpose of the Convention. Therefore the

Government of Japan does not regard as valid the reservations concerning article 27 of the Convention made by the Government of Bahrain and the Government of Qatar on 2 November 1971 and 6 June 1986, respectively. The Government of Japan also desires to record that the above-stated position is applicable to any reservations to the same effect to be made in the future by other countries."

#### **KUWAIT<sup>17</sup>**

If the State of Kuwait has reason to believe that the diplomatic pouch contains something which may not be sent by pouch under paragraph 4 of article 27 of the Convention, it considers that it has the right to request that the pouch be opened in the presence of the representative of the diplomatic mission [concerned]. If this request is refused by the authorities of the sending State, the diplomatic pouch shall be returned to its place of origin.

The Government of Kuwait declares that its accession to the Convention does not imply recognition of "Israel" or entering with it into relations governed by the Convention thereto acceded.

#### **LIBYA<sup>17</sup>**

(1) The accession of the Socialist People's Libyan Arab Jamahiriya to said Convention cannot be interpreted as signifying in any form whatsoever any recognition of Israel nor does accession to said Convention imply the entertaining of any relations or obligations with Israel.

(2) The Socialist People's Libyan Arab Jamahiriya will not be bound by paragraph 3 of article 37 of the Convention except on the basis of reciprocity.

(3) In the event that the authorities of the Socialist People's Libyan Arab Jamahiriya entertain strong doubts that the contents of a diplomatic pouch include items which may not be sent by diplomatic pouch in accordance with paragraph 4 of article 27 of said Convention, the Socialist People's Libyan Arab Jamahiriya reserves its right to request the opening of such pouch in the presence of an official representative of the diplomatic mission concerned. If such request is denied by the authorities of the sending state, the diplomatic pouch shall be returned to its place of origin.

#### **LUXEMBOURG**

With reference to the reservation and declaration made by the Governments of the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept that reservation or that declaration which tends to modify the effect of certain provisions of the Convention.

With reference to the statement made by the Government of Hungary upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept this declaration.

#### **MALTA**

"The Government of Malta wishes to declare that paragraph 2 of article 37 shall be applied on the basis of reciprocity."

#### **MONGOLIA<sup>22</sup>**

Referring to articles 48 and 50, the Government of the Mongolian People's Republic deems it necessary to draw attention to the discriminatory nature of articles 48 and 50

of the Vienna Convention and declares that, as the Convention deals with matters affecting the interests of all States, it should be open for accession by all States.

"Reservation made by the Government of Bahrain to paragraph 3, article 27 of the Vienna Convention on Diplomatic Relations is incompatible with the very object and purpose of the Convention. Therefore the Government of the Mongolian People's Republic does not consider itself bound by the above-mentioned reservation.

"The Government of the Mongolian People's Republic does not recognize the validity of the reservation made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations."

#### **MOROCCO**

The Kingdom of Morocco accedes to the Convention subject to the reservation that paragraph 2 of article 37 is not applicable.

#### **MOZAMBIQUE**

"The People's Republic of Mozambique takes this opportunity to draw the attention to the discriminatory nature of the articles 48 and 50 of the present Convention which preclude a number of States from acceding to it. In view of its broad scope which affects the interest of all States in the world the present Convention should therefore be open for participation of all States."

"The People's Republic of Mozambique considers that the joint participation of States in a convention does not represent their official recognition."

#### **NEPAL**

"Subject to the reservation with regard to article 8, paragraph 3, of the Convention, that the prior consent to His Majesty's Government of Nepal shall be required for the appointment to the diplomatic staff of any mission in Nepal of any national of a third State who is not also a national of the sending State."

#### **NEW ZEALAND**

"The Government of New Zealand does not regard the statements concerning paragraph 1 of article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, as modifying any rights and obligations under that paragraph. Further, the Government of New Zealand does not accept the reservation to paragraph 2 of Article 37 of the Convention made by Cambodia, Morocco, Portugal and the United Arab Republic."

"The Government of New Zealand does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961 made by the Government of the People's Republic of China and considers that those paragraphs are in force between New Zealand and the People's Republic of China."

#### **OMAN**

"The accession of this Convention does not mean in any way recognition of Israel by the Government of the Sultanate of Oman. Furthermore, no treaty relations will arise between the Sultanate of Oman and Israel."

#### **POLAND**

"The reservation made by the Government of Bahrain to article 27, paragraph 3 of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, is not compatible with the object and purpose of this Convention. It is contrary to fundamental principles of diplomatic international law. Therefore, the Polish People's Republic does not recognize this reservation as valid."

"The principles of inviolability of diplomatic pouch and freedom of communication are generally recognized in international law and cannot be changed by unilateral reservation.

"This objection does not prevent entry into force of the Convention as between the Polish People's Republic and the Libyan Arab Jamahiriya."

#### **PORTUGAL<sup>23</sup>**

#### **QATAR<sup>17</sup>**

##### *I. On article 27, para. 3:*

The Government of the State of Qatar reserves its right to open a diplomatic bag in the following two situations:

1. The abuse, observed in flagrante delicto, of the diplomatic bag for unlawful purposes incompatible with the aims of the relevant rule of immunity, by putting therein items other than the diplomatic documents and articles for official use mentioned in para.4 of the said article, in violation of the obligations prescribed by the Government and by international law and custom.

In such a case both the foreign Ministry and the Mission concerned will be notified. The bag will not be opened except with the approval by the Foreign Ministry.

The contraband articles will be seized in the presence of a representative of the Ministry and the Mission.

2. The existence of strong indications or suspicions that the said violations have been perpetrated.

In such a case the bag will not be opened except with the approval of the Foreign Ministry and in the presence of a member of the Mission concerned. If permission to open the bag is denied it will be returned to its place of origin.

