

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2010 Nr. 158

A. TITEL¹⁾

*Verdrag inzake de bestrijding van terroristische bomaanslagen;
New York, 15 december 1997*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1998, 84.

C. VERTALING

Zie *Trb.* 1999, 161 en *Trb.* 2002, 62.

D. PARLEMENT

Zie *Trb.* 2002, 62.

E. PARTIJGEGEVENS

Zie rubriek E van *Trb.* 1998, 84 en rubriek F van *Trb.* 2002, 62.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Afghanistan		24-09-03	T	24-10-03		
Albanië		22-01-02	T	21-02-02		
Algerije	17-12-98	08-11-01	R	08-12-01		
Andorra		23-09-04	T	23-10-04		

¹⁾ In *Trb.* 2005, 193 is ten onrechte de titel „Verdrag ter voorkoming van terroristische bomaanslagen” gebruikt.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Antigua en Barbuda		24-09-09	T	24-10-09		
Argentinië	02-09-98	25-09-03	R	25-10-03		
Armenië		16-03-04	T	15-04-04		
Australië		09-08-02	T	08-09-02		
Azerbeidzjan		02-04-01	T	23-05-01		
Bahama's		05-05-08	T	04-06-08		
Bahrein		21-09-04	T	21-10-04		
Bangladesh		20-05-05	T	19-06-05		
Barbados		18-09-02	T	18-10-02		
Belarus	20-09-99	01-10-01	R	31-10-01		
België	12-01-98	20-05-05	R	19-06-05		
Belize		14-11-01	T	14-12-01		
Benin		31-07-03	T	30-08-03		
Bolivia		22-01-02	T	21-02-02		
Bosnië en Herzegovina		11-08-03	T	10-09-03		
Botswana		08-09-00	T	23-05-01		
Brazilië	12-03-99	23-08-02	R	22-09-02		
Brunei		14-03-02	T	13-04-02		
Bulgarije		12-02-02	T	14-03-02		
Burkina Faso		01-10-03	T	31-10-03		
Burundi	04-03-98					
Cambodja		31-07-06	T	30-08-06		
Canada	12-01-98	03-04-02	R	03-05-02		
Centraal Afrikaanse Republiek		19-02-08	T	20-03-08		
Chili		10-11-01	T	10-12-01		
China		13-11-01	T	13-12-01		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Colombia		14-09-04	T	14-10-04		
Comoren, de	01-10-98	25-09-03	R	25-10-03		
Congo, Democratische Republiek		27-06-08	T	27-07-08		
Costa Rica	16-01-98	20-09-01	R	20-10-01		
Cuba		15-11-01	T	15-12-01		
Cyprus	26-03-98	24-01-01	R	23-05-01		
Denemarken	23-12-99	31-08-01	R	30-09-01		
Djibouti		01-06-04	T	01-07-04		
Dominica		24-09-04	T	24-10-04		
Dominicaanse Republiek, de		21-10-08	T	20-11-08		
Duitsland	26-01-98	23-04-03	R	23-05-03		
Egypte	14-12-99	09-08-05	R	08-09-05		
El Salvador		15-05-03	T	14-06-03		
Equatoriaal Guinee		07-02-03	T	09-03-03		
Estland	27-12-99	10-04-02	R	10-05-02		
Ethiopië		16-04-03	T	16-05-03		
Fiji-eilanden		15-05-08	T	14-06-08		
Filipijnen, de	23-09-98	07-01-04	R	06-02-04		
Finland	23-01-98	28-05-02	R	27-06-02		
Frankrijk	12-01-98	19-08-99	R	23-05-01		
Gabon		10-03-05	T	09-04-05		
Georgië		18-02-04	T	19-03-04		
Ghana		06-09-02	T	06-10-02		
Grenada		13-12-01	T	12-01-02		
Griekenland	02-02-98	27-05-03	R	26-06-03		
Guatemala		12-02-02	T	14-03-02		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Guinee		07-09-00	T	23-05-01		
Guinee-Bissau		06-08-08	T	05-09-08		
Guyana		12-09-07	T	12-10-07		
Honduras		25-03-03	T	24-04-03		
Hongarije	21-12-99	13-11-01	R	13-12-01		
Ierland	29-05-98	30-06-05	R	30-07-05		
IJsland	28-09-98	15-04-02	R	15-05-02		
India	17-09-99	22-09-99	R	23-05-01		
Indonesië		29-06-06	T	29-07-06		
Israël	29-01-99	10-02-03	R	12-03-03		
Italië	04-03-98	16-04-03	R	16-05-03		
Ivoorkust	25-09-98	13-03-02	R	12-04-02		
Jamaica		09-08-05	T	08-09-05		
Japan	17-04-98	16-11-01	R	16-12-01		
Jemen		23-04-01	T	23-05-01		
Kaapverdië		10-05-02	T	09-06-02		
Kameroen		21-03-05	T	20-04-05		
Kazachstan		06-11-02	T	06-12-02		
Kenia		16-11-01	T	16-12-01		
Kiribati		15-09-05	T	15-10-05		
Koeweit		19-04-04	T	19-05-04		
Kroatië		02-06-05	T	02-07-05		
Kyrgyzstan		01-05-01	T	31-05-01		
Laos		22-08-02	T	21-09-02		
Lesotho		12-11-01	T	12-12-01		
Letland		25-11-02	T	25-12-02		
Liberia		05-03-03	T	04-04-03		
Libië		22-09-00	T	23-05-01		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Liechtenstein		26-11-02	T	26-12-02		
Litouwen	08-06-98	17-03-04	R	16-04-04		
Luxemburg	06-02-98	06-02-04	R	07-03-04		
Macedonië, Voormalige Joegoslavische Republiek	16-12-98	30-08-04	R	29-09-04		
Madagaskar	01-10-99	24-09-03	R	24-10-03		
Malawi		11-08-03	T	10-09-03		
Maldiven, de		07-09-00	T	23-05-01		
Maleisië		24-09-03	T	24-10-03		
Mali		28-03-02	T	27-04-02		
Malta		11-11-01	T	11-12-01		
Marokko		09-05-07	T	08-06-07		
Marshalleilan- den, de		27-01-03	T	26-02-03		
Mauritanië		30-04-03	T	30-05-03		
Mauritius		24-01-03	T	23-02-03		
Mexico		20-01-03	T	19-02-03		
Micronesia		23-09-02	T	23-10-02		
Moldavië		10-10-02	T	09-11-02		
Monaco	25-11-98	06-09-01	R	06-10-01		
Mongolië		07-09-00	T	23-05-01		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		14-01-03	T	13-02-03		
Myanmar		12-11-01	T	12-12-01		
Nauru		02-08-05	T	01-09-05		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba	12-03-98	07-02-02 22-03-10 08-02-05	R R R	09-03-02 22-03-10 08-02-05		
Nepal	24-09-99					
Nicaragua		17-01-03	T	16-02-03		
Nieuw-Zeeland		04-11-02	T	04-12-02		
Niger		26-10-04	T	25-11-04		
Niue		22-06-09	T	22-07-09		
Noorwegen	31-07-98	20-09-99	R	23-05-01		
Oekraïne		26-03-02	T	25-04-02		
Oezbekistan	23-02-98	30-11-98	R	23-05-01		
Oostenrijk	09-02-98	06-09-00	R	23-05-01		
Pakistan		13-08-02	T	12-09-02		
Palau		14-11-01	T	14-12-01		
Panama	03-09-98	05-03-99	R	23-05-01		
Papua-Nieuw Guinea		30-09-03	T	30-10-03		
Paraguay		22-09-04	R	22-10-04		
Peru		10-11-01	T	10-12-01		
Polen	14-06-99	03-02-04	R	04-03-04		
Portugal	30-12-99	10-11-01	R	10-12-01		
Qatar		27-06-08	T	27-07-08		
Roemenië	30-04-98	29-07-04	R	28-08-04		
Russische Federatie	12-01-98	08-05-01	R	07-06-01		
Rwanda		13-05-02	T	12-06-02		
Saint Kitts en Nevis		16-11-01	T	16-12-01		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Saint Vincent en de Grenadines		15-09-05	T	15-10-05		
Salomonseilan- den		24-09-09	T	24-10-09		
San Marino		12-03-02	T	11-04-02		
Sao Tomé en Principe		12-04-06	T	12-05-06		
Saudi-Arabië		31-10-07	T	30-11-07		
Senegal		27-10-03	T	26-11-03		
Servië		31-07-03	T	30-08-03		
Seychellen, de		22-08-03	T	21-09-03		
Sierra Leone		26-09-03	T	26-10-03		
Singapore		31-12-07	T	30-01-08		
Slovenië	30-10-98	25-09-03	R	25-10-03		
Slowakije	28-07-98	08-12-00	R	23-05-01		
Soedan	07-10-99	08-09-00	R	23-05-01		
Spanje	01-05-98	30-04-99	R	23-05-01		
Sri Lanka	12-01-98	23-03-99	R	23-05-01		
Swaziland		04-04-03	T	04-05-03		
Tadzjikistan		29-07-02	T	28-08-02		
Tanzania		22-01-03	T	21-02-03		
Thailand		12-06-07	T	12-07-07		
Togo	21-08-98	10-03-03	R	09-04-03		
Tonga		09-12-02	T	08-01-03		
Trinidad en Tobago		02-04-01	T	23-05-01		
Tsjechië	29-07-98	06-09-00	R	23-05-01		
Tunesië		22-04-05	T	22-05-05		
Turkije	20-05-99	30-05-02	R	29-06-02		
Turkmenistan	18-02-99	25-06-99	R	23-05-01		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Uganda	11-06-99	05-11-03	R	05-12-03		
Uruguay	23-11-98	10-11-01	R	10-12-01		
Venezuela	23-09-98	23-09-03	R	23-10-03		
Verenigd Koninkrijk, het	12-01-98	07-03-01	R	23-05-01		
Verenigde Arabische Emiraten, de		23-09-05	T	23-10-05		
Verenigde Staten van Amerika, de	12-01-98	26-06-02	R	26-07-02		
Zuid-Afrika	21-12-99	01-05-03	R	31-05-03		
Zuid-Korea	03-12-99	17-02-04	R	18-03-04		
Zweden	12-02-98	06-09-01	R	06-10-01		
Zwitserland		23-09-03	T	23-10-03		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Uitbreidingen

