12. a) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

New York, 15 November 2000

ENTRY INTO FORCE: 25 December 2003, in accordance with article 17 which reads as follows: "1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization. 2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.".

REGISTRATION: 25 December 2003, No. 39574.

STATUS: Signatories: 117. Parties: 185.

TEXT: United Nations, *Treaty Series*, vol. 2237, p. 319; Doc. A/55/383.

Note: The Protocol was adopted by resolution A/RES/55/25 of 15 November 2000 at the fifty-fifth session of the General Assembly of the United Nations. In accordance with its article 16, the Protocol will be open for signature by all States and by regional economic integration organizations, provided that at least one Member State of such organization has signed the Protocol, from 12 to 15 December 2000 at the Palazzi di Giustizia in Palermo, Italy, and thereafter at United Nations Headquarters in New York until 12 December 2002.

Participant	*Signature*	*Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)*
Afghanistan		15 Aug 2014 a
Albania	12 Dec 2000	21 Aug 2002
Algeria	6 Jun 2001	9 Mar 2004
Andorra		21 Sep 2022 a
Angola		19 Sep 2014 a
Antigua and Barbuda		17 Feb 2010
Argentina	12 Dec 2000	19 Nov 2002
Armenia	15 Nov 2001	1 Jul 2003
Australia	11 Dec 2002	14 Sep 2005
Austria	12 Dec 2000	15 Sep 2005
Azerbaijan	12 Dec 2000	30 Oct 2003
Bahamas (The)	9 Apr 2001	26 Sep 2008
Bahrain		7 Jun 2004 a
Bangladesh		12 Sep 2019 a
Barbados	26 Sep 2001	11 Nov 2014
Belarus	14 Dec 2000	25 Jun 2003
Belgium	12 Dec 2000	11 Aug 2004
Belize		26 Sep 2003 a
Benin	13 Dec 2000	30 Aug 2004
Bhutan		20 Feb 2023 a
Bolivia (Plurinational State of)	12 Dec 2000	18 May 2006
Bosnia and Herzegovina	12 Dec 2000	24 Apr 2002
Botswana	10 Apr 2002	29 Aug 2002
Brazil	12 Dec 2000	29 Jan 2004
Brunei Darussalam		30 Mar 2020 a
Bulgaria	13 Dec 2000	5 Dec 2001
Burkina Faso	15 Dec 2000	15 May 2002
Burundi	14 Dec 2000	24 May 2012
Cabo Verde	13 Dec 2000	15 Jul 2004
Cambodia	11 Nov 2001	2 Jul 2007
Cameroon	13 Dec 2000	6 Feb 2006
Canada	14 Dec 2000	13 May 2002
Central African Republic		6 Oct 2006 a
Chad		18 Aug 2009 a
Chile	8 Aug 2002	29 Nov 2004
China[1]		8 Feb 2010 a

