

No. 8641

**AFGHANISTAN, ARGENTINA, BELGIUM,
BOLIVIA, BRAZIL, etc.**

**Final Act of the United Nations Conference on Transit Trade
of Land-locked Countries (with annexed resolutions).
Done at New York, on 8 July 1965**

**Convention on Transit Trade of Land-locked States. Done at
New York, on 8 July 1965**

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 9 June 1967.

**AFGHANISTAN, ARGENTINE, BELGIQUE,
BOLIVIE, BRÉSIL, etc.**

**Acte final de la Conférence des Nations Unies sur le com-
merce de transit des pays sans littoral (avec résolutions
en annexe). Fait à New York, le 8 juillet 1965**

**Convention relative au commerce de transit des États sans
littoral. Faite à New York, le 8 juillet 1965**

Textes officiels anglais, français, chinois, russe et espagnol.

Enregistrés d'office le 9 juin 1967.

No. 8641. FINAL ACT OF THE UNITED NATIONS CONFERENCE ON TRANSIT TRADE OF LAND-LOCKED COUNTRIES. DONE AT NEW YORK, ON 8 JULY 1965

1. The General Assembly of the United Nations at its 1328th plenary meeting on 10 February 1965 decided to convene an international conference of plenipotentiaries to consider the question of transit trade of land-locked countries and to embody the results of its work in an international convention and such other instruments as it might deem appropriate. This decision was taken in pursuance of a resolution adopted by the First United Nations Conference on Trade and Development at Geneva in June 1964.
2. The United Nations Conference on Transit Trade of Land-locked Countries met at the Headquarters of the United Nations in New York from 7 June 1965 to 8 July 1965.
3. The Governments of the following fifty-eight States were represented at the Conference : Afghanistan, Argentina, Austria, Belgium, Bolivia, Brazil, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Congo (Brazzaville), Czechoslovakia, Federal Republic of Germany, France, Greece, Holy See, Hungary, India, Italy, Ivory Coast, Japan, Kenya, Laos, Liberia, Luxembourg, Malawi, Mali, Mongolia, Nepal, Netherlands, Niger, Nigeria, Pakistan, Paraguay, Poland, Portugal, Republic of Korea, Republic of Viet-Nam, Romania, Rwanda, San Marino, Senegal, South Africa, Spain, Sudan, Switzerland, Thailand, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Yugoslavia, and Zambia.
4. The Governments of Australia, Congo (Democratic Republic of), Cuba, Denmark, Ghana, Iran, Iraq, Israel, Mauritania, Peru and Venezuela designated Observers to the Conference.
5. The Inter-Governmental Maritime Consultative Organization participated in the Conference as an Observer in accordance with rule 57 of the rules of procedure of the Conference.
6. The following non-governmental organizations participated in the Conference as Observers in accordance with rule 58 of the rules of procedure of the Conference : International Chamber of Commerce and International Confederation of Free Trade Unions.
7. The Conference elected Mr. Paul Ruegger (Switzerland) as President. Mr. A.A.O. Ezenwa (Nigeria) served as Acting President from 6 to 8 July.

8. The Conference elected the following representatives as Vice-Presidents : Mr. Abdul Hakim Tabibi (Afghanistan); Mr. D. Lucio Garcia del Solar (Argentina); Mr. Fernando Ortiz Sanz (Bolivia); Mr. J.B. Beleoken (Cameroon); Mr. Josef Smejkal (Czechoslovakia); Mr. Herbert Neupert (Federal Republic of Germany); Mr. D.P. Anand (India); Mr. Yaya Diakite (Mali); Mr. A.A.O. Ezenwa (Nigeria); Mr. Jaime de Pinies (Spain); Mr. G.S. Burguchev (Union of Soviet Socialist Republics); and Mr. A.B.C. Danieli (United Republic of Tanzania).

9. The following committees and working groups were set up by the Conference :

General Committee

Chairman : The President of the Conference

Members : The President and the Vice-Presidents of the Conference

Working Group I on Articles 5, 6 and 7

Chairman : Mr. Josef Smejkal (Czechoslovakia)

Working Group II on Articles 1 and 2

Chairman : Mr. W. Riphagen (Netherlands)

Working Group III on Article 11 (formerly Article 12)

Chairman : Mr. Pierre Sanon (Upper Volta)

Working Group IV on Article 16 (formerly article 19)

Chairman : Mr. Giuseppe Barile (Italy)

Drafting Committee

Chairman : Mr. W. Riphagen (Netherlands); later, Mr. Oscar Schachter (Executive Secretary)

Members : Afghanistan, Belgium, Chile, Czechoslovakia, India, Italy, Mali, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Spain, Union of Soviet Socialist Republics and United Kingdom of Great Britain and Northern Ireland

Credentials Committee

Chairman : Mr. G. Reisch (Austria)

Members : Austria, Belgium, Brazil, Liberia, Nepal, Paraguay, Sudan, Union of Soviet Socialist Republics and the United States of America.

10. The Secretary-General of the United Nations was represented by Mr. Oscar Schachter, Director of the General Legal Division of the Office of Legal Affairs of the United Nations, who served as Executive Secretary. Miss Kwen Chen, Legal Officer, acted as the Secretary of the Conference.

11. The Conference had before it as the basis for its work the report of the Committee on the Preparation of a Draft Convention relating to Transit Trade of

Land-locked Countries (A/5906). The draft Convention transmitted by the Committee, the Afro-Asian draft Convention, as well as all the amendments, were annexed to the report.

12. On the basis of its deliberations, as recorded in the summary records of the plenary meetings, the Conference prepared the annexed Convention entitled Convention on Transit Trade of Land-locked States.

13. This Convention,¹ which was adopted by the Conference on 8 July 1965, was opened for signature on that day, until 31 December 1965, at the United Nations Headquarters in New York. The Convention provides for ratification and accession, in accordance with its terms.

14. In addition, the Conference adopted two resolutions, which are annexed to this Final Act.

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE in New York this eighth day of July, nineteen hundred and sixty-five, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

¹ See p. 42 of this volume.

FOR AFGHANISTAN:
POUR L'AFGHANISTAN:
阿富汗:
За Афганистан:
POR EL AFGANISTÁN:

Abdul H. TABIBI

FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷:
За Аргентину:
POR LA ARGENTINA:

Juan C. BELTRAMINO

FOR AUSTRIA:
POUR L'AUTRICHE:
奧地利:
За Австрию:
POR AUSTRIA:

Kurt WALDHEIM

FOR BELGIUM:
POUR LA BELGIQUE:
比利時:
За Бельгию:
POR BÉLGICA:

DE ROMRÉE
J. WOULBROUN

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞:
За БОЛИВИЮ:
FOR BOLIVIA:

FOR BRAZIL:
POUR LE BRÉSIL:
巴西:
За Бразилию:
FOR EL BRASIL:

José SETTE CÂMARA

FOR BURUNDI:
POUR LE BURUNDI:
布隆提:
За Бурунди:
FOR BURUNDI:

Térence NSANZE

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國:
За Белорусскую Советскую Социалистическую Республику:
FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

G. G. TCHERNOUCHTENKO

FOR CAMEROON:
POUR LE CAMEROUN:
喀麥隆:
За Камерун:
POR EL CAMERÚN:

J. B. BELEOKEN

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POUR LA RÉPUBLIQUE CENTRAFRICAINE:
中非共和國:
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FOR CHILE:
POUR LE CHILI:
智利:
За ЧИЛИ:
POR CHILE:

E. GARJARDO

FOR THE CONGO (BRAZZAVILLE):
POUR LE CONGO (BRAZZAVILLE):
剛果 (布拉薩市):
За Конго (Браззавиль):
POR EL CONGO (BRAZZAVILLE):

S. MOHET

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POUR LA TCHÉCOSLOVAQUIE:
捷克斯拉夫:
За Чехословакию:
POR CHECOSLOVAQUIA:

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德意志聯邦共和國:
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POR LA REPÚBLICA FEDERAL DE ALEMANIA:

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POR GRECIA:

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POUR LE SAINT-SIÈGE:
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印度:
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POUR L'ITALIE:
義大利:
За Италию:
POR ITALIA:

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FOR THE IVORY COAST:
POUR LA CÔTE-D'IVOIRE:
牙象海岸:
За Берег Слоновой Кости
POR LA COSTA DE MARFIL:

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POUR LE JAPON:
日本:
За Японию:
POR EL JAPÓN:

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POUR LE KENYA:
肯亞:
За Кения:
POR KENIA:

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POUR LE LAOS:
寮國:
За Лаос:
POR LAOS:

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FOR LUXEMBURGO:

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POUR LE MALAWI:
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POUR LE MALI:
馬利:
За Мали:
FOR MALI:

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POUR LA MONGOLIE:
蒙古:
За Монголија:
FOR MONGOLIA:

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POUR LE NÉPAL:
尼泊爾:
За Непал:
FOR NEPAL:

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DEVENDRA Raj Upadhya

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POUR LES PAYS-BAS:
荷蘭:
За Нидерланды:
FOR LOS PAÍSES BAJOS:

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POUR LE NIGER:
奈及爾:
За Нигер:
FOR EL NÍGER:

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POUR LA NIGÉRIA:
奈及利亞:
За Нигерия:
FOR NIGERIA:

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POUR LE PAKISTAN:
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За Пакистан:
FOR EL PAKISTÁN:

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POUR LE PARAGUAY:
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За Паргвай:
FOR EL PARAGUAY:

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FOR TURQUÍA:

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POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:
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POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
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За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

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FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國:
За Соединенное Королевство Великобритании и Северной Ирландии:
POR EL REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE:

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POUR LA RÉPUBLIQUE-UNIE DE TANZANIE:
坦尚尼亞聯合共和國:
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POR LA REPÚBLICA UNIDA DE TANZANIA:

FOR THE UNITED STATES OF AMERICA:
POUR LES ÉTATS-UNIS D'AMÉRIQUE:
美利堅合衆國:
За Соединенные Штаты Америки:
POR LOS ESTADOS UNIDOS DE AMÉRICA:

H. Rowan GAITHER

FOR THE UPPER VOLTA:
POUR LA HAUTE-VOLTA:
上伏塔:
За Верхнюю Вольту:
POR EL ALTO VOLTA:

J. BOUREIMA KABORÉ

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POUR LA YOUGOSLAVIE:
南斯拉夫:
За Югославию:
POR YUGOSLAVIA:

A. JELIĆ

FOR ZAMBIA:
POUR LA ZAMBIE:
尚比亞:
За Замбию:
POR ZAMBIA:

F. M. MULIKITA

RESOLUTION ON FACILITATION OF MARITIME TRADE OF LAND-LOCKED COUNTRIES, ADOPTED BY THE CONFERENCE AT ITS 34th PLENARY MEETING HELD ON 6 JULY 1965

The United Nations Conference on Transit Trade of Land-locked Countries, 1965,

Recognizing that the Convention on Facilitation of International Maritime Traffic, 1965, and its Annex, adopted at the International Conference on Facilitation of Maritime Travel and Transport, held in London in 1965, is applicable to the maritime trade of land-locked countries through the operation of paragraph two of article Two of that Convention,

Considering that the application of that Convention and its Annex may greatly benefit maritime travel and transport, including the flow of transit trade of land-locked countries,

Invites the attention of the States represented at this Conference to the Final Act of the International Conference on Facilitation of Maritime Travel and Transport, 1965, which includes the Convention on Facilitation of International Maritime Traffic adopted by that Conference, and

Expresses the hope that the Inter-Governmental Maritime Consultative Organization will take appropriate measures within the scope of the above-mentioned Convention and its Annex and Resolutions Four and Five of the Conference on Facilitation of Maritime Travel and Transport, to facilitate the transit trade of land-locked countries.

RESOLUTION ADOPTED BY THE CONFERENCE AT ITS 36th PLENARY MEETING HELD ON 8 JULY 1965

The Conference on Transit Trade of Land-locked Countries,

Noting the joint effort made by the participating States to adopt a Convention for recognizing the need of land-locked countries for adequate transit facilities in promoting international trade,

Recognizing that as the transit trade of land-locked countries, comprising one fifth of the nations of the world, is of the utmost importance to economic co-operation and expansion of international trade,

Recommends that all States which have been invited to the Conference examine, as soon as possible and in a sympathetic spirit, the possibility of becoming Parties to the Convention,

Further recommends that the Trade and Development Conference and its organs should give close and serious attention to the importance of the provisions of the Convention on Transit Trade of Land-locked States adopted at United Nations Headquarters on 8 July 1965,

Recommends that the Secretary-General through the technical co-operation organs of the United Nations and through the regional economic commissions should extend assistance in furthering transit trade to the members of the United Nations land-locked or transit States alike upon their request, within the framework of the established procedures of the United Nations and its related agencies.

CONVENTION¹ ON TRANSIT TRADE OF LAND-LOCKED STATES. DONE AT NEW YORK, ON 8 JULY 1965

PREAMBLE

The States Parties to the present Convention,

Recalling that article 55 of its charter requires the United Nations to promote conditions of economic progress and solutions of international economic problems,

Noting General Assembly resolution 1028 (XI)² on the land-locked countries and the expansion of international trade which, “ recognizing the need of land-locked countries for adequate transit facilities in promoting international trade ”, invited “ the Governments of Member States to give full recognition to the needs of land-locked Member States in the matter of transit trade and, therefore, to accord them adequate facilities in terms of international law and practice in this regard, bearing in mind the future requirements resulting from the economic development of the land-locked countries ”,

Recalling article 2 of the Convention on the High Seas which states that the high seas being open to all nations, no State may validly purport to subject any part of them to its sovereignty and article 3 of the said Convention which states :

“ 1. In order to enjoy the freedom of the seas on equal terms with coastal States, States having no sea-coast should have free access to the sea.

¹ The Convention was adopted by the United Nations Conference on Transit Trade of Land-locked Countries, which had been convened pursuant to the decision of the General Assembly of the United Nations taken at its 1328th plenary meeting on 10 February 1965, see *Official Records of the General Assembly, Nineteenth Session, Supplement No 15 (A/5815)*, p. 9. The Conference met at the Headquarters of the United Nations in New York from 7 June 1965 to 8 July 1965.

In accordance with article 20, paragraph 1, the Convention came into force on 9 June 1967, the thirtieth day following the date of deposit of the instruments of ratification or accession of at least two land-locked States and two transit States having a sea coast. It came into force on that date in respect of the following States, on behalf of which the instruments of ratification or accession (a) were deposited with the Secretary-General of the United Nations on the dates indicated (asterisk denotes transit States having a sea coast) :

Chad	2 March	1967 (a)
Malawi	12 December	1966 (a)
Mongolia	26 July	1966 (a)
Nepal	22 August	1966
Niger	3 June	1966 (a)
*Nigeria	16 May	1966 (a)
*Yugoslavia	10 May	1967
Zambia	2 December	1966

² United Nations, *Official Records of the General Assembly, Eleventh Session, Supplement No. 17 (A/3572)*, p. 12

To this end States situated between the sea and a State having no sea-coast shall by common agreement with the latter and in conformity with existing international conventions accord :

“ (a) To the State having no sea-coast, on a basis of reciprocity, free transit through their territory; and

“ (b) To ships flying the flag of that State treatment equal to that accorded to their own ships, or to the ships of any other States, as regards access to seaports and the use of such ports.

“ 2. States situated between the sea and a State having no sea-coast shall settle, by mutual agreement with the latter, and taking into account the rights of the coastal State or State of transit and the special conditions of the State having no sea-coast, all matters relating to freedom of transit and equal treatment in ports, in case such States are not already parties to existing international conventions. ”

Reaffirming the following principles adopted by the United Nations Conference on Trade and Development with the understanding that these principles are interrelated and each principle should be construed in the context of the other principles :

Principle I

The recognition of the right of each land-locked State of free access to the sea is an essential principle for the expansion of international trade and economic development.

Principle II

In territorial and on internal waters, vessels flying the flag of land-locked countries should have identical rights and enjoy treatment identical to that enjoyed by vessels flying the flag of coastal States other than the territorial State.

Principle III

In order to enjoy the freedom of the seas on equal terms with coastal States, States having no sea-coast should have free access to the sea. To this end States situated between the sea and a State having no sea-coast shall by common agreement with the latter and in conformity with existing international conventions accord to ships flying the flag of that State treatment equal to that accorded to their own ships or to the ships of any other State as regards access to seaports and the use of such ports.

Principle IV

In order to promote fully the economic development of the land-locked countries, the said countries should be afforded by all States, on the basis of reciprocity, free and unrestricted transit, in such a manner that they have free access to regional and international trade in all circumstances and for every type of goods.

Goods in transit should not be subject to any customs duty.

Means of transport in transit should not be subject to special taxes or charges higher than those levied for the use of means of transport of the transit country.

Principle V

The State of transit, while maintaining full sovereignty over its territory, shall have the right to take all indispensable measures to ensure that the exercise of the right of free and unrestricted transit shall in no way infringe its legitimate interests of any kind.

Principle VI

In order to accelerate the evolution of a universal approach to the solution of the special and particular problems of trade and development of land-locked countries in the different geographical areas, the conclusion of regional and other international agreements in this regard should be encouraged by all States.

Principle VII

The facilities and special rights accorded to land-locked countries in view of their special geographical position are excluded from the operation of the most-favoured-nation clause.

Principle VIII

The principles which govern the right of free access to the sea of the land-locked State shall in no way abrogate existing agreements between two or more contracting parties concerning the problems, nor shall they raise an obstacle as regards the conclusions of such agreements in the future, provided that the latter do not establish a régime which is less favourable than or opposed to the above-mentioned provisions.