##### *II. On article 37, para. 2:*

The State of Qatar shall not be bound by para. 2 of article 37.

III. Accession to this Convention does not mean in any way recognition of Israel and does not entail entering with it into any transactions regulated by this Convention.

#### **ROMANIA**

The Council of State of the Socialist Republic of Romania considers that the provisions of articles 48 and 50 of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, are at variance with the principle that all States have the right to become parties to multilateral treaties governing matters of general interest.

#### **RUSSIAN FEDERATION**

##### *Reservation concerning article 11, paragraph 1:*

In accordance with the principle of the equality of rights of States, the Union of Soviet Socialist Republics considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

*Declaration concerning articles 48 and 50:*

The Union of Soviet Socialist Republics considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a Convention of this nature.

*With respect to the reservation made by Bahrain to article 27 (3):*

... This reservation is contrary to the principle of the inviolability of the diplomatic bag, which is recognized in international practice, and is therefore unacceptable.

The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation expressed by the People's Republic of China concerning paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 1961.

"The Government of the Union of Soviet Socialist Republics does not consider itself bound by the reservation made by the Socialist People's Libyan Arab Jamahiriya concerning article 27 of the 1961 Vienna Convention on Diplomatic Relations."

"The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation made by the Government of the Kingdom of Saudi Arabia on its accession to the 1961 Vienna Convention on Diplomatic Relations, since that reservation is contrary to one of the most important provisions of the Convention, namely, that the diplomatic bag shall not be opened or detained."

The Government of the Union of Soviet Socialist Republics does not recognize as valid the reservations of the Government of Qatar with respect to article 27, paragraph 3 and article 37, paragraph 2 of the 1961 Convention on Diplomatic Relations. The Government of the USSR considers that the reservations in question are illegal, since they conflict with the purposes of the Convention.

The Government of the Union of Soviet Socialist Republics does not recognize as lawful the reservations of the Government of Yemen with respect to articles 27, 36 and 37 of the 1961 Vienna Convention on Diplomatic Relations, since those reservations conflict with the purposes of the Convention.

**SAUDI ARABIA<sup>17</sup>**

*Reservations:*

1. If the authorities of the Kingdom of Saudi Arabia suspect that the diplomatic pouch or any parcel therein contains matters which may not be sent through the

diplomatic pouch, such authorities may request the opening of the parcel in their presence and in the presence of a representative appointed by the diplomatic mission concerned. If such request is rejected, the pouch or parcel shall be returned back.

2. Accession to this Convention shall not constitute a recognition of Israel or lead to any kind of intercourse with it or the establishment of any relations with Israel under the Convention.

**SUDAN<sup>17</sup>**

*Reservations:*

"The diplomatic immunities and privileges provided for in article 37 paragraph 2 of the Vienna Convention on Diplomatic Relations of 1961, recognized and admitted in customary law and in the practice of States in favour of heads of missions and members of diplomatic staff of the mission, cannot be granted by the Government of the Democratic Republic of the Sudan for other categories of mission staff except on the basis of reciprocity.

"The Government of the Democratic Republic of the Sudan reserves the right to interpret article 38 as not granting to a diplomatic agent who is a national of or permanent resident in the Sudan any immunity from jurisdiction, and inviolability, even though the acts complained of are official acts performed by the said diplomatic agent in the exercise of his functions."

*Understanding:*

"The Government of the Democratic Republic of the Sudan understands that its ratification of the Vienna Convention on Diplomatic Relations of 1961 does not imply whatsoever recognition of Israel or entering with it into relations governed by the said Convention."

**SYRIAN ARAB REPUBLIC<sup>17,24</sup>**

1. The Syrian Arab Republic does not recognize Israel and will not enter into dealings with it.

2. The Optional Protocol Concerning the Compulsory Settlement of Disputes does not enter into force for the Syrian Arab Republic.

3. The exemption provided for in article 36, paragraph 1, shall not apply to the administrative and technical staff of the mission except during the first six months following their arrival in the receiving State.

**UKRAINE**

*Reservation concerning article 11, paragraph 1:*

In accordance with the principle of the equality of rights of States, the Ukrainian Soviet Socialist Republic considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

*Declaration concerning articles 48 and 50:*

The Ukrainian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no



State has the right to bar other States from accession to a Convention of this nature.

The reservation made by the Government of Bahrain to the above-mentioned Convention is contrary to the principle of the inviolability of the diplomatic bag, which is generally recognized in international practice, and is therefore unacceptable to the Ukrainian Soviet Socialist Republic.

"The Government of the Ukrainian Soviet Socialist Republic does not recognize as valid the reservation to article 37, paragraphs 2, 3 and 4, of the Vienna Convention on Diplomatic Relations made by the People's Republic of China."

[Same objection, mutatis mutandis, as the one made by the Russian Federation on 6 October 1986.]

#### **UNITED ARAB EMIRATES**

"The accession of the United Arab Emirates to this Convention shall in no way amount to recognition of nor the establishment of any treaty relation with Israel."

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

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the United Arab Republic. Further, the Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of Bulgaria as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Cambodia."

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Kingdom of Morocco."

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Portugal."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to put on record that they do not regard as valid the reservation to paragraph 3 of Article 27 of the Vienna Convention on Diplomatic Relations made by the Government of Bahrain."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the statement concerning paragraph 1 of Article 11 of the Convention made by the German Democratic Republic, in a letter accompanying the instrument of accession, as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China".

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the reservation concerning paragraph 1 of article 11 of the Convention, made by the Government of Democratic Yemen, as modifying any rights or obligations under that paragraph."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard as valid the reservations to paragraph 3 of article 27, and to paragraph 2 of article 37, of the Vienna Convention on Diplomatic Relations made by the Government of the State of Qatar."