Participant	*Signature*	*Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)*
Colombia	12 Dec 2000	4 Aug 2004
Comoros		23 Jun 2020 a
Congo	14 Dec 2000	
Costa Rica	16 Mar 2001	9 Sep 2003
Côte d'Ivoire		25 Oct 2012 a
Croatia	12 Dec 2000	24 Jan 2003
Cuba		20 Jun 2013 a
Cyprus	12 Dec 2000	6 Aug 2003
Czech Republic	10 Dec 2002	17 Dec 2014
Democratic Republic of the Congo		28 Oct 2005 a
Denmark[2]	12 Dec 2000	30 Sep 2003
Djibouti		20 Apr 2005 a
Dominica		17 May 2013 a
Dominican Republic	15 Dec 2000	5 Feb 2008
Ecuador	13 Dec 2000	17 Sep 2002
Egypt	1 May 2002	5 Mar 2004
El Salvador	15 Aug 2002	18 Mar 2004
Equatorial Guinea	14 Dec 2000	7 Feb 2003
Eritrea		25 Sep 2014 a
Estonia	20 Sep 2002	12 May 2004
Eswatini	8 Jan 2001	24 Sep 2012
Ethiopia		22 Jun 2012 a
European Union	12 Dec 2000	6 Sep 2006 AA
Fiji		19 Sep 2017 a
Finland	12 Dec 2000	7 Sep 2006 A
France	12 Dec 2000	29 Oct 2002
Gabon		22 Sep 2010 a
Gambia	14 Dec 2000	5 May 2003
Georgia	13 Dec 2000	5 Sep 2006
Germany	12 Dec 2000	14 Jun 2006
Ghana		21 Aug 2012 a
Greece	13 Dec 2000	11 Jan 2011
Grenada		21 May 2004 a
Guatemala		1 Apr 2004 a
Guinea		9 Nov 2004 a
Guinea-Bissau	14 Dec 2000	10 Sep 2007
Guyana		14 Sep 2004 a
Haiti	13 Dec 2000	19 Apr 2011
Honduras		1 Apr 2008 a
Hungary	14 Dec 2000	22 Dec 2006
Iceland	13 Dec 2000	22 Jun 2010
India	12 Dec 2002	5 May 2011
Indonesia	12 Dec 2000	28 Sep 2009
Iraq		9 Feb 2009 a
Ireland	13 Dec 2000	17 Jun 2010
Israel	14 Nov 2001	23 Jul 2008
Italy	12 Dec 2000	2 Aug 2006
Jamaica	13 Feb 2002	29 Sep 2003
Japan	9 Dec 2002	11 Jul 2017 A
Jordan		11 Jun 2009 a
Kazakhstan		31 Jul 2008 a
Kenya		5 Jan 2005 a
Kiribati		15 Sep 2005 a
Kuwait		12 May 2006 a
Kyrgyzstan	13 Dec 2000	2 Oct 2003
Lao People's Democratic Republic		26 Sep 2003 a
Latvia	10 Dec 2002	25 May 2004
Lebanon	9 Dec 2002	5 Oct 2005
Lesotho	14 Dec 2000	24 Sep 2003
Liberia		22 Sep 2004 a
Libya	13 Nov 2001	24 Sep 2004
Liechtenstein	14 Mar 2001	20 Feb 2008
Lithuania	25 Apr 2002	23 Jun 2003
Luxembourg	13 Dec 2000	20 Apr 2009
Madagascar	14 Dec 2000	15 Sep 2005
Malawi		17 Mar 2005 a
Malaysia		26 Feb 2009 a
Maldives		14 Sep 2016 a
Mali	15 Dec 2000	12 Apr 2002
Malta	14 Dec 2000	24 Sep 2003
Marshall Islands		17 Apr 2025 a
Mauritania		22 Jul 2005 a
Mauritius		24 Sep 2003 a
Mexico	13 Dec 2000	4 Mar 2003
Micronesia (Federated States of)		2 Nov 2011 a
Monaco	13 Dec 2000	5 Jun 2001
Mongolia		27 Jun 2008 a
Montenegro[3]		23 Oct 2006 d
Morocco		25 Apr 2011 a
Mozambique	15 Dec 2000	20 Sep 2006
Myanmar		30 Mar 2004 a
Namibia	13 Dec 2000	16 Aug 2002