Have agreed as follows :

Article 1

DEFINITIONS

For the purpose of this Convention,

- (a) the term "land-locked State" means any Contracting State which has no sea-coast;
- (b) the term "traffic in transit" means the passage of goods including unaccompanied baggage across the territory of a Contracting State between a land-locked State and the sea when the passage is a portion of a complete journey which begins or terminates within the territory of that land-locked State and which includes sea transport directly preced-

ing or following such passage. The trans-shipment, warehousing, breaking bulk, and change in the mode of transport of such goods as well as the assembly, disassembly or reassembly of machinery and bulky goods shall not render the passage of goods outside the definition of "traffic in transit" provided that any such operation is undertaken solely for the convenience of transportation. Nothing in this paragraph shall be construed as imposing an obligation on any Contracting State to establish or permit the establishment of permanent facilities on its territory for such assembly, disassembly or reassembly;

- (c) the term "transit State" means any Contracting State with or without a sea-coast, situated between a land-locked State and the sea, through whose territory "traffic in transit" passes;
- (d) the term "means of transport" includes :
- (i) any railway stock, seagoing and river vessels and road vehicles;
 - (ii) where the local situation so requires porters and pack animals;
 - (iii) if agreed upon by the Contracting States concerned, other means of transport and pipelines and gas lines

when they are used for traffic in transit within the meaning of this article.

Article 2

FREEDOM OF TRANSIT

1. Freedom of transit shall be granted under the terms of this Convention for traffic in transit and means of transport. Subject to the other provisions of this Convention, the measures taken by Contracting States for regulating and forwarding traffic across their territory shall facilitate traffic in transit on routes in use mutually acceptable for transit to the Contracting States concerned. Consistent with the terms of this Convention, no discrimination shall be exercised which is based on the place of origin, departure, entry, exit or destination or on any circumstances relating to the ownership of the goods or the ownership, place of registration or flag of vessels, land vehicles or other means of transport used.

2. The rules governing the use of means of transport, when they pass across part or the whole of the territory of another Contracting State, shall be established by common agreement among the Contracting States concerned, with due regard to the multilateral international conventions to which these States are parties.

3. Each Contracting State shall authorize, in accordance with its laws, rules and regulations, the passage across or access to its territory of persons whose movement is necessary for traffic in transit.
4. The Contracting States shall permit the passage of traffic in transit across their territorial waters in accordance with the principles of customary international law or applicable international conventions and with their internal regulations.

Article 3

CUSTOMS DUTIES AND SPECIAL TRANSIT DUES

Traffic in transit shall not be subjected by any authority within the transit State to customs duties or taxes chargeable by reason of importation or exportation nor to any special dues in respect of transit. Nevertheless on such traffic in transit there may be levied charges intended solely to defray expenses of supervision and administration entailed by such transit. The rate of any such charges must correspond as nearly as possible with the expenses they are intended to cover and, subject to that condition, the charges must be imposed in conformity with the requirement of non-discrimination laid down in article 2, paragraph 1.

Article 4

MEANS OF TRANSPORT AND TARIFFS

1. The Contracting States undertake to provide, subject to availability, at the points of entry and exit, and as required at points of trans-shipment, adequate means of transport and handling equipment for the movement of traffic in transit without unnecessary delay.
2. The Contracting States undertake to apply to traffic in transit, using facilities operated or administered by the State, tariffs or charges which, having regard to the conditions of the traffic and to considerations of commercial competition, are reasonable as regards both their rates and the method of their application. These tariffs or charges shall be so fixed as to facilitate traffic in transit as much as possible, and shall not be higher than the tariffs or charges applied by Contracting States for the transport through their territory of goods of countries with access to the sea. The provisions of this paragraph shall also extend to the tariffs and charges applicable to traffic in transit using facilities operated or administered by firms or individuals, in cases in which the tariffs or charges are fixed or subject to control by the Contracting State. The term " facilities " used in this paragraph shall comprise means of transport, port installations and routes for the use of which tariffs or charges are levied.

3. Any haulage service established as a monopoly on waterways used for transit must be so organized as not to hinder the transit of vessels.
4. The provisions of this article must be applied under the conditions of non-discrimination laid down in article 2, paragraph 1.

Article 5

METHODS AND DOCUMENTATION IN REGARD TO CUSTOMS, TRANSPORT, ETC.

1. The Contracting States shall apply administrative and customs measures permitting the carrying out of free, uninterrupted and continuous traffic in transit. When necessary, they should undertake negotiations to agree on measures that ensure and facilitate the said transit.
2. The Contracting States undertake to use simplified documentation and expeditious methods in regard to customs, transport and other administrative procedures relating to traffic in transit for the whole transit journey on their territory, including any trans-shipment, warehousing, breaking bulk, and changes in the mode of transport as may take place in the course of such journey.

Article 6

STORAGE OF GOODS IN TRANSIT

1. The conditions of storage of goods in transit at the points of entry and exit, and at intermediate stages in the transit State may be established by agreement between the States concerned. The transit States shall grant conditions of storage at least as favourable as those granted to goods coming from or going to their own countries.
2. The tariffs and charges shall be established in accordance with article 4.

Article 7

DELAYS OR DIFFICULTIES IN TRAFFIC IN TRANSIT

1. Except in cases of *force majeure* all measures shall be taken by Contracting States to avoid delays in or restrictions on traffic in transit.
2. Should delays or other difficulties occur in traffic in transit, the competent authorities of the transit State or States and of the land-locked State shall co-operate towards their expeditious elimination.

Article 8

FREE ZONES OR OTHER CUSTOMS FACILITIES

1. For convenience of traffic in transit, free zones or other customs facilities may be provided at the ports of entry and exit in the transit States, by agreement between those States and the land-locked States.
2. Facilities of this nature may also be provided for the benefit of land-locked States in other transit States which have no sea-coast or seaports.

Article 9

PROVISION OF GREATER FACILITIES

This Convention does not entail in any way the withdrawal of transit facilities which are greater than those provided for in the Convention and which under conditions consistent with its principles, are agreed between Contracting States or granted by a Contracting State. The Convention also does not preclude such grant of greater facilities in the future.

Article 10

RELATION TO MOST-FAVOURED-NATION CLAUSE

1. The Contracting States agree that the facilities and special rights accorded by this Convention to land-locked States in view of their special geographical position are excluded from the operation of the most-favoured-nation clause. A land-locked State which is not a Party to this Convention may claim the facilities and special rights accorded to land-locked States under this Convention only on the basis of the most-favoured-nation clause of a treaty between that land-locked State and the Contracting State granting such facilities and special rights.
2. If a Contracting State grants to a land-locked State facilities or special rights greater than those provided for in this Convention, such facilities or special rights may be limited to that land-locked State, except in so far as the withholding of such greater facilities or special rights from any other land-locked State contravenes the most-favoured-nation provision of a treaty between such other land-locked State and the Contracting State granting such facilities or special rights.

*Article 11*EXCEPTIONS TO CONVENTION ON GROUNDS OF PUBLIC HEALTH,
SECURITY, AND PROTECTION OF INTELLECTUAL PROPERTY

1. No Contracting State shall be bound by this Convention to afford transit to persons whose admission into its territory is forbidden, or for goods of a kind

of which the importation is prohibited, either on grounds of public morals, public health or security, or as a precaution against diseases of animals or plants or against pests.

2. Each Contracting State shall be entitled to take reasonable precautions and measures to ensure that persons and goods, particularly goods which are the subject of a monopoly, are really in transit, and that the means of transport are really used for the passage of such goods, as well as to protect the safety of the routes and means of communication.

3. Nothing in this Convention shall affect the measures which a Contracting State may be called upon to take in pursuance of provisions in a general international convention, whether of a world-wide or regional character, to which it is a party, whether such convention was already concluded on the date of this Convention or is concluded later, when such provisions relate :

(a) to export or import or transit of particular kinds of articles such as narcotics, or other dangerous drugs, or arms; or

(b) to protection of industrial, literary or artistic property, or protection of trade names, and indications of source or appellations of origin, and the suppression of unfair competition.

4. Nothing in this Convention shall prevent any Contracting State from taking any action necessary for the protection of its essential security interests.

Article 12

EXCEPTIONS IN CASE OF EMERGENCY

The measures of a general or particular character which a Contracting State is obliged to take in case of an emergency endangering its political existence or its safety may, in exceptional cases and for as short a period as possible, involve a deviation from the provisions of this Convention on the understanding that the principle of freedom of transit shall be observed to the utmost possible extent during such a period.

Article 13

APPLICATION OF THE CONVENTION IN TIME OF WAR

This Convention does not prescribe the rights and duties of belligerents and neutrals in time of war. The Convention shall, however, continue in force in time of war so far as such rights and duties permit.