#### **UNITED STATES OF AMERICA**

"The Government of the United States of America ... states its objection to reservations with respect to paragraph 3 of article 27 by Bahrain; with respect to paragraph 4 of article 27 by Kuwait; with respect to paragraph 2 of article 37 by the United Arab Republic (now the Arab Republic of Egypt), by Cambodia (now the Khmer Republic) and by Morocco, respectively. The Government of the United States, however, considers the Convention as continuing in force between it and the respective above-mentioned States except for the provisions to which the reservations are addressed in each case."

"The Government of the United States of America wishes to state its objections to the reservations regarding the Vienna Convention on Diplomatic Relations made with respect to paragraph 4 of Article 27 by the Yemen Arab Republic and with respect to paragraph 3 of Article 27 and paragraph 2 of Article 37 by the State of Qatar, respectively.

...

The Government of the United States, however, considers the [Convention] as continuing in force between it and the respective above-mentioned States except for the provisions to which the reservations are addressed in each case."

#### VENEZUELA (BOLIVARIAN REPUBLIC OF)<sup>25</sup>

Under the Constitution of Venezuela, all Venezuelan nationals are equal before the law and none may enjoy special privileges; for that reason [the Government of Venezuela] make[s] a formal reservation to article 38 of the Convention.

#### VIET NAM

1. The degrees of privileges and immunities accorded the administrative and technical staff and the members of their families as stipulated in paragraph 2, article 37 of the Convention should be agreed upon in detail by the concerned States;

2. The provisions of articles 48 and 50 of the Convention are of a discriminatory character, which is not in accordance with the principle of equality of the sovereignty among States and limits the universality of the Convention. The Government of the Socialist

Republic of Viet Nam, therefore, holds the view that all States have the right to adhere to the said Convention.

#### YEMEN<sup>15,17</sup>

*Reservation concerning article 11, paragraph 1:*

In conformity with the principle of equality among States, the People's Democratic Republic of Yemen holds that any difference of opinion regarding the size of the diplomatic mission should be settled by agreement between the sending State and the receiving State.

*Declaration:*

The People's Democratic Republic of Yemen states that its acceptance of the provisions of the Convention does not, in any way whatsoever, imply recognition of, or entering into contractual relations with, Israel.

#### *Objections*

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

#### AUSTRALIA

"The Government of the Commonwealth of Australia does not regard the statements concerning paragraph (1) of Article 11 made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the Mongolian People's Republic as modifying any rights or obligations under that paragraph.

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to paragraph 2, Article 37, of the Convention made by the United Arab Republic and by Cambodia."

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Morocco and Portugal."

"The Government of Australia does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the German Democratic Republic, in a letter accompanying the instrument of accession as modifying any rights and obligations under that paragraph."

"The Government of Australia does not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3, and 4 of article 37 of that Convention."

"The Government of Australia does not regard the reservation made by the Government of the People's Democratic Republic of Yemen to paragraph (1) of article 11 as modifying any rights or obligations under that paragraph."

"Australia does not regard as valid the reservations made by the Kingdom of Saudi Arabia, the State of

Bahrain, the State of Kuwait and the Socialist People's Libyan Arab Jamahiriya, in respect of treatment of the diplomatic bag under article 27 of the Vienna Convention on Diplomatic Relations."

"Australia does not regard as valid the reservations made by the State of Qatar and the Yemen Arab Republic in respect of treatment of the diplomatic bag under Article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961."

#### BAHAMAS<sup>26</sup>

#### BELARUS

The Government of the Byelorussian Soviet Socialist Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations.

[Same reservation, mutatis mutandis, as the one made by the Russian Federation on 6 October 1986.]

[Same reservation, mutatis mutandis, as the one made by the Russian Federation on 6 November 1986.]

#### BELGIUM

The Belgian Government considers the statement made by the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics concerning paragraph 1 of article 11 to be incompatible with the letter and spirit of the Convention and does not regard it as modifying any rights or obligations under that paragraph.

The Belgian Government also considers the reservation made by the United Arab Republic and the Kingdom of Cambodia to paragraph 2 of article 37 to be incompatible with the letter and spirit of the Convention.

28 January 1975

The Government of the Kingdom of Belgium objects to the reservations made with respect to article 27, paragraph 3, by Bahrain and with respect to article 37, paragraph 2, by the United Arab Republic (now the Arab Republic of Egypt), Cambodia (now the Khmer Republic) and Morocco. The Government nevertheless considers that the Convention remains in force as between it and the aforementioned States, respectively, except in respect of the provisions which in each case are the subject of the said reservations.

#### **BULGARIA**

22 September 1972

The Government of the People's Republic of Bulgaria cannot regard the reservation made by the Bahraini Government with respect to article 27, paragraph 3, of the Vienna Convention on Diplomatic Relations as valid.

18 August 1977

"The Bulgarian Government does not consider itself to be bound by the reservation made by the Libyan Arab Jamahiriya concerning the application of article 27, paragraph 3, of the Vienna Convention on Diplomatic Relations."

23 June 1981

"The Government of the People's Republic of Bulgaria does not consider itself bound by the reservation made by the Government of the Kingdom of Saudi Arabia on its accession to the Vienna Convention on Diplomatic Relations regarding the immunity of the diplomatic bag and the right of the competent authorities of the Kingdom of Saudi Arabia to demand the opening of the diplomatic bag and, in case of refusal on the part of the diplomatic mission concerned, its return. It is the understanding of the Government of the People's Republic of Bulgaria that the reservation thus made is in violation of article 27, para. 4 of the 1961 Convention on Diplomatic Relations."

#### **CANADA**

"The Government of Canada does not regard the statement concerning paragraph 1 of Article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under this paragraph."