Participant	*Signature*	*Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)*
Naoero	12 Nov 2001	12 Jul 2012
Nepal		16 Jun 2020 a
Netherlands (Kingdom of the)[4]	12 Dec 2000	27 Jul 2005 A
New Zealand[5]	14 Dec 2000	19 Jul 2002
Nicaragua		12 Oct 2004 a
Niger	21 Aug 2001	30 Sep 2004
Nigeria	13 Dec 2000	28 Jun 2001
North Macedonia	12 Dec 2000	12 Jan 2005
Norway	13 Dec 2000	23 Sep 2003
Oman		13 May 2005 a
Pakistan		4 Nov 2022 a
Palau		27 May 2019 a
Panama	13 Dec 2000	18 Aug 2004
Paraguay	12 Dec 2000	22 Sep 2004
Peru	14 Dec 2000	23 Jan 2002
Philippines	14 Dec 2000	28 May 2002
Poland	4 Oct 2001	26 Sep 2003
Portugal	12 Dec 2000	10 May 2004
Qatar		29 May 2009 a
Republic of Korea	13 Dec 2000	5 Nov 2015
Republic of Moldova	14 Dec 2000	16 Sep 2005
Romania	14 Dec 2000	4 Dec 2002
Russian Federation	12 Dec 2000	26 May 2004
Rwanda	14 Dec 2000	26 Sep 2003
San Marino	14 Dec 2000	20 Jul 2010
Sao Tome and Principe		23 Aug 2006 a
Saudi Arabia	10 Dec 2002	20 Jul 2007
Senegal	13 Dec 2000	27 Oct 2003
Serbia	12 Dec 2000	6 Sep 2001
Seychelles	22 Jul 2002	22 Jun 2004
Sierra Leone	27 Nov 2001	12 Aug 2014
Singapore		28 Sep 2015 a
Slovakia	15 Nov 2001	21 Sep 2004
Slovenia	15 Nov 2001	21 May 2004
Somalia		25 Mar 2025 a
South Africa	14 Dec 2000	20 Feb 2004
South Sudan		9 Apr 2025 a
Spain	13 Dec 2000	1 Mar 2002
Sri Lanka	13 Dec 2000	15 Jun 2015
St. Kitts and Nevis		21 May 2004 a
St. Lucia		16 Jul 2013 a
St. Vincent and the Grenadines	20 Nov 2002	29 Oct 2010
State of Palestine		29 Dec 2017 a
Sudan		2 Dec 2014 a
Suriname		25 May 2007 a
Sweden	12 Dec 2000	1 Jul 2004
Switzerland	2 Apr 2002	27 Oct 2006
Syrian Arab Republic	13 Dec 2000	8 Apr 2009
Tajikistan		8 Jul 2002 a
Thailand	18 Dec 2001	17 Oct 2013
Timor-Leste		9 Nov 2009 a
Togo	12 Dec 2000	8 May 2009
Trinidad and Tobago	26 Sep 2001	6 Nov 2007
Tunisia	13 Dec 2000	14 Jul 2003
Türkiye	13 Dec 2000	25 Mar 2003
Turkmenistan		28 Mar 2005 a
Uganda	12 Dec 2000	27 Mar 2024
Ukraine[6,7]	15 Nov 2001	21 May 2004
United Arab Emirates		21 Jan 2009 a
United Kingdom of Great Britain and Northern Ireland	14 Dec 2000	9 Feb 2006
United Republic of Tanzania	13 Dec 2000	24 May 2006
United States of America	13 Dec 2000	3 Nov 2005
Uruguay	13 Dec 2000	4 Mar 2005
Uzbekistan	28 Jun 2001	12 Aug 2008
Venezuela (Bolivarian Republic of)	14 Dec 2000	13 May 2002
Viet Nam		8 Jun 2012 a
Zambia		24 Apr 2005 a
Zimbabwe		13 Dec 2013 a

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)

ALGERIA

The Government of the Algerian People's Democratic Republic does not consider itself bound by the provisions of article 15, paragraph 2, of this Protocol, which provides that any dispute between two or more States concerning the interpretation or application of the said Protocol that cannot be settled through negotiation shall, at the request of one of those States, be submitted to arbitration or referred to the International Court of Justice.

The Government of the Algerian People's Democratic Republic believes that any dispute of this kind can only be submitted to arbitration or referred to the International Court of Justice with the consent of all parties to the dispute.

Ratification of this Protocol by the Algerian People's Democratic Republic in no way signifies recognition of Israel.

Such ratification cannot be construed as leading to the establishment of any kind of relations with Israel.

ANDORRA

The Principality of Andorra considers that any dispute [concerning the interpretation or application of the Protocol] can only be submitted to arbitration or referred to the International Court of Justice with the consent of all parties to the dispute.

AUSTRALIA

"The Government of Australia hereby declares that nothing in the Protocol shall be seen to be imposing obligations on Australia to admit or retain within its borders persons in respect of whom Australia would not otherwise have an obligation to admit or retain within its borders."

AZERBAIJAN

"The Republic of Azerbaijan declares that it is unable to guarantee the application of the provisions of the Protocol in the territories occupied by the Republic of Armenia until these territories are liberated from that occupation."

"In accordance with paragraph 3 of Article 15 of the Protocol, the Republic of Azerbaijan declares that it does not consider itself bound by paragraph 2 of Article 15."

BAHAMAS (THE)

“In accordance with Article 15 paragraph 3, the Commonwealth of The Bahamas enters a specific reservation to the procedure established under Article 15 paragraph 2 of the Protocol on the basis that referral of a dispute concerning the application or interpretation of the provisions of the Protocol to arbitration or to the International Court of Justice must be by consent of all the parties to the dispute.”

BAHRAIN

“... the Kingdom of Bahrain does not consider itself bound by paragraph 2 of article 15 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.”

BANGLADESH

“… subject to a Reservation to paragraph 2 of Article 15 of the Protocol.”