China

Uitgebreed tot	In werking	Buiten werking
Hongkong SAR	13-12-2001	
Macau SAR	13-12-2001	

Verklaringen, voorbehouden en bezwaren

Algerije, 8 november 2001

The Government of the People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 20, paragraph 1, of the International Convention for the Suppression of Terrorist Bombings. The Government of the People's Democratic Republic of Algeria declares that in order for a dispute to be submitted to arbitration or to the International Court of Justice, the agreement of all parties to the dispute shall be required in each case.

Andorra, 23 september 2004

In accordance with article 6, paragraph 3, of the Convention, Andorra establishes its competence regarding the offences described in article 2, for all the cases covered by article 6, paragraph 2, b), c) and d).

Australië, 18 oktober 2002

... in accordance with article 6 (3) of the Convention, Australia has chosen to establish jurisdiction in all the circumstances provided for by Article 6 (2), and has provided for such jurisdiction in domestic legislation which took effect on 8 September 2002.

Bahama's, 5 mei 2008

In accordance with paragraph 2 of Article 20, the Commonwealth of The Bahamas does not consider itself bound by any of the arbitration procedures established under paragraph 1 of Article 20 on the basis that referral of a dispute concerning the application or interpretation of the provisions of the Convention to arbitration or to the International Court must be by the consent of all of the parties to the dispute.

Bahrein, 21 september 2004

The Kingdom of Bahrain does not consider itself bound by Paragraph 1 of Article 20 of the Convention.

België, 20 mei 2005

As for article 11 of the Convention, the Government of Belgium makes the following reservation:

1. In exceptional circumstances, the Government of Belgium reserves the right to refuse extradition or mutual legal assistance in respect of any offence set forth in article 2 which it considers to be a political offence or as an offence connected with a political offence or as an offence inspired by political motives.
2. In cases where the preceding paragraph is applicable, Belgium recalls that it is bound by the general legal principle *aut dedere aut judicare*, pursuant to the rules governing the competence of its courts.

Bezwaar door Canada, 26 april 2006

The Government of Canada considers the Reservation to be contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to "... adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature."

The Government of Canada therefore objects to the Reservation relating to Article 2 made by the Government of Belgium upon ratification of the International Convention for the Suppression of

Terrorist Bombings which it considers as contrary to the object and purpose of the Convention. This objection does not, however, preclude the entry into force of the Convention between Canada and Belgium.

The Government of Canada notes that, under established principles of international treaty law, as reflected in Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of the treaty shall not be permitted.

Bezwaar door Duitsland, 18 mei 2006

The Government of the Federal Republic of Germany has carefully examined the reservation made by the Government of the Kingdom of Belgium upon ratification of the International Convention for the Suppression of Terrorist Bombings with respect to its Article 11. With this reservation, the Government of the Kingdom of Belgium expresses that it reserves the right to refuse extradition or mutual legal assistance in respect of any offence which it considers to be politically motivated. In the opinion of the Government of the Federal Republic of Germany, this reservation seeks to limit the Convention's scope of application in a way that is incompatible with the objective and purpose of the Convention.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservation made by the Government of the Kingdom of Belgium to the International Convention for the Suppression of Terrorist Bombings. This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Kingdom of Belgium.

Bezwaar door Italië, 18 mei 2006

The Government of Italy has examined the reservation to the International Convention for the Suppression of Terrorist Bombings made by the Government of Belgium upon the accession to that Convention. The Government of Italy considers the reservation by Belgium as intended to limit the scope of the Convention on a unilateral basis, which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where it takes place and of who carries it out. The Government of Italy recalls that, according to Article 19 (c) of the Vienna Convention on the Law of the Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Italy therefore objects to the aforesaid reservation made by the Government of Belgium to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between Belgium and Italy. The Convention enters into force between Belgium and Italy without the Government of Belgium benefiting from its reservation.