*Article 14*OBLIGATIONS UNDER THE CONVENTION AND RIGHTS AND DUTIES
OF UNITED NATIONS MEMBERS

This Convention does not impose upon a Contracting State any obligation conflicting with its rights and duties as a Member of the United Nations.

Article 15

RECIPROCITY

The provisions of this Convention shall be applied on a basis of reciprocity.

Article 16

SETTLEMENT OF DISPUTES

1. Any dispute which may arise with respect to the interpretation or application of the provisions of this Convention which is not settled by negotiation or by other peaceful means of settlement within a period of nine months shall, at the request of either party, be settled by arbitration. The arbitration commission shall be composed of three members. Each party to the dispute shall appoint one member to the commission, while the third member, who shall be the Chairman, shall be chosen in common agreement between the parties. If the parties fail to agree on the designation of the third member within a period of three months, the third member shall be appointed by the President of the International Court of Justice. In case any of the parties fail to make an appointment within a period of three months the President of the International Court of Justice shall fill the remaining vacancy or vacancies.
2. The arbitration commission shall decide on the matters placed before it by simple majority and its decisions shall be binding on the parties.
3. Arbitration commissions or other international bodies charged with settlement of disputes under this Convention shall inform, through the Secretary-General of the United Nations, the other Contracting States of the existence and nature of disputes and of the terms of their settlement.

Article 17

SIGNATURE

The present Convention shall be open until 31 December 1965 for signature by all States Members of the United Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other

State invited by the General Assembly of the United Nations to become a Party to the Convention.

Article 18

RATIFICATION

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 19

ACCESSION

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in article 17. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 20

ENTRY INTO FORCE

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the instruments of ratification or accession of at least two land-locked States and two transit States having a sea coast.
2. For each State ratifying or acceding to the Convention after the deposit of the instruments of ratification or accession necessary for the entry into force of this Convention in accordance with paragraph 1 of this article, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 21

REVISION

At the request of one third of the Contracting States, and with the concurrence of the majority of the Contracting States, the Secretary-General of the United Nations shall convene a Conference with a view to the revision of this Convention.

Article 22

NOTIFICATIONS BY THE SECRETARY-GENERAL

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in article 17;

- (a) of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with articles 17, 18 and 19;
- (b) of the date on which the present Convention will enter into force, in accordance with article 20;
- (c) of requests for revision, in accordance with article 21.

Article 23

AUTHENTIC TEXTS

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States belonging to any of the four categories mentioned in article 17.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

DONE at the Headquarters of the United Nations, New York, this eighth day of July, one thousand nine hundred and sixty-five.

FOR AFGHANISTAN:
POUR L'AFGHANISTAN:
阿富汗:
За Афганистан:
POR EL AFGANISTÁN:

Abdul H. TABIBI

FOR ALBANIA:
POUR L'ALBANIE:
阿爾巴尼亞:
За Албанию:
POR ALBANIA:

FOR ALGERIA:
POUR L'ALGÉRIE:
阿爾及利亞:
За Алжир:
POR ARGELIA:

FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷:
За Аргентину:
POR LA ARGENTINA:

Lucio GARCÍA DEL SOLAR
December 29, 1965

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞:
За Австралию:
POR AUSTRALIA:

FOR AUSTRIA:

POUR L'AUTRICHE:

奥地利:

За Австрию:

FOR AUSTRIA:

FOR BELGIUM:

POUR LA BELGIQUE:

比利時:

За Бельгию:

FOR BELGICA:

Compte tenu des réserves* exprimées dans ma lettre à Monsieur le Secrétaire général de l'Organisation des Nations Unies, n° S. 5036 du 30 décembre 1965¹.

C. SCHUURMANS

le 30 décembre 1965

¹ [Translation] Subject to the reservations* stated in my letter No. S. 5036 of 30 December 1965, addressed to the Secretary-General of the United Nations.

**Text of the reservations:*

1 With regard to the application of article 3 of the Convention, the Belgian Government considers that the exemption relates exclusively to duties or taxes on imports or exports, and not to taxes on transactions, such as the Belgian tax on transport and auxiliary services, which also apply to internal trade

2 Belgium can apply article 4, paragraph 1, only in so far as State-owned means of transport and handling equipment are concerned

3. The Belgian Government intends, upon depositing its instrument of ratification of the Convention, to make a reservation concerning the rights and obligations of Belgium arising from its adherence to certain international treaties relating to economic matters or trade

**Texte des réserves:*

1. Pour l'application de l'article 3 de la Convention, le Gouvernement belge considère que l'exemption vise exclusivement les droits ou taxes sur les importations ou les exportations, et non les impôts sur les transactions, qui sont également applicables au commerce intérieur, tels que la taxe belge sur les transports et sur les prestations accessoires au transport

2 La Belgique ne peut appliquer le paragraphe 1^{er} de l'article 4 que dans la mesure où il s'agit de moyens de transport et de matériel de manutention appartenant à l'État.

3. Le Gouvernement belge envisage de faire, lors du dépôt de l'instrument de ratification de la Convention, une réserve en rapport avec les droits et obligations résultant, pour la Belgique, de sa qualité de partie à certains traités internationaux dans le domaine économique ou commercial.

FOR BOLIVIA:
 POUR LA BOLIVIE:
 玻利維亞:
 За БОЛИВИЮ:
 POR BOLIVIA:

F. ORTIZ S.
 29 de diciembre de 1965¹

FOR BRAZIL:
 POUR LE BRÉSIL:
 巴西:
 За БРАЗИЛИЮ:
 POR EL BRASIL:

José SETTE CÂMARA
 August 4th, 1965

¹ With the following statement :

¹ Avec la déclaration suivante :

[SPANISH TEXT — TEXTE ESPAGNOL]

... Mi Gobierno me instruye en esta oportunidad, para dejar constancia del criterio boliviano, que ya consta en las actas de la Conferencia, en sentido de que « Bolivia no es un país sin litoral sino una nación que por circunstancias transitorias está privada de acceso al mar a través de su costa propia » y de que « el libre tránsito irrestricto e incondicional debe reconocerse en el Derecho Internacional como un atributo inherente a los territorios y países enclaustrados, fundándose en razones de justicia y en la necesidad de facilitar esa contribución al progreso general en igualdad de condiciones ».

Estas opiniones bolivianas, consubstanciales con la soberanía nacional no dejarán de manifestarse en ninguna ocasión, y mi país firmará el Convenio a que me refiero en un testimonio de su espíritu de cooperación con las Naciones Unidas y los países privados de costa marítima que se encuentran en vías de desarrollo. ...

[Translation] ... I have been instructed by my Government to place on record the Bolivian view, which is already to be found in the records of the Conference, that "Bolivia is not a landlocked State but a nation which is deprived by temporary circumstances of access to the sea across its own coast" and that "unrestricted and unconditional freedom of transit must be recognized in international law as an inherent right of enclosed territories and countries for reasons of justice and because of the need to facilitate such transit as a contribution to general progress on a basis of equality".

Bolivia will on no occasion fail to maintain these views, which are inherent in national sovereignty, and, by signing the Convention, will give evidence of its willingness to co-operate with the United Nations and the developing countries without a sea-coast..

[Traduction] ... Conformément aux instructions que j'ai reçues en l'occurrence de mon Gouvernement, je tiens à réaffirmer la position qui est celle de mon pays et qui ressort des documents officiels de la Conférence, à savoir que « la Bolivie n'est pas un pays sans littoral mais un État qui, par suite de circonstances passagères, est empêché d'accéder à la mer par sa propre côte » et que « la liberté de transit inconditionnelle et sans restriction doit être reconnue en droit international comme un droit inhérent des territoires et pays enclavés, eu égard aux exigences de la justice et à la nécessité de faciliter le progrès général dans des conditions d'égalité ».

La Bolivie fera toujours valoir ces principes, qui sont inséparables de la notion de souveraineté nationale, et mon pays signera la Convention susmentionnée pour témoigner de sa volonté de coopérer avec l'Organisation des Nations Unies et avec les pays en voie de développement qui n'ont pas de littoral...

FOR BULGARIA:
POUR LA BULGARIE:
保加利亞:
За България:
FOR BULGARIA:

FOR BURMA:
POUR LA BIRMANIE:
緬甸:
За Бирма:
FOR BIRMANIA:

FOR BURUNDI:
POUR LE BURUNDI:
布隆提:
За Бурунди:
FOR BURUNDI:

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:

白俄羅斯蘇維埃社會主義共和國:

За Белорусскую Советскую Социалистическую Республику:

POUR LA RÉPUBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

С оговоркой следующего содержания:

« Правительство Белорусской Советской Социалистической Республики считает для себя не обязательными положения статьи 16 Конвенции о транзитной торговле внутриконтинентальных государств, предусматривающей, что члены арбитражной комиссии могут назначаться Председателем Международного Суда, и заявляет, что для назначения членов арбитражной комиссии Председателем Международного Суда необходимо в каждом отдельном случае согласие спорящих государств ».