BELGIUM

Declaration:

The French, Flemish and German-speaking Communities and the Regions of Wallonia, Flanders and Brussels-Capital are also bound by this signature.

BHUTAN

“The Kingdom of Bhutan does not consider itself bound by … Article 15, paragraph 2 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime.”

BOLIVIA (PLURINATIONAL STATE OF)

The Republic of Bolivia declares that it does not consider itself bound by the provisions of paragraph 2 of article 15, which deals with the settlement of disputes concerning this Protocol.

CHINA

The People’s Republic of China shall not be bound by paragraph 2 of Article 15 of the Protocol.

Unless otherwise notified by the Government, the Protocol shall not apply to the Hong Kong Special Administrative Region of the People’s Republic of China.

COLOMBIA

In accordance with article 15, paragraph 3, of the Protocol, Colombia declares that it does not consider itself bound by paragraph 2 of that article.

CUBA

The Republic of Cuba declares that, in accordance with the provisions of Article 15, paragraph 3 of the Protocol, it does not consider itself bound by the provisions of paragraph 2 of that Article.

ECUADOR

Exercising the powers referred to in article 15, paragraph 3, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Government of Ecuador makes a reservation with regard to article 15, paragraph 2, relating to the settlement of disputes.

EL SALVADOR

Reservation:

The Government of the Republic of El Salvador does not consider itself bound by paragraph 2 of article 15, inasmuch as it does not recognize the compulsory jurisdiction of the International Court of Justice.

Reservation:

With respect to the provisions of article 15, paragraph 3, the Government of the Republic of El Salvador declares that it does not consider itself bound by article 15, paragraph 2, inasmuch as it does not recognize the compulsory jurisdiction of the International Court of Justice.

ERITREA

“The State of Eritrea declares that it does not consider itself bound by the provisions of paragraph 2 of article 15, which deals with the settlement of disputes concerning this Protocol.”

ETHIOPIA

Ethiopia does not accept the jurisdiction of the International Court of Justice which is provided under Article 15(2) of the said Protocol.

EUROPEAN UNION

“Information on the modifications to the competences of the European Union with regard to the United Nations Convention against Transnational Organised Crime and the Protocols thereto following the Lisbon Treaty

This information concerns the modifications to the competences of the European Union ('EU' or 'Union') with regard to matters governed by the United Nations Convention against Transnational Organised Crime (UNTOC) and the Protocols thereto[1] since the entry into force of the Treaty of Lisbon[2].

With the entry into force of the Treaty of Lisbon, the powers of the European Union that succeeded the European Community have changed. This change creates the legal obligation to inform the depositary of the new competences and to specify the scope and extent of the EC (now EU) competences, pursuant to Article 36(3) UNTOC, Article 21(3) of the Protocol against Migrant Smuggling, and Article 16(3) of the Protocol against Trafficking in Persons. The information contained below supplements the information contained in the notification of 8 March 2010 to the Secretary-General of the United Nations, in his capacity as depositary of the UN conventions.[3]

Notably, the UNTOC and its Protocols are mixed competence agreements. They contain provisions that fall both within exclusive competence of the EU and within shared competence jointly together with EU Member States.

The EU acquired new competences under Title V of the Treaty of the Functioning of the European Union (Articles 82 and 83 TFEU). These new competences comprise important aspects of judicial cooperation in criminal matters (including mutual recognition of judicial decisions between EU Member States) and of police cooperation (Articles 87(2) and (3), and 89 TFEU). As regards substantive criminal law, competences under Article 83(1) TFEU extend to particularly serious crime with a cross-border dimension, including terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime. The EU has exercised its competence by legislating in most of these policy areas, but also other policy areas that are relevant to the Convention and its Protocols, including in relation to smuggling of migrants, environmental crimes and the freezing and confiscation of assets. Furthermore, the EU has established bodies responsible for investigating, prosecuting crimes against the Union's financial interests.

The Union notes that it has also competence to counter fraud and any other illegal activities affecting the financial interests of the Union (Article 325 of the Treaty on the Functioning of the European Union, and in relation to criminal matters, Article 83(2) TFEU), including in questions relating to anti-corruption. It has exercised its competence in this area, notably with the establishment of the European Anti-Fraud Office, and the adoption of detailed rules on aspects of the fight against illegal activities affecting the financial interests of the Union.