"The Government of Canada does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China. Similarly the Government of Canada does not regard as valid the reservations to paragraph 2 of article 37 of the Convention which have been made by the Government of the United Arab Republic (now the Arab Republic of Egypt), the Government of Cambodia (now Kampuchea) and the Government of the Kingdom of Morocco.

"The Government of Canada does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic, the Government of Bulgaria, the Government of the German Democratic Republic and the People's Democratic Republic of Yemen as modifying any rights and obligations under that paragraph.

"The Government of Canada also desires to place on record that it does not regard as valid the reservations to paragraph 3 of article 27 of the Convention made by the Government of Bahrain and the reservations to paragraph 4 of article 27 made by the State of Kuwait and the Government of the Libyan Arab Jamahiriya."

#### **CZECH REPUBLIC<sup>5</sup>**

##### **DENMARK**

"The Government of Denmark does not regard the statement concerning paragraph 1 of Article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph. Further, the Government of Denmark does not regard as valid the reservation to paragraph 2 of Article 37 made by the United Arab Republic, Cambodia and Morocco. This statement shall not be regarded as precluding the entry into force of the Convention between Denmark and the above-mentioned countries."

"The Government of Denmark does not regard the reservation to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Portugal on 11th of September 1968 as valid.

"This statement shall not be regarded as precluding the entry into force of the said Convention between Denmark and Portugal."

"The Government of Denmark does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This statement is not to be regarded as preventing the Convention's entry into force as between Denmark and the People's Republic of China.

##### **FRANCE**

The Government of the French Republic does not regard the statements concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the People's Republic of Bulgaria, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under that paragraph.

The Government of the French Republic does not regard as valid the reservation to article 27, paragraph 4, made by the State of Kuwait.

The Government of the French Republic does not regard as valid the reservations to article 37, paragraph 2, made by the Government of Cambodia, the Government of the Kingdom of Morocco, the Government of Portugal and the Government of the United Arab Republic.

None of these declarations shall be regarded as an obstacle to the entry into force of the Convention between the French Republic and the States mentioned.

The Government of the French Republic does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be regarded as preventing the

Convention's entry into force as between the French Republic and the People's Republic of China.

1. The Government of the French Republic declares that it does not recognize as valid the reservation entered by the Government of the Yemen Arab Republic which would make it permissible to request the opening of the diplomatic bag and to return it to the sender. The Government of the French Republic considers that this or any similar reservation is inconsistent with the object and the purpose of the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961.

2. This declaration shall not be regarded as an obstacle to the entry into force of the said Convention between the French Republic and the Yemen Arab Republic.

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

"The Government of the Federal Republic of Germany considers as incompatible with the letter and spirit of the Convention the reservations made by the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic concerning article 11 of the Convention."

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) 16 March 1967: In respect of the reservations by the United Arab Republic and the Kingdom of Cambodia concerning article 37, paragraph 2.

ii) 10 May 1967: In respect of the reservation made by the Mongolian People's Republic concerning article 11.

iii) 9 July 1968: In respect of the reservation made by the People's Republic of Bulgaria concerning article 11, paragraph 1.

iv) 23 December 1968: In respect of the reservations made by the Kingdom of Morocco and by Portugal concerning article 37, paragraph 2.

v) 5 September 1974: In respect of the reservation made by the German Democratic Republic concerning article 11, para. 1.

vi) 4 February 1975: In respect of the reservation made by Bahrain concerning article 27, paragraph 3.

vii) 4 March 1977: In respect of the reservation made by the People's Democratic Republic of Yemen concerning article 11, paragraph 1.

viii) 6 May 1977: In respect of the reservations made by the People's Republic of China concerning article 37.

ix) 19 September 1977: In respect of the reservation made by the Libyan Arab Jamahiriya concerning article 27.

x) 11 July 1979: In respect of the reservation made by the Syrian Arab Republic concerning article 36, paragraph 1.

xi) 11 December 1980: In respect of the declaration made by the Socialist Republic of Viet Nam concerning article 37, paragraph 2.

xii) 15 May 1981: In respect of the reservation made by the Kingdom of Saudi Arabia concerning article 27.

xiii) 30 September 1981: In respect of the reservations made by the Government of the Democratic Republic of the Sudan concerning article 37, paragraph 2 and of article 38.

xiv) 3 March 1987: In respect of the reservations made by the Yemen Arab Republic and the State of Qatar in respect of articles 27 (3) and 37 (2).

In the case of objections under paragraphs viii), ix), x), xi) and xiii), the Government of the Federal Republic of Germany specified that the declaration is not to be interpreted as preventing the entry into force of the Convention as between the Federal Republic of Germany and the respective States.

#### **GREECE**

The Government of Greece cannot accept the reservation to paragraph 1 of article 11 of the Convention made by Bulgaria, the Byelorussian Soviet Socialist Republic, Mongolia, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics, as well as the reservation to paragraph 2 of article 37 of the Convention made by Cambodia, Morocco, Portugal and the United Arab Republic.

#### **GUATEMALA**

The Government of Guatemala rejects formally the reservations to articles 48 and 50 of the Convention made by the Government of Cuba in its instrument of ratification.

#### **HAITI**

The Haitian Government considers that the reservation expressed by the Government of Bahrain with regard to the inviolability of diplomatic correspondence may destroy the effectiveness of the Convention, one of the main aims of which is precisely to put an end to certain practices impeding the performance of the functions assigned to diplomatic agents.

#### **HUNGARY**

"The reservation made by the Government of Bahrain to article 27, paragraph 3, of the 1961 Vienna Convention on Diplomatic Relations is contrary to the principle of the inviolability of the diplomatic bag which is generally recognized in the international practice, and is incompatible with the objectives of the Convention.

