

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 236

A. TITEL

*Protocol inzake de voorkoming, bestrijding en bestraffing van
mensenhandel, in het bijzonder vrouwenhandel en kinderhandel, tot
aanvulling van het Verdrag van de Verenigde Naties tegen grens-
overschrijdende georganiseerde misdaad;
New York, 15 november 2000*

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in
Trb. 2001, 69.

C. VERTALING

Zie *Trb.* 2004, 35.

D. PARLEMENT

Bij brieven van 1 juni 2005 (Kamerstukken II 2004/2005, 30 157
(R 1792) nr. 1) is het Protocol in overeenstemming met artikel 2, eerste
en tweede lid, en artikel 5, eerste en tweede lid, van de Rijkswet goed-
keuring en bekendmaking verdragen overgelegd aan de Eerste en de
Tweede Kamer der Staten-Generaal, de Staten van de Nederlandse Antil-
len en de Staten van Aruba.

De toelichtende nota die de brieven vergezelde, is ondertekend door
de Minister van Justitie J. P. H. DONNER en de Minister van Buiten-
landse Zaken B. R. BOT.

De goedkeuring door de Staten-Generaal is verleend op 11 juli 2005.

E. PARTIJGEGEVENS

Zie *Trb.* 2001, 69 en rubriek F van *Trb.* 2004, 35.

Partij	Onder-tekening	Ratifi-catie	Type ¹⁾	In werking	Opzeg-ging	Buiten werking
Albanië	12-12-00	21-08-02	R	25-12-03		
Algerije	06-06-01	09-03-04	R	08-04-04		
Argentinië	12-12-00	19-11-02	R	25-12-03		
Armenië	15-11-01	01-07-03	R	25-12-03		
Australië	11-12-02	14-09-05	R	14-10-05		
Azerbeidzjan	12-12-00	30-10-03	R	25-12-03		
Bahama's	09-04-01					
Bahrein		07-06-04	T	07-07-04		
Barbados	26-09-01					
Belarus	14-12-00	25-06-03	R	25-12-03		
België	12-12-00	11-08-04	R	10-09-04		
Belize		26-09-03	T	25-12-03		
Benin	13-12-00	30-08-04	R	29-09-04		
Bolivia	12-12-00					
Bosnië-Herzegovina	12-12-00	24-04-02	R	25-12-03		
Botswana	10-04-02	29-08-02	R	25-12-03		
Brazilië	12-12-00	29-01-04	R	28-02-04		
Bulgarije	13-12-00	05-12-01	R	25-12-03		
Burkina Faso	15-12-00	15-05-02	R	25-12-03		
Burundi	14-12-00					
Cambodja	11-11-01					
Canada	14-12-00	13-05-02	R	25-12-03		
Chili	08-08-02	29-11-04	R	29-12-04		
Colombia	12-12-00	04-08-04	R	03-09-04		
Congo, Republiek	14-12-00					

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Costa Rica	16-03-01	09-09-03	R	25-12-03		
Cyprus	12-12-00	06-08-03	R	25-12-03		
Denemarken	12-12-00	30-09-03	R	25-12-03		
Djibouti		20-04-05	T	20-05-05		
Dominicaanse Republiek, de	15-12-00					
Duitsland	12-12-00					
Ecuador	13-12-00	17-09-02	R	25-12-03		
EG (Europese Gemeenschap)	12-12-00					
Egypte	01-05-02	05-03-04	R	04-04-04		
El Salvador	15-08-02	18-03-04	R	17-04-04		
Equatoriaal Guinee	14-12-00	07-02-03	R	25-12-03		
Estland	20-09-02	12-05-04	R	11-06-04		
Filippijnen, de	14-12-00	28-05-02	R	25-12-03		
Finland	12-12-00					
Frankrijk	12-12-00	29-10-02	R	25-12-03		
Gambia	14-12-00	05-05-03	R	25-12-03		
Georgië	13-12-00					
Grenada		21-05-04	T	20-06-04		
Griekenland	13-12-00					
Guatemala		01-04-04	T	01-05-04		
Guinee		09-11-04	T	09-12-04		
Guinee-Bissau	14-12-00					
Guyana		14-09-04	T	14-10-04		
Haïti	13-12-00					
Hongarije	14-12-00					
Ierland	13-12-00					

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
IJsland	13-12-00					
India	12-12-02					
Indonesië	12-12-00					
Israël	14-11-01					
Italië	12-12-00					
Jamaica	13-02-02	29-09-03	R	25-12-03		
Japan	09-12-02					
Kaapverdië	13-12-00	15-07-04	R	14-08-04		
Kameroen	13-12-00					
Kenia		05-01-05	T	04-02-05		
Kiribati		15-09-05	T	15-10-05		
Kroatië	12-12-00	24-01-03	R	25-12-03		
Kyrgyzstan	13-12-00	02-10-03	R	25-12-03		
Laos		26-09-03	T	25-12-03		
Lesotho	14-12-00	24-09-03	R	25-12-03		
Letland	10-12-02	25-05-04	R	24-06-04		
Libanon	09-12-02					
Liberia		22-09-04	T	22-10-04		
Libië	13-11-01	24-09-04	R	24-10-04		
Liechtenstein	14-03-01					
Litouwen	25-04-02	23-06-03	R	25-12-03		
Luxemburg	13-12-00					
Macedonië, Voormalige Joegoslavische Republiek	12-12-00	12-01-05	R	11-02-05		
Madagascar	14-12-00	15-09-05	R	15-10-05		
Malawi		17-03-05	T	16-04-05		
Mali	15-12-00	12-04-02	R	25-12-03		