Bezwaar door Spanje, 19 mei 2006

The Government of the Kingdom of Spain has examined the reservation made by the Government of the Kingdom of Belgium to article 11 of the International Convention for the Suppression of Terrorist Bombings upon ratifying that Convention. The Government of the Kingdom of Spain considers that this reservation is incompatible with the object and purpose of the Convention. The Government of the Kingdom of Spain considers, in particular, that the reservation by Belgium is incompatible with article 5 of the Convention, whereby States parties undertake to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or others of similar nature. The Government of the Kingdom of Spain recalls that, under the customary-law provision enshrined in article 19 (c) of the 1969 Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of the treaty concerned are not permitted. Accordingly, the Government of the Kingdom of Spain objects to the reservation made by the Government of the Kingdom of Belgium to article 11 of the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Kingdom of Belgium.

Bezwaar door Verenigd Koninkrijk, het, 15 mei 2006

The Government of the United Kingdom of Great Britain and Northern Ireland have examined the reservation relating to Article 11 of the International Convention for the Suppression of Terrorist Bombings made by the Government of Belgium at the time of its ratification of the Convention.

The Government of the United Kingdom note that the effect of the said reservation is to disapply the provisions of Article 11 in "exceptional circumstances". In light of the grave nature of the offences set forth in Article 2 of the Convention, the Government of the United Kingdom consider that the provisions of Article 11 should apply in all circumstances.

The Government of the United Kingdom therefore objects to the reservation made by the Government of Belgium to the International Convention for the Suppression of Terrorist Bombings. However, this objection shall not preclude the entry into force of

the Convention between the United Kingdom and Belgium.

Bezwaar door Verenigde Staten van Amerika, de, 22 mei 2006
The Government of the United States of America, after careful review, considers the Declaration made by Belgium to Article 11 of the Convention, to be a reservation that seeks to limit the scope of the Convention on a unilateral basis. The Government of the United States understands that the intent of the Government of Belgium may have been narrower than apparent from its Declaration in that the Government of Belgium would expect its Declaration to apply only in exceptional circumstances where it believes that, because of the political nature of the offense, an alleged offender may not receive a fair trial. The United States believes the Declaration is unnecessary because of the safeguards already provided for under Articles 12, 14, and 19 (2) of the Convention. However, given the broad wording of the Declaration and because the Government of the United States considers Article 11 to be a critical provision in the Convention, the United States is constrained to file this objection. This objection does not preclude entry into force of the Convention between the United States and Belgium.

België, 28 januari 2008

Withdrawal of the reservation in respect of Article 11 made upon ratification.

Bolivia, 22 januari 2002

... by virtue of the provisions of article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, the Republic of Bolivia states that it establishes its jurisdiction in accordance with its domestic law in respect of offences committed in the situations and conditions provided for under article 6, paragraph 2, of the Convention.

Brazilië, 23 augustus 2002

... the Federative Republic of Brazil declares that, in accordance with the provisions of article 6, paragraph 3, of the said Convention, it will exercise jurisdiction over the offences within the meaning of article 2, in the cases set forth in article 6, paragraph 2, subparagraphs (a), (b) and (e) of the Convention.

... the Federative Republic of Brazil declares, pursuant to article 20, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings, adopted in New York on the 15th December 1997, that it does not consider itself bound by the provisions of article 20, paragraph 1, of the said Convention.

Canada, 3 april 2002

Canada declares that it considers the application of article 2 (3) (c) of the Terrorist Bombing Convention to be limited to acts committed in furthering a conspiracy of two or more persons to commit a specific criminal offence contemplated in paragraph 1 or 2 of article 2 of that Convention.

Chili, 10 november 2001

In accordance with article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, the Government of Chile declares that, in accordance with article 6, paragraph 8, of the Courts Organization Code of the Republic of Chile, crimes and ordinary offences committed outside the territory of the Republic which are covered in treaties concluded with other Powers remain under Chilean jurisdiction.

China, 13 november 2001

... China accedes to the International Convention for the Suppression of Terrorist Bombing, done at New York on 15 December 1997, and declares that it does not consider itself bound by paragraph 1 of Article 20 of the Convention.

Colombia, 14 september 2004

By virtue of article 20, paragraph 2, of the Convention, Colombia declares that it does not consider itself bound by paragraph 1 of the said article.

Furthermore, by virtue of article 6, paragraph 3, of the Convention, Colombia states that it establishes its jurisdiction in accordance with its domestic law in relation to paragraph 2 of the same article.

Cuba, 15 november 2001

The Republic of Cuba declares, pursuant to article 20, paragraph 2, that it does not consider itself bound by paragraph 1 of the said article, concerning the settlement of disputes arising between States Parties, inasmuch as it considers that such disputes must be settled through amicable negotiation. In consequence, it declares that it does not recognize the compulsory jurisdiction of the International Court of Justice.

The Republic of Cuba declares that none of the provisions contained in article 19, paragraph 2, shall constitute an encouragement or condonation of the threat or use of force in international relations, which must under all circumstances be governed strictly by the principles of international law and the purposes and principles enshrined in the Charter of the United Nations.

Cuba also considers that relations between States must be based strictly on the provisions contained in resolution 2625 (XXV) of the United Nations General Assembly.

In addition, the exercise of State terrorism has historically been a fundamental concern for Cuba, which considers that the complete eradication thereof through mutual respect, friendship and cooperation between States, full respect for sovereignty and territorial integrity, self-determination and non-interference in internal affairs must constitute a priority of the international community.

Cuba is therefore firmly of the opinion that the undue use of the armed forces of one State for the purpose of aggression against another cannot be condoned under the present Convention, whose purpose is precisely to combat, in accordance with the principles of the international law, one of the most noxious forms of crime faced by the modern world.

To condone acts of aggression would amount, in fact, to condoning violations of international law and of the Charter and provoking conflicts with unforeseeable consequences that would undermine the necessary cohesion of the international community in the fight against the scourges that truly afflict it.

The Republic of Cuba also interprets the provisions of the present Convention as applying with full rigour to activities carried out by armed forces of one State against another State in cases in which no armed conflict exists between the two.

Cyprus, 24 januari 2001

In accordance with article 6, paragraph 3 of the Convention, the Republic of Cyprus establishes its jurisdiction over the offences specified in article 2 in all the cases provided for in article 6, paragraphs 1, 2 and 4.

Denemarken, 31 augustus 2001

Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Denmark provides the following information on Danish criminal jurisdiction:

Rules on Danish criminal jurisdiction are laid down in Section 6 to 12 in the Danish Criminal Code. The provisions have the following wording:
Section 6

Acts committed

- 1) within the territory of the Danish state; or
- 2) on board a Danish ship or aircraft, being outside the territory recognized by international law as belonging to any state; or
- 3) on board a Danish ship or aircraft, being within the territory recognized by international law as belonging to a foreign state, if committed by persons employed on the ship or aircraft or by passengers travelling on board the ship or aircraft, shall be subject to Danish criminal jurisdiction.