"Therefore, the Hungarian People's Republic does not recognize this reservation as valid."

"The Government of the Hungarian People's Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations."

#### **IRELAND**

"The Government of Ireland object to the reservations made by the Government of the People's Republic of China concerning the provisions relating to Nuncios and the representative of the Holy See in articles 14 and 16 of the Vienna Convention on Diplomatic Relations. The Government of Ireland do not regard these reservations as modifying any rights or obligations under those articles.

"The Government of Ireland do not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37.

"This statement is not to be regarded as preventing the entry into force of the Convention as between Ireland and the People's Republic of China."

#### JAPAN

"With respect to paragraphs 3 and 4 of article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961, the Government of Japan believes that the protection of diplomatic correspondence by means of diplomatic bags constitutes an important element of the Convention, and any reservation intended to allow a receiving State to open diplomatic bags without the consent of the sending State is incompatible with the object and purpose of the Convention. Therefore the Government of Japan does not regard as valid the reservations concerning article 27 of the Convention made by the Government of Bahrain and the Government of Qatar on 2 November 1971 and 6 June 1986, respectively. The Government of Japan also desires to record that the above-stated position is applicable to any reservations to the same effect to be made in the future by other countries."

#### LUXEMBOURG

With reference to the reservation and declaration made by the Governments of the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept that reservation or that declaration which tends to modify the effect of certain provisions of the Convention.

With reference to the statement made by the Government of Hungary upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept this declaration.

#### MALTA

"The Government of Malta does not regard the statement concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph."

#### MONGOLIA

"Reservation made by the Government of Bahrain to paragraph 3, article 27 of the Vienna Convention on Diplomatic Relations is incompatible with the very object and purpose of the Convention. Therefore the Government of the Mongolian People's Republic does not consider itself bound by the above-mentioned reservation.

"The Government of the Mongolian People's Republic does not recognize the validity of the reservation made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations."

#### NETHERLANDS

"1. The Kingdom of the Netherlands does not accept the declarations by the People's Republic of Bulgaria, the German Democratic Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the People's Democratic Republic of Yemen concerning article 11, paragraph 1, of the Convention. The Kingdom of the Netherlands takes the view that this provision remains in force in relations between it and the said States in accordance with international customary law.

"2. The Kingdom of the Netherlands does not accept the declaration by the State of Bahrain concerning article 27, paragraph 3 of the Convention. It takes the view that this provision remains in force in relations between it and the State of Bahrain in accordance with international customary law. The Kingdom of the Netherlands is nevertheless prepared to agree to the following arrangement on a basis of reciprocity: If the authorities of the receiving state have serious grounds for supposing that the diplomatic bag contains something which pursuant to article 27, paragraph 4 of the Convention may not be sent in the diplomatic bag, they may demand that the bag be opened in the presence of the representative of the diplomat mission concerned. If the authorities of the sending state refuse to comply with such a request, the diplomatic bag shall be sent back to the place of origin.

"3. The Kingdom of the Netherlands does not accept the declarations by the Arab Republic of Egypt, the Khmer Republic, the Socialist People's Libyan Arab Jamahiriya, the Republic of Malta and the Kingdom of Morocco concerning article 37, paragraph 2 of the Convention. It takes the view that these provisions remain in force in relations between it and the said States in accordance with international customary law."

5 December 1986

The Kingdom of the Netherlands does not accept both reservations made by the State of Qatar concerning article 27, paragraph 3, of the Convention. It takes the view that this provision remains in force in relations between it and the State of Qatar in accordance with international customary law. The Kingdom of the Netherlands is nevertheless prepared to agree to the following arrangement on a basis of reciprocity: If the authorities of the receiving State have serious grounds for believing that the diplomatic bag contains something which, pursuant to article 27, paragraph 4, of the Convention, may not be sent in the diplomatic bag, they may demand that the bag be opened in the presence of the representative of the diplomatic mission concerned. If the authorities of the sending State refuse to comply with such a demand, the diplomatic bag shall be sent back to the place of origin.

Furthermore, the Kingdom of the Netherlands does not accept the reservation made by the State of Qatar concerning article 37, paragraph 2, of the Convention. It takes the view that this provision remains in force in relations between it and the State of Qatar in accordance with international customary law.

Moreover, the Kingdom of the Netherlands does not accept the reservation made by the Yemen Arab Republic concerning article 37, paragraph 2, of the Convention. It takes the view that these provisions remain in force in relations between it and the Yemen Arab Republic in accordance with international customary law.

## NEW ZEALAND

"The Government of New Zealand does not regard the statements concerning paragraph 1 of article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, as modifying any rights and obligations under that paragraph. Further, the Government of New Zealand does not accept the reservation to paragraph 2 of Article 37 of the Convention made by Cambodia, Morocco, Portugal and the United Arab Republic."

"The Government of New Zealand does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961 made by the Government of the People's Republic of China and considers that those paragraphs are in force between New Zealand and the People's Republic of China."

## POLAND

"The reservation made by the Government of Bahrain to article 27, paragraph 3 of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, is not compatible with the object and purpose of this Convention. It is contrary to fundamental principles of diplomatic international law. Therefore, the Polish People's Republic does not recognize this reservation as valid."

"The principles of inviolability of diplomatic pouch and freedom of communication are generally recognized in international law and cannot be changed by unilateral reservation."

"This objection does not prevent entry into force of the Convention as between the Polish People's Republic and the Libyan Arab Jamahiriya."

## RUSSIAN FEDERATION

*With respect to the reservation made by Bahrain to article 27 (3):*

... This reservation is contrary to the principle of the inviolability of the diplomatic bag, which is recognized in international practice, and is therefore unacceptable."