The Union has also acquired the competence to establish the European Public Prosecutor's Office (EPPO) (Article 86 TFEU). Established with Regulation (EU) 2017/1939[4], the EPPO is competent to investigate, prosecute and bring to judgment the perpetrators of, and accomplices to, criminal offences affecting the Union's financial interests, notably money laundering involving property derivedfrom such offences, fraud affecting the Union's financial interests, corruption that damages or is likely to damage the Union's financial interests, and misappropriation that damages such interests[5]. The EPPO is also competent for offences regarding participation in a criminal organisation as defined in Framework Decision 2008/841/JHA[6], as implemented in national law, if the focus of the criminal activity of such a criminal organisation is to commit any of the above-mentioned offences affecting the Union's financial interests.

In the areas mentioned above, it is for the Union alone to enter into international agreements with other countries or competent international organisations if such undertakings were to affect common rules or alter their scope.

In the sphere of development cooperation, the European Union has competence to carry out activities and conduct a common policy. This includes support to partner countries in the ratification and implementation of the United Nations Convention against Transnational Organised Crime (UNTOC) and the use of provisions to combat cross-border crime in agreements with partner countries. The exercise of this competence shall not prevent Member States from exercising their competences. The Union's development cooperation policy and that of the Member States complement and reinforce each other."

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[1] As far as the Protocol on Firearms is concerned, a new Declaration of Competence is not required. The EU does not need to modify the declaration in light of the revision of Directive 921/477/EEC on control of the acquisition and possession of weapons: Directive (EU) 2017/853 of 17 May 2017 amending Directive 91/477/EEC on control of the acquisition and possession of weapons, OJ L 137/22 of 24.5.2017. The text of the current declaration is still correct, as it does not refer to specific EU legislation and thus capturing the new Directive: '[t]he European Union has exclusive competence […] as regards provisions of the agreement which may affect or alter the scope of common rules adopted by the European Union'. It has 'adopted rules as regards notably the fight against illicit manufacturing of and trafficking in firearms, regulating standards and procedures on commercial policy of the Member States concerning in particular record keeping, marking of firearms, deactivation of firearms, requirements for exports, import and transit licensing authorisation systems strengthening of controls at export point and brokering activities.'

[2] The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (OJ C 306, 17.12.2007), entered into force on 1 December 2009 (https://www.europarl.europa.eu/factsheets/en/sheet/5/the-treaty-of-lisbon).

[3] https://treaties.un.org/pages/historicalinfo.aspx#European Union

[4] Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), OJ L 283, 31.10.2017, p. 1-71.

[5] The EPPO became operational on 1 June 2021, when it assumed its investigative and prosecutorial tasks, in accordance with Article 120(2) of Regulation (EU) 2017/1939.

[6] Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime, OJ L 300, 11.11.2008, p. 42.

"Article 16 (3) of the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, provides that the instrument of ratification, acceptance or approval of a regional economic integration organisation shall contain a declaration specifying the matters governed by the Protocol in respect of which competence has been transferred to the organisation by its Member States which are Parties to the Protocol.

The Protocol to prevent, suppress and punish trafficking in persons, especially women and children,

shall apply, with regard to the competences transferred to the European Community, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, in particular Article 299 thereof and the Protocols annexed to it.

This declaration is without prejudice to the position of the United Kingdom and Ireland under the Protocol integrating the Schengen acquis into the framework of the European Union and under the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and the Treaty establishing the European Community.

This declaration is equally without prejudice to the position of Denmark under the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community.

Pursuant to Article 299, this declaration is also not applicable to the territories of the Member States in which the said Treaty does not apply and is without prejudice to such acts or positions as may be adopted under the Protocol by the Member States concerned on behalf of and in the interests of those territories. In accordance with the provision referred to above, this declaration indicates the competence that the Member States have transferred to the Community under the Treaties in matters governed by the Protocol. The scope and the exercise of such Community competence are, by their nature, subject to continuous development as the Community further adopts relevant rules and regulations, and the Community will complete or amend this declaration, if necessary, in accordance with Article 16 (3) of the Protocol.

The Community points out that it has competence with regard to the crossing of external borders of the Member States, regulating standards and procedures when carrying out checks on persons at such borders and rules on visas for intended stays of no more than three months.