Section 7

(1) Acts committed outside the territory of the Danish state by a Danish national or by a person resident in the Danish state shall also be subject to Danish criminal jurisdiction in the following circumstances, namely;

1) where the act was committed outside the territory recognized by international law as belonging to any state, provided acts of the kind in question are punishable with a sentence more severe than imprisonment for four months; or

2) where the act was committed within the territory of a foreign state, provided that it is also punishable under the law in force in that territory.

(2) The provisions in Subsection (1) above shall similarly apply to acts committed by a person who is a national of, or who is resident in Finland, Iceland, Norway or Sweden, and who is present in Denmark.

Section 8

The following acts committed outside the territory of the Danish state, shall also come within Danish criminal jurisdiction, irrespective of the nationality of the perpetrator.

1) where the act violates the independence, security, Constitution of public authorities of the Danish state, official duties toward the state or such interests, the legal protection of which depends on a personal connection with the Danish state; or

2) where the act violates an obligation which the perpetrator is required by law to observe abroad or prejudices the performance of an official duty incumbent on him with regard to a Danish ship or aircraft; or

3) where an act committed outside the territory recognized by international law as belonging to any state violates a Danish national or a person resident in the Danish state, provided acts of the kind in question are punishable with a sentence more severe than imprisonment for four months; or

4) where the act comes within the provisions of Section 183 a of this Act. The prosecution may also include breaches of Sections 237 and 244-248 of this Act, when committed in conjunction with the breach of Section 183 a; or

5) where the act is covered by an international convention in pursuance of which Denmark is under an obligation to start legal proceedings; or

6) where transfer of the accused for legal proceedings in another country is rejected, and the act, provided it is committed within the territory recognized by international law as belonging to a foreign state, is punishable according to the law of this state, and provided that according to Danish law the act is punishable with a sentence more severe than one year of imprisonment.

Section 9

Where the punishable nature of an act depends on or is influenced by an actual or intended consequence, the act shall also be deemed to have been committed where the consequence has taken effect or has been intended to take effect.

Section 10

(1) Where prosecution takes place in this country under the foregoing provisions, the decision concerning the punishment or other legal consequences of the act shall be made under Danish law.

(2) In the circumstances referred to in Section 7 of this Act, if the act was committed within the territory recognized by international law as belonging to a foreign state, the punishment may not be more severe than that provided for by the law of that state.

Section 10 a

(1) A person who has been convicted by a criminal court in the state where the act was committed or who has received a sentence which is covered by the European Convention on the International Validity of Criminal Judgments, or by the Act governing the Transfer of Legal Proceedings to another country, shall not be prosecuted in this country for the same act, if,

- 1) he is finally acquitted; or
- 2) the penalty imposed has been served, is being served or has been remitted according to the law of the state in which the court is situated; or
- 3) he is convicted, but no penalty is imposed.

(2) The provisions contained in Subsection (1) above shall not apply to
 a) acts which fall within Section 6 (1) of this Act; or b) the acts referred to in Section 8 (1) 1) above, unless the prosecution in the state in which the court was situated was at the request of the Danish Prosecuting Authority.

Section 10 b

Where any person is prosecuted and punishment has already been imposed on him for the same act in another country, the penalty imposed in this country shall be reduced according to the extent to which the foreign punishment has been served.

Section 11

If a Danish national or a person resident in the Danish state has been punished in a foreign country for an act which under Danish law may entail loss or forfeiture of an office or profession or of any other right, such a deprivation may be sought in a public action in this country.

Section 12

The application of the provisions of Section 6-8 of this Act shall be subject to the applicable rules of international law.

Denemarken, 31 augustus 2001

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

Duitsland, 26 januari 1998

Upon signature and confirmed upon ratification:

The Federal Republic of Germany understands article 1 para. 4 of [the said Convention] in the sense that the term "military forces of a state" includes their national contingents operating as part of the United Nations forces. Furthermore, the Federal Republic of Germany also understands that, for the purposes of this Convention, the term "military forces of a state" also covers police forces.

Egypte, 14 december 1999

1. Article 6, paragraph 5:

The Government of the Arab Republic of Egypt declares that it is bound by Article 6, paragraph 5, of the Convention insofar as the domestic laws of States Parties do not contradict the relevant rules and principles of international law.

2. Article 19, paragraph 2:

The Government of the Arab Republic of Egypt declares that it is bound by Article 19, paragraph 2, of the Convention insofar as the military forces of the State, in the exercise of their duties do not violate the rules and principles of international law.

Egypte, 9 augustus 2005

1. The Government of the Arab Republic of Egypt declares that it shall be bound by article 6, paragraph 5, of the Convention to the extent that the national legislation of States Parties is not incompatible with the relevant norms and principles of international law.

2. The Government of the Arab Republic of Egypt declares that it shall be bound by article 19, paragraph 2, of the Convention to the extent that the armed forces of a State, in the exercise of their duties, do not violate the norms and principles of international law.

Verklaring door Canada, 14 september 2006

The Government of Canada has examined the declaration, described as a reservation, relating to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

The declaration appears to extend the scope of the application of the Convention to include the armed forces of a State, in the exercise of their duties, to the extent that those armed forces violate the rules and principles of international law. Such activities would otherwise be excluded from the application of the Convention by virtue of article 19, paragraph 2.

The Government of Canada considers the effect of the declaration to be a unilateral extension of the terms of the Convention by the Government of the Arab Republic of Egypt to apply only to the armed forces of the Arab Republic of Egypt in circumstances going beyond those required by the Convention. The Arab Republic of Egypt cannot by unilateral declaration extend the obligations of Canada under the Convention beyond those set out in the Convention. Canada does not consider the declaration made by the Government of the Arab Republic of Egypt to have any effect in respect of the obligations of Canada under the Convention or in respect of the application of the Convention to the armed forces of Canada.

The Government of Canada thus regards the Convention as entering into force between Canada and the Arab Republic of Egypt subject to a unilateral declaration made by the Government of the Arab Republic of Egypt, which applies only to the obligations of the Arab Republic of Egypt under the Convention and only in respect of the armed forces of the Arab Republic of Egypt.

Bezwaar door Duitsland, 11 augustus 2006

The Government of the Federal Republic of Germany has carefully examined the declaration, described as a reservation, relating to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

In this declaration the Government of the Arab Republic of Egypt expresses the opinion that the activities of the armed forces of a State in the exercise of their duties, inasmuch as they are not consistent with the rules and principles of international humanitarian law, are governed by the Convention. However, according to article 19, paragraph 2 of the Convention, the activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law, as well as the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention, so that the declaration by the Arab Republic of Egypt aims to broaden the scope of the Convention.