The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation expressed by the People's Republic of China concerning paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 1961.

"The Government of the Union of Soviet Socialist Republics does not consider itself bound by the reservation made by the Socialist People's Libyan Arab Jamahiriya concerning article 27 of the 1961 Vienna Convention on Diplomatic Relations."

"The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation made by the Government of the Kingdom of Saudi Arabia on its accession to the 1961 Vienna Convention on Diplomatic Relations, since that

reservation is contrary to one of the most important provisions of the Convention, namely, that the diplomatic bag shall not be opened or detained."

The Government of the Union of Soviet Socialist Republics does not recognize as valid the reservations of the Government of Qatar with respect to article 27, paragraph 3 and article 37, paragraph 2 of the 1961 Convention on Diplomatic Relations. The Government of the USSR considers that the reservations in question are illegal, since they conflict with the purposes of the Convention.

The Government of the Union of Soviet Socialist Republics does not recognize as lawful the reservations of the Government of Yemen with respect to articles 27, 36 and 37 of the 1961 Vienna Convention on Diplomatic Relations, since those reservations conflict with the purposes of the Convention.

## SLOVAKIA<sup>5</sup>

### THAILAND

"1. The Government of the Kingdom of Thailand does not regard the statements concerning paragraph 1 of article 11 of the Convention made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the People's Democratic Republic of Yemen, the German Democratic Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph.

2. The Government of the Kingdom of Thailand does not regard as valid the reservation made by the State of Bahrain in respect of paragraph 3 of article 27 of the Convention.

3. The Government of the Kingdom of Thailand does not regard as valid the reservations and declarations with respect to paragraph 2 of article 37 of the Convention made by Democratic Kampuchea, the Arab Republic of Egypt and the Kingdom of Morocco.

The foregoing objections shall not, however, be regarded as preventing the entry into force of the Convention as between Thailand and the above-mentioned countries."

### TONGA

In its notification of succession, the Government of Tonga has indicated that it adopts the objections made by the United Kingdom respecting the reservations and statements made by Egypt, Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Mongolia, Bulgaria, the Khmer Republic, Morocco and Portugal, when ratifying (or acceding to) the said Convention on Diplomatic Relations.

### UKRAINE

The reservation made by the Government of Bahrain to the above-mentioned Convention is contrary to the principle of the inviolability of the diplomatic bag, which is generally recognized in international practice, and is therefore unacceptable to the Ukrainian Soviet Socialist Republic.

"The Government of the Ukrainian Soviet Socialist Republic does not recognize as valid the reservation to article 37, paragraphs 2, 3 and 4, of the Vienna Convention on Diplomatic Relations made by the People's Republic of China."

[Same objection, mutatis mutandis, as the one made by the Russian Federation on 6 October 1986.]

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

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the United Arab Republic. Further, the Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of Bulgaria as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Cambodia."

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Kingdom of Morocco."

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Portugal."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to put on record that they do not regard as valid the reservation to paragraph 3 of Article 27 of the Vienna Convention on Diplomatic Relations made by the Government of Bahrain."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the statement concerning paragraph 1 of Article 11 of the Convention made by the German

Democratic Republic, in a letter accompanying the instrument of accession, as modifying any rights and obligations under that paragraph."

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China".

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the reservation concerning paragraph 1 of article 11 of the Convention, made by the Government of Democratic Yemen, as modifying any rights or obligations under that paragraph."

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard as valid the reservations to paragraph 3 of article 27, and to paragraph 2 of article 37, of the Vienna Convention on Diplomatic Relations made by the Government of the State of Qatar."

#### **UNITED REPUBLIC OF TANZANIA**

22 June 1964

"The Government of the United Republic of Tanganyika and Zanzibar rejects formally the reservation to article 11, paragraph 1, of the Convention made by the Government of the Union of Soviet Socialist Republics in its instrument of ratification."

#### **UNITED STATES OF AMERICA**

"The Government of the United States of America ... states its objection to reservations with respect to paragraph 3 of article 27 by Bahrain; with respect to paragraph 4 of article 27 by Kuwait; with respect to paragraph 2 of article 37 by the United Arab Republic (now the Arab Republic of Egypt), by Cambodia (now the Khmer Republic) and by Morocco, respectively. The Government of the United States, however, considers the Convention as continuing in force between it and the respective above-mentioned States except for the provisions to which the reservations are addressed in each case."

"The Government of the United States of America wishes to state its objections to the reservations regarding the Vienna Convention on Diplomatic Relations made with respect to paragraph 4 of Article 27 by the Yemen Arab Republic and with respect to paragraph 3 of Article 27 and paragraph 2 of Article 37 by the State of Qatar, respectively.

...

The Government of the United States, however, considers the [Convention] as continuing in force between it and the respective above-mentioned States except for the provisions to which the reservations are addressed in each case."

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#### **Notes:**

<sup>1</sup> The former Yugoslavia had signed and ratified the Convention on 18 April 1961 and 1 April 1963, respectively. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

<sup>2</sup> See note 2 under "China" and note 2 under "United Kingdom of Great Britain and Northern Ireland" regarding Hong Kong in the "Historical Information" section in the front matter of this volume.

<sup>3</sup> See note 3 under "China" and note 1 under "Portugal" regarding Macao in the "Historical Information" section in the front matter of this volume.

<sup>4</sup> Signed and ratified on behalf of the Republic of China on 18 April 1961 and 19 December 1969, respectively. See also note 1 under "China" in the "Historical Information" section in the front matter of this volume.

