

## **International Convention against the Taking of Hostages** *(New York, 17 December 1979)*

### **OBJECTIVES**

The objective of the Convention is to develop international cooperation between States in devising and adopting effective measures for the prevention, prosecution and punishment of all acts of taking hostages as manifestations of international terrorism.

### **KEY PROVISIONS**

The act of hostage-taking for the purposes of the Convention refers to any person who seizes or detains and threatens to kill, to injure or to continue to detain a hostage in order to compel a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage. Any person also commits such an offence if that person attempts to commit an offence as set forth above or participates as an accomplice of anyone who commits or attempts to commit an act of hostage-taking.

Each State party is required to make this offence punishable by appropriate penalties. Where hostages are held in the territory of a State party, the State party is obliged to take all measures it considers appropriate to ease the situation of the hostages and secure their release. After the release of the hostages, the State party is also required to facilitate the departure of the hostages. State parties are additionally obliged to cooperate with each other in the prevention of acts of hostage-taking.

Each State party is obligated to take such actions as may be necessary to establish jurisdiction over the offence of hostage-taking as set forth above. States parties are also required to take alleged offenders into custody, prosecute or extradite alleged offenders, cooperate in preventive measures, and exchange information and evidence needed in related criminal proceedings. The offences referred to in the Convention are deemed to be extraditable offences between States parties under existing extradition treaties, and under the Convention itself.

### **ENTRY INTO FORCE**

The Convention entered into force on 3 June 1983, the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twenty-second instrument of ratification or accession (article 18).

### **HOW TO BECOME A PARTY TO THE CONVENTION**

The Convention is closed for signature. It is subject to ratification by signatory States. The Convention is open to accession by any State (article 17).

### **OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS**

The State party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations (article 7).

***RESERVATIONS***

The Convention is silent with regard to reservations. States may declare that they do not consider themselves bound by article 16(1), according to which disputes among States parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 16).

***WITHDRAWAL/DENUNCIATION***

Any State party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall take effect one year following the date on which the notification is received by the Secretary-General (article 19).