The Community is also competent for measures on immigration policy regarding conditions of entry and residence and measures to counter illegal immigration and illegal residence, including repatriation of illegal residents. Moreover, it can take measures to ensure cooperation between the relevant departments of the administrations of the Member States, as well as between those departments and the Commission, in the aforementioned areas. In these fields the Community has adopted rules and regulations and, where it has done so, it is hence solely for the Community to enter into external undertakings with third States or competent international organisations.

In addition, Community policy in the sphere of development cooperation complements policies pursued by Member States and includes provisions to prevent and combat trafficking in persons."

FIJI

"Fiji reserves waiving its sovereign rights and declares that it does not consider itself bound by the provisions of paragraph 2 of article 15."

GREECE

"The Greek State ratifies Article 13 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, ... without prejudice to Articles 9A of the Constitution, 19(3) of the Constitution, 8(1) of the European Convention on Human Rights, 436-457 of the Code of Criminal Procedure and 352B of the Criminal Code, as added by Article Second (12) of Law 3625/2007 (Government Gazette 290A), Law 2472/1997, as amended by Articles 8 of Law 2819/2000 (Government Gazette 84A), 10 of Law 3090/2002 (Government Gazette 329A) and Eighth of Law 3625/2007, Law 3471/2006 (Government Gazette 133A) and Presidential Decree 47/2005 (Government Gazette 64A)."

INDONESIA

"..., the Government of the Republic of Indonesia declares that the provisions of Article 5 paragraph (2) Sub-paragraph c of the Protocol will have to be implemented in strict compliance with the principle of the sovereignty and territorial integrity of a state;"

"..., the Government of the Republic of Indonesia conveys her reservation not to be bound by the provision of Article 15 (2) and takes the position that dispute[s] relating to the interpretation and application on the Protocol which have not been settled through the channel provided for in Paragraph (1) of the said Article, may be referred to the International Court of Justice only with the concern of all Parties to the dispute;"

LAO PEOPLE'S DEMOCRATIC REPUBLIC

"In accordance with paragraph 3, Article 15 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, the Lao People's Democratic Republic does not consider itself bound by paragraph 2, Article 15 of the present Protocol. The Lao People's Democratic Republic declares that to refer a dispute relating to interpretation and application of the present Protocol to arbitration or [the] International Court of Justice, the agreement of all parties concerned in the dispute is necessary."

LITHUANIA[8]

...

MALAWI

"The Government of the Republic of Malawi in its efforts to curb and stamp out offences related to trafficking in persons especially women and children has embarked upon various social and legal reforms to incorporate obligations emanating from this Protocol (Article 16 (4)).

Further, declares expressly its acceptance of Article 15 (2) on settlement of disputes concerning interpretation and application of this Protocol.

The Competent Authority charged with the responsibility of coordinating and rendering of mutual legal assistance is:

The Principal Secretary
Ministry of Home Affairs and Internal Security
Private Bag 331, Lilongwe 3. MALAWI
Fax: 265 1 789509 Tel: 265 1 789 177
The Official Language of communication is English."

MALAYSIA

"1. (a) Pursuant to Article 15, paragraph 3 of the Protocol, the Government of Malaysia declares that it does not consider itself bound by Article 15, paragraph 2 of the Protocol ; and

(b) the Government of Malaysia reserves the right specifically to agree in a particular case to follow the arbitration procedure set forth in Article 15, paragraph 2 of the Protocol or any other procedure for arbitration."

MICRONESIA (FEDERATED STATES OF)

"In accordance with Article 15, paragraph 3, the Federated States of Micronesia declares that it does not consider itself bound by Article 15 paragraph 2 of the Protocol."

MYANMAR

"The Government of the Union of Myanmar wishes to express reservation on Article 15 and does not consider itself bound by obligations to refer disputes relating to the interpretation or application of this Protocol to the International Court of Justice."

NEPAL

"In accordance with Article 15 (3), the Government of Nepal declares that it does not consider itself bound by the obligation set forth in Article 15 (2)."

PAKISTAN

"1. In accordance with paragraph 3 of Article 15, the Government of Islamic Republic of Pakistan declares that it does not considers itself bound by the obligation set forth in paragraph 2 of Article 15.

2. The Government of Islamic Republic of Pakistan hereby declares that nothing in the Protocol shall be seen to be imposing obligations on Pakistan to admit or retain within its borders persons in respect of whom Pakistan would not otherwise have an obligation to admit or retain within its borders."