The Government of the Federal Republic of Germany is of the opinion that the Government of the Arab Republic of Egypt is only entitled to make such a declaration unilaterally for its own armed forces, and it interprets the declaration as having binding effect only on armed forces of the Arab Republic of Egypt. In the view of the Government of the Federal Republic of Germany, such a unilateral declaration cannot apply to the armed forces of other States Parties without their express consent. The Government of the Federal Republic of Germany therefore declares that it does not consent to the Egyptian declaration as so interpreted with regard to any armed forces other than those of the Arab Republic of Egypt, and in particular does not recognize any applicability of the Convention to the armed forces of the Federal Republic of Germany.

The Government of the Federal Republic of Germany also emphasizes that the declaration by the Arab Republic of Egypt has no effect whatsoever on the Federal Republic of Germany's obligations as State Party to the International Convention for the Suppression of Terrorist Bombings, or on the Convention's applicability to armed forces of the Federal Republic of Germany.

The Government of the Federal Republic of Germany regards the International Convention for the Suppression of Terrorist Bombings as entering into force between the Federal Republic of Germany and the Arab Republic of Egypt subject to a unilateral declaration made by the Government of the Arab Republic of Egypt, which relates exclusively to the obligations of the Arab Republic of Egypt and to the armed forces of the Arab Republic of Egypt.

Bezwaar door Frankrijk, 15 augustus 2006

The Government of the French Republic has examined the reservation made by the Government of the Arab Republic of Egypt upon its ratification of the International Convention for the Suppression of Terrorist Bombings of 15 December 1997. Pursuant to that reservation, the Government of the Arab Republic of Egypt declares that it is bound by article 19, paragraph 2, of the Convention only insofar as the military forces of the State, in the exercise of their duties, do not violate the rules and principles of international law. However, the relevant portion of article 19, paragraph 2, of the Convention states that: “the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention”.

The Government of the French Republic considers that the effect of the reservation made by the Government of the Arab Republic of Egypt is to bring within the scope of the Convention activities undertaken by a State’s armed forces which do not belong there because they are covered by other provisions of international law. As a result, the reservation substantially alters the meaning and scope of article 19, paragraph 2 of the Convention. The Government of the French Republic objects to the reservation, which is incompatible with the object and purpose of the Convention. This objection shall not preclude the entry into force of the Convention between France and Egypt.

Bezwaar door Italië, 14 augustus 2006

The Government of Italy has examined the reservations made by the Government of the Arab Republic of Egypt upon ratification of the International Convention for the Suppression of Terrorism Bombings, according to which 1) The Government of the Arab Republic of Egypt declares that it shall be bound by article 6, paragraph 5, of the Convention to the extent that national legislation of States Parties is not incompatible with relevant norms and principles of international law. 2) The Government of the Arab Republic of Egypt declares that it shall be bound by article 19, paragraph 2, of the Convention to the extent that the armed forces of a State, in article 19, paragraph 2, of the Convention to the extent that the armed forces of a State, in the exercise of their

duties, do not violate the norms and principles of international law.

The Government of Italy considers the reservations to be contrary to the terms of article 5 of the Convention, according to which the States Parties are under an obligation to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

The Government of Italy wishes to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Italy therefore objects to the reservations made by the Arab Republic of Egypt to the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between the Arab Republic of Egypt and Italy. The Convention enters into force between the Arab Republic of Egypt and Italy without the Arab Republic of Egypt benefiting from its reservations.

Bezwaar door **Nederlanden, het Koninkrijk der**, 14 augustus 2006

The Government of the Kingdom of the Netherlands has examined the declaration relating to article 19, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

In the view of the Government of the Kingdom of the Netherlands this declaration made by the Government of Egypt seeks to extend the scope of the Convention on a unilateral basis to include the armed forces of a State to the extent that they fail to meet the test that they 'do not violate the rules and principles of international law'. Otherwise such activities would be excluded from the application of the Convention by virtue of article 19, paragraph 2.

The Kingdom of the Netherlands is of the opinion that the Government of Egypt is entitled to make such a declaration, only to the extent that Egypt will apply the terms of the Convention in circumstances going beyond those required by the Convention to their own armed forces. The declaration of the Government of

Egypt will have no effect in respect of the obligations of the Kingdom of the Netherlands under the Convention or in respect to the application of the Convention to the armed forces of the Kingdom of the Netherlands.

This statement shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the Arab Republic of Egypt.

Verklaring door Russische Federatie, 14 november 2006

The Russian Side has considered the reservation to Article 19 (2) of the International Convention for the Suppression of Terrorist Bombings made by the Arab Republic of Egypt upon ratification of the Convention.

The objective of this reservation is to extend the scope of application of the Convention and to cover armed forces of the States Parties, if they violate “norms and principles of international law” in the exercise of their official duties.

The Russian side regards this reservation of Egypt as unilateral obligation of Egypt to apply the Convention to its own armed forces if they in the exercise of their official duties go beyond the scope of the norms and principles of international law.

The Russian side proceeds from the understanding that Egypt does not have right to unilaterally impose additional obligations on other Parties to the Convention without their explicit consent through formulating its reservation.

The Russian side does not recognize the extension of the Convention to include activities of armed forces of the States Parties except for Egypt, which according to Article 19 (2) are explicitly excluded from the scope of application of the Convention. Thus the Convention applies in relations between the Russian Federation and the Arab Republic of Egypt with the reservation of Egypt, which stipulates only obligations of Egypt and is applicable to its armed forces.

Bezwaar door Spanje, 11 augustus 2006

The Government of the Kingdom of Spain has examined the reservation to article 19, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings presented by the Government of the Arab Republic of Egypt.

The Government of the Kingdom of Spain considers that Egypt’s reservation relates to an essential component of the Convention, having an impact not only on article 19, paragraph 2, but also on the clause establishing the scope of the Convention’s implementation, because its effect is to alter the law applicable to actions of a State’s armed forces which violate international law. As a result, this is a reservation which runs counter to the interests

safeguarded by the Convention, and to the Convention's object and purpose.

The Government of the Kingdom of Spain wishes to recall that, according to the provision of international law codified in the 1969 Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty are prohibited.

Consequently, the Kingdom of Spain objects to Egypt's reservation to article 19, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Arab Republic of Egypt.

Bezwaar door Verenigd Koninkrijk, het, 3 augustus 2006

The Government of the United Kingdom of Great Britain and Northern Ireland have examined the declaration, described as a reservation, relating to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

The declaration appears to purport to extend the scope of application of the Convention to include the armed forces of a State to the extent that they fail to meet the test that they "do not violate the rules and principles of international law". Such activities would otherwise be excluded from the application of the Convention by virtue of article 19, paragraph 2. It is the opinion of the United Kingdom that the Government of Egypt is entitled to make such a declaration only insofar as the declaration constitutes a unilateral declaration by the Government of Egypt that Egypt will apply the terms of the Convention in circumstances going beyond those required by the Convention to their own armed forces on a unilateral basis. The United Kingdom consider this to be the effect of the declaration made by Egypt.