In communications addressed to the Secretary-General with reference to the above-mentioned signature and/or ratification, the Permanent Representatives of the Permanent Missions to the United States of Bulgaria, the Byelorussian SSR, Mongolia, Pakistan, Poland, Romania, the Ukrainian SSR and the Union of Soviet Socialist Republics stated that their Governments considered the said signature and/or ratification as null and void, since the so-called "Government of China" had no right to speak or assume obligations on behalf of China, there being only one Chinese State, 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 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 1961 Conference on Diplomatic Intercourse and Immunities, contributed to the formulation of the Convention concerned, signed the Convention and duly deposited the instrument of ratification thereof, and that "any statements and reservations relating to the above-mentioned 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 under this Convention".

The instrument of accession deposited on behalf of the Government of China on 25 November 1975 contained the following declaration:

The "signature" on and "ratification" of this Convention by the Chiang Kai-shek clique usurping the name of China are illegal and null and void.

<sup>5</sup> Czechoslovakia had signed and ratified the Convention on 18 April 1961 and 24 May 1963, respectively.

Subsequently, the Government of Czechoslovakia communicated objections to various reservations and declarations. For the text of the objections, see United Nations, *Treaty Series*, vol. 808, p. 388; vol. 1057, p. 330 and vol. 1060, p. 347.

On 1 June 1987, the Government of Czechoslovakia communicated the following objections:

*With regard to the reservations made by Yemen concerning articles 27, 36 and 37:*

"The Czechoslovak Socialist Republic regards the reservations of the Yemen Arab Republic with respect to articles 27, 36 and 37 of the Vienna Convention on Diplomatic Relations of April 18, 1961 as incompatible with the objects and purposes of this Convention. Therefore, the Czechoslovak Socialist Republic does not recognize these reservations as valid."

*With regard to reservations made by Qatar concerning article 27, paragraph 3 and article 37, paragraph 2:*

"The Czechoslovak Socialist Republic regards the reservations of the State of Qatar with respect to article 27, paragraph 3 and article 37, paragraph 2 of the Vienna Convention on Diplomatic Relations of April 18, 1961 as incompatible with the objects and purposes of this Convention. Therefore, the Czechoslovak Socialist Republic does not recognize these reservations as valid."

See also note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matter of this volume.

<sup>6</sup> The German Democratic Republic had acceded to the Convention on 23 February 1973 with a reservation and a declaration. For the text of the reservation and declaration, see United Nations, *Treaty Series*, vol. 856, p. 231. See also note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

<sup>7</sup> See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.

<sup>8</sup> In its notification of succession, the Government of Malta indicated that it considers itself bound by the Convention as from 1 October 1964 [the date of entry into force of the Convention for the United Kingdom of Great Britain and Northern Ireland].

<sup>9</sup> See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

<sup>10</sup> For the Kingdom in Europe and the Netherlands Antilles. See also notes 1 and 2 under "Netherlands" regarding Aruba/Netherlands Antilles in the "Historical Information" section in the front matter of this volume.

<sup>11</sup> See note 1 under "New Zealand" regarding Tokelau in the "Historical Information" section in the front matter of this volume.

<sup>12</sup> In communications addressed to the Secretary-General with reference to the above-mentioned ratification, the Permanent Mission of Bulgaria and the Permanent Representative of Romania to the United Nations, stated that their Governments considered the said ratification as null and void for the South Korean authorities could not speak on behalf of Korea.



Subsequently, in a communication addressed to the Secretary-General concerning the communication made by the Permanent Representative of Romania, the Permanent Observer of the Republic of Korea to the United Nations stated the following:

"The Republic of Korea took part in the United Nations Conference on Diplomatic Intercourse and Immunities, and contributed to the formulation of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, signed the Convention on the same day and duly deposited the instrument of ratification thereof with the Secretary-General of the United Nations on 28 December 1970.

"As the resolution 195 (III) of the General Assembly of the United Nations dated 12 December 1948 declares unmistakably, the Government of the Republic of Korea is the only lawful government in Korea.

"Therefore, the rights and obligations of the Republic of Korea under the said Convention shall in no way be affected by any statement that has no basis in fact or unjustly distorts the legitimacy of the Government of the Republic of Korea."

Further, on 13 March 2002, the Secretary-General received from the Government of Romania the following communication:

"The Permanent Mission of Romania to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to present the position of the Romanian Government concerning its communication following the deposit of the instrument of ratification of the Convention on Diplomatic Relations (Vienna, the 18th of April 1961) by the Republic of Korea, on the 28th of December 1970, which stated that this ratification null and void.

Romania and the Republic of Korea have established diplomatic relations by signing a Protocol on the 31st of March 1990 and, therefore, the two States have been developing diplomatic relations on the basis of respect of the international law, including the relevant provisions of the Vienna Convention.

In the new historical context, the communication mentioned above became obsolete."

Moreover, in a communication received on 24 October 2002, the Government of Bulgaria informed the Secretary-General of the following:

"[U]pon ratification of the Convention by the Republic of Korea, in 1971 the Government of the People's Republic of Bulgaria[,] in [a] communication addressed to the Secretary-General with reference to the above-mentioned ratification, ... stated that its Government considered the said ratification as null and void for the South Korean authorities could not speak on behalf of Korea.

Now therefore [the Government of the Republic of Bulgaria declares] that the Government of the Republic of Bulgaria, having reviewed the said declaration, hereby withdraws the same."

<sup>13</sup> In a communication accompanying the notification of succession, the Government of Tuvalu declared that it had decided not to succeed to the Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, done at Vienna on 18 April

1961, and that pursuant to Tuvalu's declaration, dated 19 December 1978, regarding treaties applied before independence, the application of the Optional Protocol to Tuvalu should be regarded as terminated as at 1 September 1982.

<sup>14</sup> The Republic of Viet-Nam had acceded to the Convention on 10 May 1973. See also note 1 under "Viet Nam" in the "Historical Information" section in the front matter of this volume.