QATAR

First - The State of Qatar has reservations on the following:

1. Paragraph 3(d) of Article 6, which reads: "Employment, educational and training opportunities".

2. Paragraph 1 of Article 7, which states that: "each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases".

Second - The State of Qatar declares that it does not consider itself bound by the provisions of Paragraph 2 of Article 15 which deals with the issue of settlement of disputes concerning the interpretation or application of this Protocol.

REPUBLIC OF MOLDOVA

In accordance with paragraph 3 of article 15 of the Protocol, the Republic of Moldova does not consider itself bound by paragraph 2 of article 15 of the Protocol.

Until the full establishment of the territorial integrity of the Republic of Moldova, the provisions of the Protocol will be applied only on the territory controlled by the authorities of the Republic of Moldova.

SAUDI ARABIA

Declaration and reservation:

The public order of the Kingdom of Saudi Arabia prohibits trafficking in persons for the purpose referred to in paragraph (a) of Article 3 of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

The Kingdom does not consider itself bound by paragraph 2 of Article 15 of the said Protocol. It makes reservations regarding the contents of paragraph 3d of Article Six and paragraph 1 of Article 7 of the said protocol.

... the Government of the Kingdom of Saudi Arabia does not consider itself obligated to paragraph 2 of article 15 of the Protocol.

SINGAPORE

The Government of the Republic of Singapore declares that nothing in the Protocol shall impose obligations on Singapore to admit or retain within its territory, persons in respect of whom Singapore would not otherwise have an obligation to admit or retain within its territory.

Pursuant to Article 15, paragraph 3 of the above-mentioned Protocol, the Government of the Republic of Singapore does not consider itself bound by Article 15, paragraph 2 of the said Protocol."

SOMALIA

"The Federal Republic of Somalia declares that it does not consider itself bound by the provisions of Article 15(2) of the Protocol regarding the settlement of disputes by arbitration or referral to the International Court of Justice, unless there is a separate agreement between the parties concerned."

SOUTH AFRICA

"AND WHEREAS pending a decision by the Government of the Republic of South Africa on the compulsory jurisdiction of the International Court of Justice, the Government of the Republic does not consider itself bound by the terms of Article 15 (2) of the Protocol which provides for the compulsory jurisdiction of the International Court of Justice in differences arising out of the interpretation or application of the Protocol. The Republic will adhere to the position that, for the submission of a particular dispute for settlement by the International Court, the consent of all the parties to the dispute is required in every individual case."

SRI LANKA

"… [T]he Government of the Democratic Socialist Republic of Sri Lanka does not consider itself bound by paragraph 2 of Article 15 as provided for in paragraph 3 of Article 15."

SYRIAN ARAB REPUBLIC

The Syrian Arab Republic expresses reservations with respect to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, article 7, paragraph 1, and article 15, paragraph 2.

Declaration:

… The Government of the Syrian Arab Republic interprets the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, article 6, paragraph 3, subparagraph (a), as follows: "Appropriate housing" means "ensuring appropriate temporary shelter for victims of trafficking in persons until such time as they are returned to their countries".

THAILAND

"[I]n accordance with paragraph 3 of Article 15 of the Protocol, the Kingdom of Thailand does not consider itself bound by paragraph 2 of the same Article."

TUNISIA

In ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000, declares that it does not consider itself bound by article 15, paragraph 2, of the Protocol and affirms that disputes concerning the interpretation or application of the Protocol may be referred to the International Court of Justice only after it has given its prior consent.

UNITED ARAB EMIRATES

… the Government of the United Arab Emirates … formally accedes thereto, with a reservation to article 15, paragraph 2, concerning arbitration. It does not therefore consider itself bound by article 15, paragraph 2.

UNITED STATES OF AMERICA

" (1) The United States of America reserves the right not to apply in part the obligation set forth in Article 15, paragraph 1 (b), of the United Nations Convention Against Transnational Organized Crime with respect to the offenses established in the Trafficking Protocol. The United States does not provide for plenary

jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in a number of circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S. - flagged ships or aircraft registered under U.S. law. Accordingly, the United States will implement paragraph 1 (b) of the Convention to the extent provided for under its federal law.