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Malta	14-12-00	24-09-03	R	25-12-03		
Mauritanië		22-07-05	T	21-08-05		
Mauritius		24-09-03	T	25-12-03		
Mexico	13-12-00	04-03-03	R	25-12-03		
Moldavië	14-12-00	16-09-05	R	16-10-05		
Monaco	13-12-00	05-06-01	R	25-12-03		
Mozambique	15-12-00					
Myanmar		30-03-04	T	29-04-04		
Namibië	13-12-00	16-08-02	R	25-12-03		
Nauru	12-11-01					
Nederlanden, het Koninkrijk der (voor Nederland)	12-12-00	27-07-05	R	26-08-05		
Nicaragua		12-10-04	T	11-11-04		
Nieuw-Zeeland	14-12-00	19-07-02	R	25-12-03		
Niger	21-08-01	30-09-04	R	30-10-04		
Nigeria	13-12-00	28-06-01	R	25-12-03		
Noorwegen	13-12-00	23-09-03	R	25-12-03		
Oekraïne	15-11-01	21-05-04	R	20-06-04		
Oezbekistan	28-06-01					
Oman		13-05-05	T	12-06-05		
Oostenrijk	12-12-00	15-09-05	R	15-10-05		
Panama	13-12-00	18-08-04	R	17-09-04		
Paraguay	12-12-00	22-09-04	R	22-10-04		
Peru	14-12-00	23-01-02	R	25-12-03		
Polen	04-10-01	26-09-03	R	25-12-03		
Portugal	12-12-00	10-05-04	R	09-06-04		
Roemenië	14-12-00	04-12-02	R	25-12-03		

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Russische Federatie	12-12-00	26-05-04	R	25-06-04		
Rwanda	14-12-00	26-09-03	R	25-12-03		
San Marino	14-12-00					
Saudi-Arabië	10-12-02					
Senegal	13-12-00	27-10-03	R	25-12-03		
Servië en Montenegro	12-12-00	06-09-01	R	25-12-03		
Seychellen, de	22-07-02	22-06-04	R	22-07-04		
Sierra Leone	27-11-01					
Sint Kitts en Nevis		21-05-04	T	20-06-04		
Sint Vincent en de Grenadines	20-11-02					
Slovenië	15-11-01	21-05-04	R	20-06-04		
Slowakije	15-11-01	21-09-04	R	21-10-04		
Spanje	13-12-00	01-03-02	R	25-12-03		
Sri Lanka	13-12-00					
Swaziland	08-01-01					
Syrië	13-12-00					
Tadzjikistan		08-07-02	T	25-12-03		
Tanzania	13-12-00					
Thailand	18-12-01					
Togo	12-12-00					
Trinidad en Tobago	26-09-01					
Tsjechië	10-12-02					
Tunesië	13-12-00	14-07-03	R	25-12-03		
Turkije	13-12-00	25-03-03	R	25-12-03		
Turkmenistan		28-03-05	T	27-04-05		

Partij	Onder-tekening	Ratifi-catie	Type ¹⁾	In werking	Opzeg-ging	Buiten werking
Uganda	12-12-00					
Uruguay	13-12-00	04-03-05	R	03-04-05		
Venezuela	14-12-00	13-05-02	R	25-12-03		
Verenigd Koninkrijk, het	14-12-00					
Verenigde Staten van Amerika, de	13-12-00					
Zambia		24-04-05	T	24-05-05		
Zuid-Afrika	14-12-00	20-02-04	R	21-03-04		
Zuid-Korea	13-12-00					
Zweden	12-12-00	01-07-04	R	31-07-04		
Zwitserland	02-04-02					

¹⁾ DO=Definitieve ondertekening, R=Ratificatie, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid

Verklaringen, voorbehouden en bezwaren

Algerije, 9 maart 2004

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..

Australië, 11 december 2002

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.

Australië, 14 september 2005

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.

Azerbeidzjan, 30 oktober 2003

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.

Bahrein, 7 juni 2004

...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 Woman and Children.

België, 12 december 2000

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

Colombia, 4 augustus 2004

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.

Denemarken, 30 september 2003

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

Ecuador, 17 september 2002

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, 15 augustus 2002

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.

El Salvador, 18 maart 2004

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.

Laos, 26 september 2003

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.

Litouwen, 23 juni 2003

And whereas, it is provided in paragraph 3 of Article 20 of the Protocol, the Republic of Lithuania would like to declare that it does not consider itself bound by paragraph 2 of Article 20, 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.

Malawi, 17 maart 2005

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.

Myanmar, 30 maart 2004

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.

Moldavië, 16 september 2005

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.

Nieuw-Zeeland, 19 juli 2002

..... 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

Saudi-Arabië, 10 december 2002

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 3(d) of Article 6 and paragraph 1 of Article 7 of the said protocol.

Tunesië, 14 juli 2003

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.

Zuid-Afrika, 20 februari 2004

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.

G. INWERKINGTREDING

Zie *Trb.* 2004, 35.

Het Protocol is ingevolge artikel 17, tweede lid, voor het *Koninkrijk der Nederlanden* op 26 augustus 2005 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt het Protocol alleen voor Nederland.

J. VERWIJZINGEN

Zie *Trb.* 2001, 69 en *Trb.* 2004, 35.

Verwijzingen

Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945

Laatste *Trb.* : *Trb.* 2004, 240

Titel : Verdrag van de Verenigde Naties tegen grens-
overschrijdende georganiseerde misdaad;
New York, 15 november 2000

Laatste *Trb.* : *Trb.* 2004, 184

Uitgegeven de vierde oktober 2005.

De Minister van Buitenlandse Zaken,

B. R. BOT