However, in the view of the United Kingdom, Egypt cannot by a unilateral declaration extend the obligations of the United Kingdom under the Convention beyond those set out in the Convention without the express consent of the United Kingdom. For the avoidance of any doubt, the United Kingdom wish to make clear that it does not so consent. Moreover, the United Kingdom do not consider the declaration made by the Government of Egypt to have any effect in respect of the obligations of the United Kingdom under the Convention or in respect of the application of the Convention to the armed forces of the United Kingdom.

The United Kingdom thus regard the Convention as entering into force between the United Kingdom and Egypt subject to a unilateral declaration made by the Government of Egypt, which

applies only to the obligations of Egypt under the Convention and only in respect of the armed forces of Egypt.

Bezwaar door Verenigde Staten van Amerika, de, 16 augustus 2006

The Government of the United States of America has examined the declaration, described as a reservation, relating to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention. The declaration appears to purport to extend the scope of application of the Convention to include the armed forces of a State, to the extent that those forces fail to meet the test that they “do not violate the rules and principles of international law”. Such activities would otherwise be excluded from the application of the Convention by virtue of article 19, paragraph 2. It is the opinion of the United States that the Government of Egypt is entitled to make such a declaration only insofar as the declaration constitutes a unilateral declaration by the Government of Egypt that Egypt will apply the terms of the Convention in circumstances going beyond those required by the Convention to its own armed forces on a unilateral basis. The United States considers this to be the effect of the declaration made by Egypt. However, in the view of the United States, Egypt cannot by a unilateral declaration extend the obligations of the United States or any country other than Egypt under the Convention beyond those obligations set out in the Convention without the express consent of the United States or other countries. To avoid any doubt, the United States wishes to make clear that it does not consent to Egypt’s declaration. Moreover, the United States does not consider the declaration made by the Government of Egypt to have any effect in respect of the obligations of the United States under the Convention or in respect of the application of the Convention to the armed forces of the United States. The United States thus regards the Convention as entering into force between the United States and Egypt subject to a unilateral declaration made by the Government of Egypt, which applies only to the obligations of Egypt under the Convention and only in respect of the armed forces of Egypt.

El Salvador, 15 mei 2003

With regard to article 6, paragraph 3, the Government of the Republic of El Salvador, gives notification that it has established its jurisdiction under its domestic law in respect of the offences committed in the situations and under the conditions mentioned in article 6, paragraph 2, of the Convention.

... with regard to article 20, paragraph 2, the Republic of El Salvador declares that it does not consider itself bound by paragraph 1 of the said article because it does not recognize the compulsory jurisdiction of the International Court of Justice.

Estland, 10 april 2002

....pursuant to article 6, paragraph 3 of the Convention, the Republic of Estonia declares that in its domestic law it shall apply the jurisdiction set forth in article 6 paragraph 2 over offences set forth in article 2.

Ethiopië, 16 april 2003

The Government of the Federal Democratic Republic of Ethiopia does not consider itself bound by the aforementioned provision of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that disputes concerning the interpretation or application of the Convention would be submitted to arbitration or to the Court only with the prior consent of all the parties concerned.

Finland, 28 mei 2002

Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, the Republic of Finland establishes its jurisdiction over the offences set forth in article 2 in all the cases provided for in article 6, paragraphs 1, 2 and 4.

Hongarije, 13 november 2001

The Government of the Republic of Hungary declares that, in relation to Article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Hungary, pursuant to its Criminal Code, has jurisdiction over the crimes set out in Article 2 of the Convention in the cases provided for in Article 6, paragraphs 1 and 2 of the Convention.

IJsland, 15 april 2002

Pursuant to article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, Iceland declares that it has established its jurisdiction over the offences set forth in article 2 of the Convention in all the cases provided for in article 6, paragraph 2, of the Convention.

India, 22 september 1999

In accordance with Article 20 (2), the Government of the Republic of India hereby declares that it does not consider itself bound by the provisions of Article 20 (1) of the Convention.

Indonesië, 29 juni 2006

The Government of the Republic of Indonesia declares that the provisions of Article 6 of the International Convention for the Suppression of Terrorist Bombings will have to be implemented in strict compliance with the principles of the sovereignty and territorial integrity of States. The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 20 and takes the position that dispute relating to the interpretation and application on the Convention which cannot be 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 consent of all the Parties to the dispute.

Israël, 10 februari 2003

The Government of the State of Israel understands Article 1, paragraph 4, of the Convention for the Suppression of Terrorist Bombings, in the sense that the term “military forces of a State” includes police and security forces operating pursuant to the internal law of the State of Israel. Pursuant to Article 6 paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Government of the State of Israel hereby notifies the Secretary-General of the United Nations that it has established jurisdiction over the offences referred to in Article 2 in all the cases detailed in Article 6 paragraph 2.

The Government of the State of Israel understands that the term “international humanitarian law” referred to in Article 19, of the Convention has the same substantive meaning as the term “the laws of war” (“*ius in bello*”). This body of laws does not include the provisions of the protocols additional to the Geneva Conventions of 1977 to which the State of Israel is not a Party.

The Government of the State of Israel understands that under Article 1 paragraph 4 and Article 19 the Convention does not apply to civilians who direct or organize the official activities of military forces of a state. Pursuant to Article 20, paragraph 2 of the Convention, the State of Israel does not consider itself bound by the provisions of Article 20, paragraph 1 of the Convention.

Bezwaar door Zweden, 30 januari 2004

The Government of Sweden has examined the declaration made by Israel regarding article 19 of the International Convention for the Suppression of Terrorist Bombings, whereby Israel intends to exclude the Protocols Additional to the Geneva Conventions from the term international humanitarian law.

The Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that the declaration made by Israel in substance constitutes a reservation.

It is the view of the Government of Sweden that the majority of the provisions of the Protocols Additional to the Geneva Conventions constitute customary international law, by which Israel is bound. In the absence of further clarification, Sweden therefore objects to the aforesaid reservation by Israel to the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between Israel and Sweden. The Convention enters into force in its entirety between the two States, without Israel benefiting from this reservation.

Jamaica, 9 augustus 2005

... Jamaica has established jurisdiction over the offences set forth in Article 2, with respect to the jurisdiction stated in Article 6(2) (d) which states:

“A State Party may establish jurisdiction over any such offence when:
... (d) The offence is committed in an attempt to compel that State to do or abstain from doing any act;”...

Koeweit, 19 april 2004

... the reservation to its paragraph (a) of article (20) and the declaration of non-compliance to its provisions.

Laos, 22 augustus 2002

In accordance with paragraph 2, Article 20 of the International Convention for the Suppression of Terrorist Bombings, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 20 of the present Convention. The Lao People's Democratic Republic declares that to refer a dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary.

Letland, 25 november 2002

In accordance with Article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, opened for signature at New York on the 12th day of January 1998, the Republic of Latvia declares that it has established jurisdiction in all cases listed in Article 6, paragraph 2.

Litouwen, 17 maart 2004

... the Seimas of the Republic of Lithuania declares that the Republic of Lithuania establishes the jurisdiction for the offences provided in Article 2 of the Convention in all cases described in paragraph 2 of Article 6 of the said Convention.