Г. ЧЕРНУЩЕНКО¹

28.XII.65

¹ [Translation] With the following reservation:

The Government of the Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land locked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

G. CHERNUSHCHENKO

The following statement was also made upon signature

¹ [Traduction] Avec la réserve suivante:

Le Gouvernement de la RSS de Biélorussie ne se considère pas comme lié par les dispositions de l'article 16 de la Convention sur le commerce de transit des pays sans littoral prévoyant que les membres de la commission d'arbitrage pourront être nommés par le Président de la Cour internationale de Justice et déclare que la désignation des membres de la commission d'arbitrage par le Président de la Cour internationale de Justice exige dans chaque cas l'accord des parties au différend

G. TCHERNOUCHTCHENKO

La déclaration suivante a en outre été formulée au moment de la signature.

[RUSSIAN TEXT — TEXTE RUSSE]

« Белорусская Советская Социалистическая Республика считает необходимым указать на дискриминационный характер статей 17, 19, 22 и 23 Конвенции, согласно которым ряд государств лишен возможности стать участниками этой Конвенции. Конвенция регулирует вопросы, затрагивающие интересы всех государств, и поэтому она должна быть открыта для участия всех государств. В соответствии с принципом суверенного равенства никакие государства не имеют права отстранять другие государства от участия в подобного рода Конвенции ».

[Translation] The Byelorussian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention, under which a number of States are deprived of the

(Continued on p. 107)

[Traduction] La République socialiste soviétique de Biélorussie juge nécessaire de souligner le caractère discriminatoire des articles 17, 19, 22 et 23 de la Convention, qui privent une série d'États de la possibilité d'adhérer à celle-ci.

(Suite à la p. 107)

FOR CAMBODIA:
POUR LE CAMBODGE:
柬埔寨:
За Камбоджу:
FOR CAMBOYA:

FOR CAMEROON:
POUR LE CAMEROUN:
喀麥隆:
За Камерун:
FOR EL CAMERÚN:

J. B. BELEOKEN
10 août 1965

FOR CANADA:
POUR LE CANADA:
加拿大:
За Канаду:
FOR EL CANADÁ:

(Continued from p. 106)

opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

(Suite de la p. 106)

La Convention règle des questions ayant des incidences sur les intérêts de tous les États et, partant, doit rester ouverte à l'adhésion de tout État. Conformément au principe de l'égalité des États souverains, aucun État n'est habilité à empêcher un autre État d'adhérer à une convention de ce genre.

FOR THE CENTRAL AFRICAN REPUBLIC:
POUR LA RÉPUBLIQUE CENTRAFRICAINE:
中非共和國:
За Центральноеафриканскую Республику:
FOR LA REPÚBLICA CENTROAFRICANA:

M. GALLIN-DOUATHE
New York, le 30 décembre 1965

FOR CEYLON:
POUR CEYLAN:
錫蘭:
За Цейлон:
FOR CEILÁN:

FOR CHAD:
POUR LE TCHAD:
查德:
За Чад:
FOR EL CHAD:

FOR CHILE:
POUR LE CHILI:
智利:
За ЧИЛИ:
POR CHILE:

Con reserva del artículo 16, declarando que en cualquiera controversia con países americanos sobre la interpretación o aplicación de esta Convención, Chile procederá de acuerdo con los instrumentos interamericanos para la solución pacífica de controversias que obliguen tanto a Chile como al otro país americano¹.

Renán FUENTEALBA
December 20, 1965

FOR CHINA:
POUR LA CHINE:
中國:
За КИТАЙ:
POR LA CHINA:

FOR COLOMBIA:
POUR LA COLOMBIE:
哥倫比亞:
За КОЛУМБИЮ:
POR COLOMBIA:

¹ [Translation] With a reservation with regard to article 16, to the effect that, in any dispute with American countries over the interpretation or implementation of this Convention, Chile shall proceed in accordance with whatever inter-American instruments concerning the peaceful settlement of disputes may be binding both on Chile and on the other American country.

¹ [Traduction] Avec la réserve suivante au sujet de l'article 16 : au cas où un différend surgirait avec un pays américain, à propos de l'interprétation ou de l'application des dispositions de la Convention, le Chili agirait conformément aux textes des accords interaméricains pour le règlement pacifique des différends qui lient à la fois le Chili et l'autre pays américain en cause.

FOR THE CONGO (BRAZZAVILLE):

POUR LE CONGO (BRAZZAVILLE):

剛果 (布拉薩市):

За Конго (Браззавиль):

FOR EL CONGO (BRAZZAVILLE):

FOR THE CONGO (DEMOCRATIC REPUBLIC OF):

POUR LE CONGO (RÉPUBLIQUE DÉMOCRATIQUE DU):

剛果 (民主共和國):

За Демократическую Республику Конго:

FOR EL CONGO (REPÚBLICA DEMOCRÁTICA DE):

FOR COSTA RICA:

POUR LE COSTA RICA:

哥斯大黎加:

За Коста-Рику:

FOR COSTA RICA:

FOR CUBA:

POUR CUBA:

古巴:

За Кубу:

FOR CUBA:

FOR CYPRUS:

POUR CHYPRE:

賽普勒斯:

За Кипр:

FOR CHIPRE:

FOR CZECHOSLOVAKIA:
 POUR LA TCHÉCOSLOVAQUIE:
 捷克斯拉夫:
 За Чехословакию:
 FOR CHECOSLOVAQUIA:

With reservations* to articles 16, 17, 19, 22 and 23, the text of which is enclosed hereto.¹

Milan KLUSAK
 10 December 1965

FOR DAHOMEY:
 POUR LE DAHOMEY:
 達荷美:
 За Дагомею:
 FOR EL DAHOMEY:

¹ [Traduction] Avec réserves* aux articles 16, 17, 19, 22 et 23. Texte des réserves joint en annexe

*Texte des réserves:

1) La République socialiste tchécoslovaque ne se considère pas comme liée par l'article 16, qui prévoit le recours obligatoire à l'arbitrage à l'occasion de tout différend auquel pourrait donner lieu l'interprétation ou l'application des dispositions de la Convention. La République socialiste tchécoslovaque soutient que l'accord de toutes les parties au différend est indispensable dans toute affaire devant être soumise à arbitrage.

2) La République socialiste tchécoslovaque considère que les articles 17 et 19 ont un caractère discriminatoire car, sur la base de leurs dispositions, plusieurs États ont été privés de la possibilité de devenir parties à la Convention.

La Convention a trait à des questions qui intéressent tous les États; elle doit donc être ouverte à la participation de tous les États Conformément au principe de l'égalité souveraine, aucun État n'a le droit d'empêcher d'autres États de devenir parties à une convention d'intérêt général.

3) Cette dernière réserve s'applique aussi aux articles 22 et 23 pour les mêmes raisons.

*Texts of the reservations:

(1) The Czechoslovak Socialist Republic does not consider itself bound by article 16 providing for a compulsory procedure of arbitration for any dispute which may arise with respect to interpretation or application of the provisions of the Convention. The Czechoslovak Socialist Republic maintains that the consensus of all Parties to the dispute is indispensable in any particular case to be submitted for arbitration.

(2) The Czechoslovak Socialist Republic considers articles 17 and 19 to be of discriminatory character since, on the basis of their provisions, a number of States has been deprived of the possibility of becoming a Party to the Convention.

The Convention relates to matters which are of interest to all States; consequently, it has to be open for participation of all States. In accordance with the principle of sovereign equality, no States have the right to exclude other States from becoming a Party to the Convention of general interest.

(3) The latter reservation applies also to articles 22 and 23 for the same reasons.

FOR DENMARK:
POUR LE DANEMARK:
丹麥:
За Данию:
POR DINAMARCA:

FOR THE DOMINICAN REPUBLIC:
POUR LA RÉPUBLIQUE DOMINICAINE:
多明尼加共和國:
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

FOR ECUADOR:
POUR L'ÉQUATEUR:
厄瓜多:
За Эквадор:
POR EL ECUADOR:

FOR EL SALVADOR:
POUR EL SALVADOR:
薩爾瓦多:
За Сальвадор:
POR EL SALVADOR:

FOR ETHIOPIA:
POUR L'ÉTHIOPIE:
衣索比亞:
За Эфиопию:
POR ETIOPIA:

FOR THE FEDERAL REPUBLIC OF GERMANY:
 POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:
 德意志聯邦共和國:
 За Федеративную Республику Германии:
 POR LA REPÚBLICA FEDERAL DE ALEMANIA:

With the reservations* set forth in my note of December 20, 1965 addressed to the Secretary-General of the United Nations, which is attached herewith.¹

Sigismund VON BRAUN
 December 20, 1965

**Text of the reservations:*

In respect of article 2, paragraph 1, article 5 and article 7:

The Federal Republic of Germany starts from the assumption that normal frontier controls which, in accordance with international agreements and with existing national legislation, are carried through in an adequate and nondiscriminatory manner, meet the requirements of article 2, paragraph 1, article 5 and article 7.