<sup>15</sup> The Yemen Arab Republic had acceded to the Convention on 10 April 1986 with the following reservations:

1. The accession of the Yemen Arab Republic to the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, in no way implies recognition of Israel and shall not entail the entry of the Yemen Arab Republic with Israel into any of the relations governed by this Convention.

2. The Yemen Arab Republic has the right to inspect foodstuffs imported by diplomatic envoys and diplomatic missions in order to ascertain that they conform in quantity and in kind to the list submitted by them to the customs authorities and to the Office of Protocol at the Ministry of Foreign Affairs for the purpose of obtaining approval for their importation exempt from customs duties in accordance with article 36 of the Convention.

3. Where there are serious and strong grounds for believing that the diplomatic bag contains articles or substances not mentioned in article 27, paragraph 4, of the Convention, the Yemen Arab Republic reserves its right to request that the bag be opened in the presence of a representative of the embassy concerned. If the embassy refuses to comply with this request, the bag shall be returned to its place of origin.

4. Reservation concerning the privileges and immunities provided for in article 37, paragraph 2, of the Convention in respect of members of the administrative and technical staff of the mission: the Yemen Arab Republic shall not be bound to implement this paragraph except on a basis of reciprocity.

See also note 1 under "Yemen" in the "Historical Information" section in the front matter of this volume.

<sup>16</sup> In a communication received on 16 October 1985, the Government of Zambia specified that upon succession, it had not wished to maintain the objections made by the United Kingdom of Great Britain and Northern Ireland with respect to articles 11 (1), 27 (3) and 37 (2).

<sup>17</sup> In a communication received by the Secretary-General on 5 September 1969, the Government of Israel declared that it "has noted the political character of the declaration made by the Government of Kuwait on acceding to the above Convention. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Kuwait an attitude of complete reciprocity".

Identical communications, in essence, *mutatis mutandis*, were received by the Secretary-General from the Government of Israel on 15 October 1969 in respect of the declaration made upon accession by Egypt (see also note 20 in this chapter and

note 1 under "United Arab Republic" in the "Historical Information" section in the front matter of this volume), on 6 January 1972 in respect of the declaration made upon accession by Bahrain, on 12 January 1977 in respect of the declaration made upon accession by Democratic Yemen, on 30 August 1977 in respect of the declaration made upon accession by the Libyan Arab Jamahiriya, on 29 October 1979 in respect of the declaration made on 15 March 1979 by the Syrian Arab Republic, on 1 April 1981 in respect of the declaration made upon accession by Saudi Arabia, on 14 August 1981 in respect of the declaration made upon accession by Sudan, on 15 October 1986 in respect of the reservation made upon accession by Qatar, and on 1 September 1987 in respect of the reservation made upon accession by Yemen.

<sup>18</sup> In a communication received on 15 September 1980, the Government of China notified the Secretary-General that it withdraws its reservations with regard to article 37, paragraphs 2, 3 and 4 of the Convention.

<sup>19</sup> Upon ratification of the Convention, the Government of Ecuador withdrew the reservation to paragraphs 2, 3 and 4 of article 37 of the Convention formulated at the time of its signature.

<sup>20</sup> In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw its reservation relating to Israel, made upon accession. The notification indicates 25 January 1980 as the effective date of the withdrawal. For the text of that reservation, see United Nations, *Treaty Series*, vol. 500, p. 211.

<sup>21</sup> In a letter accompanying the instrument of ratification, the Government of Greece notified the Secretary-General that it did not maintain the reservation made at the time of signature of the Convention, to the effect that the last sentence of paragraph 2 of article 37 would not apply. (See United Nations, *Treaty Series*, vol. 500, p. 186.)

<sup>22</sup> In a communication received on 19 July 1990, the Government of Mongolia informed the Secretary-General that it had decided to withdraw its reservation with regard to article 11, paragraph 1. For the text of the declaration, see United Nations, *Treaty Series*, vol. 587, p. 352.

<sup>23</sup> In a communication received on 1 June 1972, the Government of Portugal notified the Secretary-General of its decision to withdraw the reservation to paragraph 2 of article 37 of the Convention, made upon accession. For the text of that reservation, see United Nations, *Treaty Series*, vol. 645, p. 372.

<sup>24</sup> These reservations were not included in the instrument of accession deposited on behalf of the Syrian Arab Republic on 4 August 1978. In accordance with the practice followed by the Secretary-General in similar circumstances, the text of the reservations was communicated to the States concerned on 2 April 1979, and, since no objections to this procedure were received within 90 days from that date, the Secretary-General received the said notification of reservation in definitive deposit on 1 July 1979. For the objection as to the substance formulated by the Federal Republic of Germany in respect of reservation No. 3, see under "*Objections*". It should be noted that, as at the date of receipt of the said declaration the Syrian Arab Republic had become neither a party nor a signatory to the Optional Protocol concerning the settlement of disputes.

<sup>25</sup> In the instrument of ratification, the Government of Venezuela confirmed the reservation set forth in paragraph 3 of its reservations made upon signature. On depositing the instrument of ratification, the Permanent Representative of Venezuela to the United Nations stated that the reservations set forth in paragraphs 1 and 2 had not been maintained by the Government of Venezuela upon ratification and should be considered as withdrawn; for the text of those reservations, see United Nations, *Treaty Series*, vol. 500, p. 202.

<sup>26</sup> In a communication received by the Secretary-General on 8 June 1977, the Government of the Bahamas declared that it wishes to maintain the objections made by the Government of the United Kingdom of Great Britain and Northern Ireland prior to the independence of the Bahamas. (For the text of the objections made by the Government of the United Kingdom prior to 10 July 1973, the date when the Bahamas acceded to independence, see under "*Objections*".)