Maleisië, 24 september 2003

1. The Government of Malaysia understands the phrase “Military forces of a State” in Article 1 (4) of the Convention to include the national contingents of Malaysia operating as part of United Nations forces.
2. [...]
3. The Government of Malaysia understands Article 8 (1) of the Convention to include the right of the competent authorities to decide not to submit any particular case for prosecution before the judicial authorities if the alleged offender is dealt with under national security and preventive detention laws.
4. (a) Pursuant to Article 20 (2) of the Convention, the Government of Malaysia declares that it does not consider itself bound by Article 20 (1) of the Convention; 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 20 (1) of the Convention or any other procedure for arbitration.

Bezwaar door Duitsland, 3 november 2004

The Government of the Federal Republic of Germany has examined the declaration relating to the Convention for the suppression of terrorist bombings made by the Government of Malaysia at the time of its accession to the Convention.

The Government of the Federal Republic of Germany considers that in making the interpretation and application of Article 8 of the Convention subject to the national legislation of Malaysia, the Government of Malaysia introduces a general and indefinite reservation that makes it impossible to clearly identify in which way the Government of Malaysia intends to change the obligations arising from the Convention.

Therefore the Government of the Federal Republic of Germany hereby objects to this declaration which is considered to be a reservation that is incompatible with the object and purpose of the Convention. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and Malaysia.

Bezwaar door **Nederlanden, het Koninkrijk der**, 2 november 2004

The Government of the Kingdom of the Netherlands has examined the declaration relating to the International Convention for the suppression of terrorist bombings made by the Government of Malaysia at the time of its accession to the Convention.

The Government of the Kingdom of the Netherlands considers that in making the interpretation and application of Article 8 of the Convention subject to the national legislation of Malaysia, the Government of Malaysia is formulating a general and indefi-

nite reservation that makes it impossible to identify the changes to the obligations arising from the Convention that it is intended to introduce. The Government of the Kingdom of the Netherlands therefore considers that a reservation formulated in this way is likely to contribute to undermining the basis of international treaty law.

For these reasons, the Government of the Kingdom of the Netherlands hereby objects to this declaration which it considers to be a reservation that is incompatible with the object and purpose of the Convention.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Malaysia.

Maleisië, 24 september 2003

In accordance with Article 6 (3) of the Convention, the Government of Malaysia declares that it has established jurisdiction in accordance with its domestic laws over the offences set forth in Article 2 of the Convention in all the cases provided for in Article 6 (1) and 6 (2).

Mexico, 24 februari 2003

... in accordance with article 6, paragraph 3, of the Convention, Mexico exercises jurisdiction over the offences defined in the Convention where:

- (a) They are committed against Mexicans in the territory of another State party, provided that the accused is in Mexico and has not been tried in the country in which the offence was committed. Where it is a question of offences defined in the Convention but committed in the territory of a non-party State, the offence shall also be defined as such in the place where it was committed (art. 6, para. 2 (a));
- (b) They are committed in Mexican embassies and on diplomatic or consular premises (art. 6, para. 2 (b));
- (c) They are committed abroad but produce effects or are claimed to produce effects in the national territory (art. 6, para. (d)).

Moldavië, 10 oktober 2002

1. [...]

2. The Republic of Moldova declares its understanding that the provisions of article 12 of the International Convention for the Suppression of Terrorist Bombings should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offenses falling within the scope of the Convention, without prejudice to the effectiveness of the international cooperation on the questions of extradition and legal assistance.

3. Pursuant to article 20, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova declares that it does not consider itself bound by the provisions of article 20, paragraph 1 of the Convention.

Pursuant to article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova establishes its jurisdiction over the offences set forth in article 2 in cases provided for in article 6, paragraphs 1 and 2.

Monaco, 6 september 2001

The Principality declares that, in accordance with the provisions of article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, it establishes its jurisdiction over the acts recognized as offences within the meaning of article 2 of the Convention, in the cases set forth in article 6, paragraphs 1 and 2, of the Convention.

Mozambique, 14 januari 2003

The Republic of Mozambique does not consider itself bound by the provisions of article 20 paragraph 1 of the Convention.

In this connection, the Republic of Mozambique states that, in each individual case, the consent of all Parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice.

Furthermore, the Republic of Mozambique declare that:

The Republic of Mozambique, in accordance with its Constitution and domestic laws, may not and will not extradite Mozambique citizens. Therefore, Mozambique citizens will be tried and sentenced in national courts.

Myanmar, 12 november 2001

The Government of the Union of Myanmar, having considered the Convention aforesaid, hereby declares that it accedes to the same with reservation on Article 20 (1) and does not consider itself bound by the provision set forth in the said Article.

Nederlanden, het Koninkrijk der, 7 februari 2002

The Kingdom of the Netherlands understands Article 8, paragraph 1, of the International Convention for the Suppression of Terrorist Bombings to include the right of the competent judicial authorities to decide not to prosecute a person alleged to have committed such an offence, if, in the opinion of the competent judicial authorities, grave considerations of procedural law indicate that effective prosecution will be impossible.

Nederlanden, het Koninkrijk der, 8 februari 2005

Confirmation of declaration of 7 February 2002 for Aruba.

Nederlanden, het Koninkrijk der, 22 maart 2010

Confirmation of declaration of 7 February 2002 for the Netherlands Antilles.

Nieuw-Zeeland, 4 november 2002

With a territorial exclusion with respect to Tokelau to the effect that:
... 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 accession 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 consultations with that territory.

Oekraïne, 26 maart 2002

The provisions of article 19, paragraph 2, do not preclude Ukraine from exercising its jurisdiction over the members of military forces of a state and their prosecution, should their actions be illegal. The Convention will be applied to the extent that such activities are not governed by other rules of international law.

Oekraïne, 21 mei 2002

Ukraine exercises its jurisdiction over the offences set forth in article 2 of the Convention in cases provided for in paragraph 2 article 6 of the Convention.

Oezbekistan, 15 mei 2000

The Republic of Uzbekistan has established its jurisdiction over the crimes set out in article 2 under all the conditions stipulated in article 6, paragraph 2, of the Convention.

Pakistan, 13 augustus 2002

The Government of the Islamic Republic of Pakistan declares that nothing in this Convention shall be applicable to struggles, including armed struggle, for the realization of right of self-determination launched against any alien or foreign occupation or domination, in accordance with the rules of international law. This interpretation is consistent with Article 53 of the Vienna Convention on the Law of Treaties 1969 which provides that an agreement or treaty concluded in conflict with an existing jus cogen or preemptory norm of international law is void and, the right of self-determination is universally recognized as a jus cogen.

Bezwaar door Australië, 25 juli 2003

The Government of Australia has examined the Declaration made by the Government of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997. The Government of Australia considers the declaration made by Pakistan to be a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terror-

ist bombings, irrespective of where they take place and of who carries them out.

The Government of Australia further considers the Declaration to be contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention ... are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of Australia recalls that, according to Article 19(c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Australia objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings. However, this objection shall not preclude the entry into force of the Convention between Australia and Pakistan.