In respect of article 2, paragraph 2:

The Federal Republic of Germany understands this provision to imply that, as long as agreements according to article 2, paragraph 2, have not been concluded, the national regulations of the transit state will apply.

In respect of article 4, paragraph 1 and article 6, paragraph 1:

The Federal Republic of Germany is not in a position to assume obligations as provided for in article 4, paragraph 1 and in article 6, paragraph 1. Considering transport conditions in the Federal Republic of Germany, however, it may be taken for granted that sufficient means of transport as well as handling equipment and storage facilities will be available for traffic in transit. Should difficulties arise nevertheless, the Government of the Federal Republic of Germany would be prepared to seek remedies.

In respect of article 4, paragraph 2 and article 6, paragraph 2:

(Continued on p. 114)

¹ [Traduction] Avec les réserves* énoncées dans ma note du 20 décembre 1965 adressée au Secrétaire général des Nations Unies. Texte des réserves joint en annexe.

**Texte des réserves:*

En ce qui concerne le paragraphe 1 de l'article 2, l'article 5 et l'article 7:

La République fédérale d'Allemagne part de l'hypothèse que les mesures de contrôle qui sont normalement prévues à la frontière et qui, conformément aux accords internationaux et à la législation nationale en vigueur, sont appliquées d'une manière raisonnable et non discriminatoire répondent aux stipulations du paragraphe 1 de l'article 2, de l'article 5 et de l'article 7.

En ce qui concerne le paragraphe 2 de l'article 2:

Pour la République fédérale d'Allemagne, il est implicitement entendu dans cette clause que, jusqu'à la conclusion des accords prévus par le paragraphe 2 de l'article 2, la réglementation nationale de l'État transitaire sera applicable.

En ce qui concerne le paragraphe 1 de l'article 4 et le paragraphe 1 de l'article 6:

La République fédérale d'Allemagne n'est pas à même d'assumer les obligations prévues par le paragraphe 1 de l'article 4 et le paragraphe 1 de l'article 6. Néanmoins, compte tenu de l'état des transports dans la République fédérale d'Allemagne, il est possible de présumer que des moyens de transport, du matériel de manutention et des installations d'entreposage adéquats pourront être mis à la disposition du commerce de transit. Au cas où néanmoins des difficultés se produiraient, le Gouvernement de la République fédérale d'Allemagne serait disposé à s'efforcer d'y remédier.

En ce qui concerne le paragraphe 2 de l'article 4 et le paragraphe 2 de l'article 6:

(Suite à la p. 114)

FOR FINLAND:
POUR LA FINLANDE:
芬蘭:
За Финляндию:
FOR FINLANDIA:

FOR FRANCE:
POUR LA FRANCE:
法蘭西:
За Францию:
FOR FRANCIA:

FOR GABON:
POUR LE GABON:
加彭:
За Габон:
FOR EL GABÓN:

FOR GHANA:
POUR LE GHANA:
迦納:
За Гану:
FOR GHANA:

(Continued from p. 113)

The Federal Republic of Germany is not in a position to assume obligations as contained in article 4, paragraph 2 and article 6, paragraph 2. The Government of the Federal Republic of Germany is, however, prepared, within the scope of its possibilities, to use its influence as regards tariffs and charges so as to facilitate traffic in transit as much as possible.

(Suite de la page 113)

Le Gouvernement de la République fédérale d'Allemagne n'est pas à même d'assumer les obligations prévues par le paragraphe 2 de l'article 4 et le paragraphe 2 de l'article 6. Le Gouvernement de la République fédérale d'Allemagne est néanmoins disposé, dans la mesure du possible, à user de son influence en matière de tarifs et de taxes pour faciliter au maximum le trafic en transit.

FOR GREECE:
POUR LA GRÈCE:
希臘:
За Грецию:
POR GRECIA:

FOR GUATEMALA:
POUR LE GUATEMALA:
瓜地馬拉:
За Гватемалу:
POR GUATEMALA:

FOR GUINEA:
POUR LA GUINÉE:
幾內亞:
За Гвинею:
POR GUINEA:

FOR HAÏTI:
POUR HAÏTI:
海地:
За Гаити:
POR HAÏTI:

FOR THE HOLY SEE:
POUR LE SAINT-SIÈGE:
教廷:
За Святейший престол:
POR LA SANTA SEDE:

Alberto GIOVANNETTI
December 30, 1965

FOR HONDURAS:
POUR LE HONDURAS:
宏都拉斯:
За Гондурас:
POR HONDURAS:

FOR HUNGARY:
POUR LA HONGRIE:
匈牙利:
За Венгрию:
POR HUNGRIA:

Károly CSATORDAY
December 30, 1965

FOR ICELAND:
POUR L'ISLANDE:
冰島:
За Исландию:
POR ISLANDIA:

FOR INDIA:
POUR L'INDE:
印度:
За Индию:
POR LA INDIA:

FOR INDONESIA:
POUR L'INDONÉSIE:
印度尼西亞:
За Индонезию:
FOR INDONESIA:

FOR IRAN:
POUR L'IRAN:
伊朗:
За Иран:
FOR EL IRÁN:

FOR IRAQ:
POUR L'IRAK:
伊拉克:
За Ирак:
FOR EL IRAK:

FOR IRELAND:
POUR L'IRLANDE:
愛爾蘭:
За Ирландию:
FOR IRLANDA:

FOR ISRAEL:
POUR ISRAËL:
以色列:
За Израиль:
FOR ISRAEL:

FOR ITALY:
POUR L'ITALIE:
義大利:
За Италию:
POR ITALIA:

Piero VINCI
December 31st, 1965¹

FOR THE IVORY COAST:
POUR LA CÔTE-D'IVOIRE:
牙象海岸:
За Берег Слоновой Кости
POR LA COSTA DE MARFIL:

FOR JAMAICA:
POUR LA JAMAÏQUE:
牙買加:
За Ямайку:
POR JAMAICA:

FOR JAPAN:
POUR LE JAPON:
日本:
За Японию:
POR EL JAPÓN:

¹ With the following statement:

[*Translation*] ... The Permanent Representative of Italy wishes to notify the Secretary-General that the Italian Government intends to enter specific reservations to the Convention on depositing its instrument of ratification.

¹ Avec la déclaration suivante:

* ... Le Représentant Permanent de l'Italie désire notifier l'intention du Gouvernement italien de formuler des réserves spécifiques quant à ladite Convention au moment de déposer son instrument de ratification. ♦

FOR JORDAN:
POUR LA JORDANIE:
約旦:
За Иорданию:
FOR JORDANIA:

FOR KENYA:
POUR LE KENYA:
肯亞:
За Кению:
FOR KENIA:

FOR KUWAIT:
POUR LE KOWEÏT:
科威特:
За Кувейт:
FOR KUWAIT:

FOR LAOS:
POUR LE LAOS:
寮國:
За Лаос:
FOR LAOS:

T. KHAMPAN

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩:
За Ливан:
FOR EL LIBANO:

FOR LIBERIA:
POUR LE LIBÉRIA:
賴比瑞亞:
За Либерию:
FOR LIBERIA:

FOR LIBYA:
POUR LA LIBYE:
利比亞:
За Ливию:
FOR LIBIA:

FOR LIECHTENSTEIN:
POUR LE LIECHTENSTEIN:
列支敦斯登:
За Лихтенштейн:
FOR LIECHTENSTEIN:

FOR LUXEMBOURG:
POUR LE LUXEMBOURG:
盧森堡:
За Люксембург:
FOR LUXEMBURGO:

Pierre WURTH
28.12.1965¹

¹ With the following declaration:

[*Translation*] The Government of Luxembourg envisages the possibility, on depositing the instrument of ratification of the Convention on Transit Trade of Land-locked States, of entering a reservation relating to its membership in regional economic unions or common markets.