(2) The United States of America reserves the right to assume obligations under this Protocol in a manner consistent with its fundamental principles of federalism, pursuant to which both federal and state criminal laws must be considered in relation to conduct addressed in the Protocol. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, such as the Thirteen Amendment's prohibition of "slavery" and "involuntary servitude," serves as the principal legal regime within the United States for combating the conduct addressed in this Protocol, and is broadly effective for this purpose. Federal criminal law does not apply in the rare case where such criminal conduct does not so involve interstate or foreign commerce, or otherwise implicate another federal interest, such as the Thirteenth Amendment. There are a small number of conceivable situations involving such rare offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Protocol. The United States of America therefore reserves to the obligations set forth in the Protocol to the extent they addrs conduct which would fall within this narrow category of highly localized activity. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other Parties as contemplated in the Protocol.

(3) In accordance with Article 15, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 15, paragraph 2."

"The United States of America understands the obligation to establish the offenses in the Protocol as money laundering predicate offenses, in light of Article 6, paragraph 2 (b) of the United Nations Convention Against Transnational Organized Crime, as requiring States Parties whose money laundering legislation sets forth a list of specific predicate offenses to include in such list a comprehensive range of offenses associated with trafficking in persons."

UZBEKISTAN

“The Republic of Uzbekistan does not consider itself bound by provisions of paragraph 2 of article 15 of this Protocol.”

VIET NAM

“The Socialist Republic of Viet Nam does not consider itself bound by paragraph 2 of Article 15 of this Protocol.”

ZIMBABWE

“The Government of the Republic of Zimbabwe hereby declares that it enters a reservation to Article 15 (2) which provides that where Parties fail to resolve their dispute through arbitration any Party may refer the dispute to the International Court of Justice.”

Objections
(Unless otherwise indicated, the objections were made upon ratification, acceptance, approval or accession.)</center>

ISRAEL

“The Government of the State of Israel has noted that the instrument of ratification of the Algerian People’s Democratic Republic of the abovementioned Protocol which appears in the Depositary Notification Ref. C.N.225.2004.TREATIES-3 of 12 March 2004, contains a declaration with respect to the State of Israel.

The Government of the State of Israel considers that such declaration, which is explicitly of a political nature, is incompatible with the purposes and objectives of the Protocol.

The Government of the State of Israel therefore objects to the aforesaid declaration made by the Algerian People’s Democratic Republic.”

Notes:

[1] On 8 February 2010, the Secretary-General received from the Government of China the following declaration, made upon its accession to the Protocol, in respect of Hong Kong Special Administrative Region and Macao Special Administrative Region:

In accordance with the provisions of Article 138 of the Basic Law of the Macao Special Administrative Region of the People’s Republic of China and Article 153 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China, the Government of the People’s Republic of China decides that the Protocol shall apply to the Macao Special Administrative Region of the People’s Republic of China, and unless otherwise notified by the Government, shall not apply to the Hong Kong Special Administrative Region of the People’s Republic of China.

[2] With a territorial exclusion in respect of the Faroe Islands and Greenland.

[3] See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

[4] For the Kingdom in Europe. On 18 January 2007 : extension to Aruba.

Following a modification of the internal constitutional relations within the Kingdom of the Netherlands (see note 2 under “Netherlands” in Historical Information), effective 10 October 2010, the Protocol applies to the Caribbean part of the Netherlands (Bonaire, Sint Eustatius and Saba).

Subsequently, on 16 November 2023, the Government of the Netherlands notified the Secretary-General of the extension of the of the Protocol to Curaçao. (See depositary notification C.N.475.2023.TREATIES-XVIII.12.a of 20 November 2023)

[5] With the following territorial exclusion:

"... consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory..."

[6] On 20 October 2015, the Government of Ukraine made a communication. The text can be found here: C.N.601.2015.TREATIES-XVIII.12.a of 20 October 2015.

[7] On 4 March 2022, the Government of Ukraine made a communication. The text can be found here: C.N.68.2022.TREATIES-XXII.12.a of 8 March 2022.

[8] On 19 December 2024, the Government of Lithuania notified the Secretary-General of its decision to withdraw the reservation it made upon ratification in respect of paragraph 2 of Article 15 of the Convention, which reads as follows:

“AND WHEREAS, it is provided in paragraph 3 of Article 15 of the Protocol, the Seimas of the Republic of Lithuania would like to declare that the Republic of Lithuania does not consider itself bound by paragraph 2 of Article 15, which provides that any State Party may refer any dispute concerning the interpretation or application of the said Protocol to the International Court of Justice.”