¹ Avec la déclaration suivante:

* Le Gouvernement luxembourgeois envisage comme une éventualité de formuler lors du dépôt de l'instrument de ratification de la Convention relative au commerce de transit des pays sans littoral une réserve en relation avec son appartenance à des systèmes régionaux d'union économique ou de marché commun. *

FOR MADAGASCAR:
POUR MADAGASCAR:
馬達加斯加:
За Мадагаскар:
POR MADAGASCAR:

FOR MALAWI:
POUR LE MALAWI:
馬拉威:
За Малави:
POR MALAWI:

FOR MALAYSIA:
POUR LA MALAISIE:
馬來亞聯邦:
За Малайскую Федерацию:
POR MALASIA:

FOR MALI:
POUR LE MALI:
馬利:
За Мали:
POR MALI:

FOR MALTA:
POUR MALTE:
馬耳他:
За Мальту:
POR MALTA:

FOR MAURITANIA:
POUR LA MAURITANIE:
茅利塔尼亞:
За Мавританию:
POR MAURITANIA:

FOR MEXICO:
POUR LE MEXIQUE:
墨西哥:
За Мексику:
POR MÉXICO:

FOR MONACO:
POUR MONACO:
摩納哥:
За Монако:
POR MÓNACO:

FOR MONGOLIA:
POUR LA MONGOLIE:
蒙古:
За Монголию:
POR MONGOLIA:

FOR MOROCCO:
POUR LE MAROC:
摩洛哥:
За Марокко:
POR MARRUECOS:

FOR NEPAL:
POUR LE NÉPAL:
尼泊爾:
За Непал:
FOR NEPAL:

Padma Bahadur KHATRI

FOR THE NETHERLANDS:
POUR LES PAYS-BAS:
荷蘭:
За Нидерланды:
FOR LOS PAÍSES BAJOS:

J. G. DE BEUS
December 30, 1965

FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭:
За Новую Зеландию:
FOR NUEVA ZELANDIA:

FOR NICARAGUA:
POUR LE NICARAGUA:
尼加拉瓜:
За Никарагуа:
FOR NICARAGUA:

FOR THE NIGER:
POUR LE NIGER:
奈及爾:
За Нигер:
POR EL NIGER:

FOR NIGERIA:
POUR LA NIGÉRIA:
奈及利亞:
За Нигерию:
POR NIGERIA:

FOR NORWAY:
POUR LA NORVÈGE:
挪威:
За Норвегию:
POR NORUEGA:

FOR PAKISTAN:
POUR LE PAKISTAN:
巴基斯坦:
За Пакистан:
POR EL PAKISTÁN:

FOR PANAMA:
POUR LE PANAMA:
巴拿馬:
За Панаму:
POR PANAMÁ:

FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭:
За Парагвай:
FOR EL PARAGUAY:

Miguel SOLANO LÓPEZ
23 de diciembre de 1965

FOR PERU:
POUR LE PÉROU:
秘魯:
За Перу:
FOR EL PERÚ:

FOR THE PHILIPPINES:
POUR LES PHILIPPINES:
菲律賓:
За Филиппины:
FOR FILIPINAS:

FOR POLAND:
POUR LA POLOGNE:
波蘭:
За Польшу:
FOR POLONIA:

FOR PORTUGAL:
POUR LE PORTUGAL:
葡萄牙:
За Португалию:
POR PORTUGAL:

FOR THE REPUBLIC OF KOREA:
POUR LA RÉPUBLIQUE DE CORÉE:
大韓民國:
За Корейскую Республику:
POR LA REPÚBLICA DE COREA:

FOR THE REPUBLIC OF VIET-NAM:
POUR LA RÉPUBLIQUE DU VIET-NAM:
越南共和國:
За Республику Вьетнам:
POR LA REPÚBLICA DE VIET-NAM:

FOR ROMANIA:
POUR LA ROUMANIE:
羅馬尼亞:
За Румынию:
POR RUMANIA:

FOR RWANDA:
POUR LE RWANDA:
盧安達:
За Руанду:
POR RWANDA:

C. MUDENGE
July 23, 1965

FOR SAN MARINO:
POUR SAINT-MARIN:
聖馬利諾:
За Сан-Марино:
POR SAN MARINO:

Franco FIORIO
23 July 1965

FOR SAUDI ARABIA:
POUR L'ARABIE SAOUDITE:
沙烏地阿拉伯:
За Саудовскую Аравию:
POR ARABIA SAUDITA:

FOR SENEGAL:
POUR LE SÉNÉGAL:
塞內加爾:
За Сенегал:
POR EL SENEGAL:

FOR SIERRA LEONE:
POUR LE SIERRA LEONE:
獅子山:
За Сьерра-Леоне:
POR SIERRA LEONA:

FOR SOMALIA:
POUR LA SOMALIE:
索馬利亞:
За Сомали:
FOR SOMALIA:

FOR SOUTH AFRICA:
POUR L'AFRIQUE DU SUD:
南非:
За Южную Африку:
FOR SUDÁFRICA:

FOR SPAIN:
POUR L'ESPAGNE:
西班牙:
За Испанию:
FOR ESPAÑA:

FOR THE SUDAN:
 POUR LE SOUDAN:
 蘇丹:
 За Судан:
 POR EL SUDÁN:

With reservation* as far as article 2 is concerned. Reservation is attached.¹

Abdul Magid Bashir EL-AHMADI
 11th August 1965

FOR SWEDEN:
 POUR LA SUÈDE:
 瑞典:
 За Швецию:
 POR SUECIA:

**Text of the reservation:*

The Government of the Republic of the Sudan will not consider itself bound by the third sentence of article 2, paragraph 1, of the Convention in respect of the passage across its territory of goods destined to or coming from South Africa or Portugal or goods the ownership of which could be claimed by South Africa or Portugal. The reservation is made in accordance with the spirit of Security Council resolution S/5773, in which the Security Council condemned the *apartheid* policies of the Government of the Republic of South Africa, resolution A/AC.109/124 in which the Special Committee condemned the colonial policy of Portugal and its persistent refusal to carry out the resolutions of the General Assembly, the Security Council and the Special Committee, and resolution CM/Res.6(I) of the Council of Ministers of the Organization of African Unity. The reservations will remain in force pending the ending of the prevailing situation in South Africa and the Portuguese colonies.

Nor will the Republic of the Sudan, as a member of the Arab League, consider itself bound by the same provision in respect of the passage across its territory of goods destined for or coming from Israel.

¹ [Traduction] Avec réserve* à l'article 2. Texte de la réserve joint en annexe.

**Texte de la réserve:*

Le Gouvernement de la République du Soudan ne se considérera pas comme lié par les dispositions de la troisième phrase du paragraphe 1 de l'article 2 de la Convention, s'agissant du passage, à travers son territoire, de marchandises à destination ou en provenance de l'Afrique du Sud ou du Portugal, ou de marchandises dont l'Afrique du Sud ou le Portugal pourraient revendiquer la propriété. La présente réserve est formulée conformément à l'esprit de la résolution S/5773, par laquelle le Conseil de sécurité a condamné la politique d'*apartheid* du Gouvernement de la République sud-africaine, de la résolution A/AC.109/124, par laquelle le Comité spécial a condamné la politique coloniale du Portugal et son refus persistant d'appliquer les résolutions de l'Assemblée générale, du Conseil de sécurité et du Comité spécial, et de la résolution CM/Res. 6 (I) du Conseil des ministres de l'Organisation de l'unité africaine. Cette réserve restera en vigueur aussi longtemps que la situation actuelle en Afrique du Sud et dans les colonies portugaises n'aura pas pris fin.

En tant que membre de la Ligue arabe, la République du Soudan ne se considérera pas davantage comme liée par lesdites dispositions, s'agissant du passage, à travers son territoire, de marchandises à destination ou en provenance d'Israël.

FOR SWITZERLAND:
POUR LA SUISSE:
瑞士:
За Швейцарию:
FOR SUIZA:

Ernesto THALMANN
10 décembre 1965

FOR SYRIA:
POUR LA SYRIE:
叙利亞:
За Сирию:
FOR SIRIA:

FOR THAILAND:
POUR LA THAÏLANDE:
泰國:
За Таиланд:
FOR TAILANDIA:

FOR TOGO:
POUR LE TOGO:
多哥:
За Того:
FOR EL TOGO:

FOR TRINIDAD AND TOBAGO:
POUR LA TRINITÉ ET TOBAGO:
千里達及托貝哥:
За Тринидад и Тобаго:
POR TRINIDAD Y TABAGO:

FOR TUNISIA:
POUR LA TUNISIE:
突尼西亞:
За Тунис:
POR TÚNEZ:

FOR TURKEY:
POUR LA TURQUIE:
土耳其:
За Турцию:
POR TURQUÍA:

FOR UGANDA:
POUR L'UGANDA:
烏干達:
За Уганду:
POR UGANDA:

Apollo K. KIRONDE
21 December 1965

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAÏNE:

烏克蘭蘇維埃社會主義共和國:

За Украинскую Советскую Социалистическую Республику:

POUR LA RÉPUBLIQUE SOCIALISTA SOVIÉTIQUE DE UCRAÏNE:

С оговоркой следующего содержания:¹

« Правительство Украинской Советской Социалистической Республики считает для себя обязательными положения статьи 16 Конвенции о транзитной торговле внутриконтинентальных госу-

¹ [Translation] With the following reservation:

The Government of the Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land-locked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

S. SHEVCHENKO
31 December 1965

The following statement was also made upon signature:

¹ [Traduction] Avec la réserve suivante:

Le Gouvernement de la République socialiste soviétique d'Ukraine ne se considère pas comme lié par les dispositions de l'article 16 de la Convention sur le commerce de transit des pays sans littoral, prévoyant que les membres de la commission d'arbitrage pourront être nommés par le Président de la Cour internationale de Justice, et déclare que la désignation des membres de la commission d'arbitrage par le Président de la Cour internationale de Justice exige dans chaque cas l'accord des parties au différend.

S. CHEVCHENKO
31 décembre 1965

La déclaration suivante a en outre été formulée au moment de la signature:

[UKRAINIAN TEXT — TEXTE UKRAÏNIEN]

« Украинская Советская Социалистическая Республика считает необходимым указать на дискриминационный характер статей 17, 19, 22 и 23 Конвенции, согласно которым ряд государств лишен возможности стать участником этой Конвенции. Конвенция регулирует вопросы, затрагивающие интересы всех государств, и поэтому она должна быть открыта для участия всех государств. В соответствии с принципом суверенного равенства никакие государства не имеют права отстранять другие государства от участия в подобного рода Конвенции ».

[Translation] The Ukrainian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention, under which a number of States are deprived of the opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

[Traduction] La République socialiste soviétique d'Ukraine tient à souligner le caractère discriminatoire des articles 17, 19, 22 et 23 de la Convention, qui privent une série d'États de la possibilité d'adhérer à celle-ci. La Convention règle des questions qui touchent aux intérêts de tous les États et doit donc être ouverte à l'adhésion de tous les États. Conformément au principe de l'égalité des États souverains, aucun État n'a le droit d'empêcher un autre État d'adhérer à une convention de ce genre.

дарств, предусматривающей, что члены арбитражной комиссии могут назначаться Председателем Международного Суда, и заявляет, что для назначения членов арбитражной комиссии Председателем Международного Суда необходимо в каждом отдельном случае согласие спорящих государств ».

С. ШЕВЧЕНКО

31 декабря 1965 года

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:

蘇維埃社會主義共和國聯邦:

За Союз Советских Социалистических Республик:

FOR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

С оговоркой следующего содержания:¹

« Правительство Союза Советских Социалистических Республик считает для себя необязательными положения статьи 16 Конвенции о транзитной торговле внутриконтинентальных государств, предусматривающей, что члены арбитражной комиссии могут назначаться Председателем Международного Суда, и заявляет, что для назначения членов арбитражной комиссии Председателем Международного Суда необходимо в каждом отдельном случае согласие спорящих государств ».

Н. ФЕДОРЕНКО

28 декабря 1965 года

¹ [Translation] With the following reservation:

The Government of the Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land-locked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

N. FEDORENKO
28 December 1965
(Continued on p. 134)

¹ [Traduction] Avec la réserve suivante:

Le Gouvernement de l'Union des Républiques socialistes soviétiques ne se considère pas comme lié par les dispositions de l'article 16 de la Convention sur le commerce de transit des pays sans littoral prévoyant que les membres de la commission d'arbitrage pourront être nommés par le Président de la Cour internationale de Justice et déclare que la désignation des membres de la commission d'arbitrage par le Président de la Cour internationale de Justice exige dans chaque cas l'accord des parties au différend.

N. FEDORENKO
28 décembre 1965
(Suite à la p. 134)

FOR THE UNITED ARAB REPUBLIC:
POUR LA RÉPUBLIQUE ARABE UNIE:
阿拉伯聯合共和國:
За Объединенную Арабскую Республику:
FOR LA REPÚBLICA ARABE UNIDA:

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國:
За Соединенное Королевство Великобритании и Северной Ирландии:
FOR EL REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE:

FOR THE UNITED REPUBLIC OF TANZANIA:
POUR LA RÉPUBLIQUE-UNIE DE TANZANIE:
坦尚尼亞聯合共和國:
За Объединенную Республику Танзания:
FOR LA REPÚBLICA UNIDA DE TANZANIA:

(Continued from p. 133)

The following statement was also made upon signature :

(Suite de la p. 133)

La déclaration suivante a en outre été formulée au moment de la signature :

[RUSSIAN TEXT — TEXTE RUSSE]

« Союз Советских Социалистических Республик считает необходимым указать на дискриминационный характер статей 17, 19, 22 и 23 Конвенции, согласно которым ряд государств лишен возможности стать участниками этой Конвенции. Конвенция регулирует вопросы, затрагивающие интересы всех государств, и поэтому она должна быть открыта для участия всех государств. В соответствии с принципом суверенного равенства никакие государства не имеют права отстранять другие государства от участия в подобного рода Конвенции ».

[Translation] The Union of Soviet Socialist Republics considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention, under which a number of States are deprived of the opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

[Traduction] L'Union des Républiques socialistes soviétiques juge nécessaire de souligner le caractère discriminatoire des articles 17, 19, 22 et 23 de la Convention, qui privent une série d'États de la possibilité d'adhérer à celle-ci. La Convention règle des questions ayant des incidences sur les intérêts de tous les États et, partant, doit rester ouverte à l'adhésion de tout État. Conformément au principe de l'égalité des États souverains, aucun État n'est habilité à empêcher un autre État d'adhérer à une Convention de ce genre.

FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMÉRIQUE:
美利堅合衆國:
За Соединенные Штаты Америки:
FOR LOS ESTADOS UNIDOS DE AMÉRICA:

Charles W. Yost
December 30, 1965

FOR THE UPPER VOLTA:
POUR LA HAUTE-VOLTA:
上伏塔:
За Верхнюю Вольту:
FOR EL ALTO VOLTA:

FOR URUGUAY:
POUR L'URUGUAY:
烏拉圭:
За Уругвай:
FOR EL URUGUAY:

FOR VENEZUELA:
POUR LE VENEZUELA:
委內瑞拉:
За Венесуэлу:
FOR VENEZUELA:

FOR WESTERN SAMOA:
POUR LE SAMOA-OCCIDENTAL:
西薩摩亞:
За Западное Самоа:
FOR SAMOA OCCIDENTAL:

FOR YEMEN:
POUR LE YÉMEN:
也門:
За Йемен:
FOR EL YEMEN:

FOR YUGOSLAVIA:
POUR LA YOUGOSLAVIE:
南斯拉夫:
За Югославию:
FOR YUGOSLAVIA:

A. JELIĆ

FOR ZAMBIA:
POUR LA ZAMBIE:
尚比亞:
За Замбию:
FOR ZAMBIA:

F. M. MULIKITA
23rd December 1965

DECLARATION AND RESERVATION DÉCLARATION ET RÉSERVE FAITES
MADE UPON RATIFICATION AU MOMENT DE LA RATIFICATION

MONGOLIA — MONGOLIE

[MONGOLIAN TEXT — TEXTE MONGOL]

Бүгд Найрамдах Монгол Ард Улсын Засгийн газар далайд гарцгүй улсуудын транзит худалдааны тухай Конвенцийн 16-р зүйлд маргаан таслах Комиссын гишүүдийг олон улсын шүүхийн дарга томилж байна гэж заасныг өөртөө үл хамаарна хэмээн үзэж байгаа бөгөөд маргаан таслах Комиссын гишүүдийг зөвхөн маргагч этгээдүүдийн зөвшөөрснөөр томилох ёстой гэж үзэж байна.

Энэхүү Конвенцийн 17, 19, 22 ба 23-р зүйлүүдийн заалт нь зарим улсуудаас түүнд оролцох боломжийг тгүүсгэж ялгаварлан гадуурхах шинж чанарыг агуулж байгааг Бүгд Найрамдах Монгол Ард Улсын Гадаад Явдлын Яам заан тэмдэглэж, тус Конвенц нь улс бүхэнд хамаарагдах асуудлыг хамарч байгаа тул бүх улсуудаас түүнд оролцох явдалд нээлттэй байх ёстой гэж үзэж байгаагаас бас мэдэгдэж байна.

[TRANSLATION] The Government of the Mongolian People's Republic deems it essential to draw attention to the discriminatory nature of the provisions of articles 17, 19, 22 and 23 of the Convention, under which a number of States are excluded from participating in this Convention. The Convention deals with matters of interest to all States and should therefore be open for participation by all States.

The Government of the Mongolian People's Republic does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land-locked States under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that the appointment of members of the arbitration commission should be made only with the consent of all the parties to the dispute.

[TRADUCTION] Le Gouvernement de la République populaire mongole juge essentiel d'appeler l'attention sur le caractère discriminatoire des dispositions des articles 17, 19, 22 et 23 de la Convention, en vertu desquels un certain nombre d'États ne sont pas admis à participer à cette Convention. La Convention traite de questions intéressant tous les États et devrait donc être ouverte à la participation de tous les États.

Le Gouvernement de la République populaire mongole ne se considère pas lié par les dispositions de l'article 16 de la Convention relative au commerce de transit des États sans littoral, en vertu duquel des membres de la Commission d'arbitrage peuvent être nommés par le Président de la Cour internationale de Justice, et il déclare que les membres de cette commission ne devraient être nommés qu'avec le consentement de toutes les parties au différend.