Bezwaar door Canada, 18 juli 2003

The Government of Canada has examined the Declaration made by Pakistan at the time of its accession to the Convention and considers that the Declaration is, in fact, a reservation that seeks to limit the scope of the Convention on a unilateral basis and is contrary to the object and purpose of the Convention which is the suppression of terrorist bombings, irrespective of where they take place and who carries them out.

The Government of Canada considers the Declaration to be, furthermore, contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of Canada considers that the above Declaration constitutes a reservation which is incompatible with the object and purpose of the International Convention for the Suppression of Terrorist Bombings.

The Government of Canada recalls that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Canada therefore objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between Canada and Pakistan.

Bezwaar door Denemarken, 18 maart 2003

The Government of the Kingdom of Denmark considers that the declaration made by Pakistan is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its objective and purpose, which is the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention (...) are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature”.

The Government of the Kingdom of Denmark recalls that, according to Article 19 C of the Vienna Convention on the law of treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that all parties respect treaties to which they have chosen to become party, as to their object and purpose, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of the Kingdom of Denmark therefore objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the suppression of terrorist bombings. This objection shall not preclude the entry into force of the Convention between the Kingdom of Denmark and Pakistan.

Bezwaar door Duitsland, 23 april 2003

The Government of the Federal Republic of Germany has examined the “declaration” to the International Convention of the Sup-

pression of Terrorist Bombings made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention.

The Government of the Federal Republic of Germany considers that the declaration made by Pakistan is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its objective and purpose, which is the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature.”

The Government of the Federal Republic of Germany therefore objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and Pakistan.

Bezwaar door Finland, 17 juni 2003

The Government of Finland has carefully examined the contents of the interpretative declaration made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

The Government of Finland is of the view that the declaration amounts to a reservation as its purpose is to unilaterally limit the scope of the Convention. The Government of Finland further considers the declaration to be in contradiction with the object and purpose of the Convention, namely the suppression of terrorist bombings wherever and by whomever carried out.

The declaration is, furthermore, contrary to the terms of Article 5 of the Convention according to which State Parties commit themselves to adopt measures as may be necessary to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature. The Government of Finland wishes to recall that, according to the customary international law as codified in the Vienna Con-

vention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of states that treaties to which they have chosen to become parties are respected as to their object and purpose and that states are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland therefore objects to the above-mentioned interpretative declaration made by the Government of the Islamic Republic of Pakistan to the Convention.

This objection does not preclude the entry into force of the Convention between the Islamic Republic of Pakistan and Finland. The Convention will thus become operative between the two states without the Islamic Republic of Pakistan benefiting from its declaration.

Bezwaar door Frankrijk, 3 februari 2003

The Government of the French Republic has considered the declaration made by the Government of the Islamic Republic of Pakistan, in ratifying the International Convention for the Suppression of Terrorist Bombings of 15 December 1997, that “nothing in this Convention shall be applicable to struggles, including armed struggle, for the realization of self-determination launched against any alien or foreign occupation or domination, in accordance with international law”. The aim of the Convention is to suppress all terrorist bombings, and article 5 states that “each State Party shall adopt such measures as may be necessary (...) to ensure that criminal acts within the scope of this Convention (...) are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”. The Government of the French Republic considers that the above declaration constitutes a reservation, to which it objects.

Verklaring door Ierland, 23 juni 2006

The Government of Ireland have examined the declaration made by the Government of the Islamic Republic of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings according to which the Islamic Republic of Pakistan considers that nothing in this Convention shall be applicable to struggles, including armed struggles, for the realisation of the right of self-determination launched against any alien or foreign occupation or domination.

The Government of Ireland are of the view that this declaration amounts to a reservation as its purpose is to unilaterally limit the scope of the Convention. The Government of Ireland are also of

the view that this reservation is contrary to the object and purpose of the Convention, namely suppressing terrorist bombings, wherever and by whomever carried out.

The Government of Ireland further consider the declaration to be contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature.

The Government of Ireland recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a convention are not permissible. It is in the common interest of States that treaties to which they have chosen to become party are respected as to their object and purpose and that States are prepared to undertake any legislative changes necessary to comply with their obligations under these treaties.

The Government of Ireland therefore object to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between Ireland and the Islamic Republic of Pakistan. The Convention enters into force between Ireland and the Islamic Republic of Pakistan, without the Islamic Republic of Pakistan benefiting from its reservation.

Bezwaar door India, 3 april 2003

The Government of the Republic of India have examined the Declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997.

The Government of the Republic of India consider that the Declaration made by Pakistan is, in fact, a reservation that seeks to limit the scope of the Convention on a unilateral basis and it is, therefore, incompatible with the object and purpose of the Convention which is the suppression of terrorist bombings, irrespective of where they take place and who carries them out.

The Government of India consider the Declaration to be, furthermore, contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention ... are under no circumstances justifiable

by considerations of their political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of India consider that the above Declaration constitutes a reservation which is incompatible with the object and purpose of the International Convention for the Suppression of Terrorist Bombings.

The Government of India recall that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of India therefore object to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between India and Pakistan.

Bezwaar door Israël, 28 mei 2003

The Permanent Mission of the State of Israel to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the declaration of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings, 1997.

The Government of the State of Israel considers that declaration to be, in fact, a reservation incompatible with the object and purpose of the Convention, as expressed in Article 5 thereof.

The Government of the State of Israel recalls that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the State of Israel therefore objects to the aforesaid reservation made by the Government of Pakistan.

Bezwaar door Italië, 3 juni 2003

The Government of Italy has examined the “declaration” to the International Convention of the Suppression of Terrorist Bombings made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention.

The Government of Italy considers that the declaration made by Pakistan is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its objective and purpose, which is the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the term of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, includ-

ing, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature.

The Government of Italy therefore objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between Italy and Pakistan.

Bezwaar door Japan, 4 augustus 2003

... [The Permanent Mission of Japan] has the honour to make the following declaration on behalf of the Government of Japan.

When depositing its Instrument of Accession, the Government of the Islamic Republic of Pakistan made a declaration which reads as follows:

“The Government of the Islamic Republic of Pakistan declares that nothing in this Convention shall be applicable to struggles, including armed struggle, for the realization of right of self-determination launched against any alien or foreign occupation or domination, in accordance with the rules of international law. This interpretation is consistent with Article 53 of the Vienna Convention on the Law of Treaties 1969 which provides that an agreement or treaty concluded in conflict with an existing jus cogen or preemptory norm of international law is void and, the right of self-determination is universally recognized as a jus cogen.”

In this connection, the Government of Japan draws attention to the provisions of Article 5 of the Convention, according to which each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

The Government of Japan considers that the declaration made by the Islamic Republic of Pakistan seeks to exclude struggles, including armed struggle, for the realization of right of self-determination launched against any alien or foreign occupation or domination from the application of the Convention and that

such declaration constitutes a reservation which is incompatible with the object and purpose of the Convention. The Government of Japan therefore objects to the aforementioned reservation made by the Islamic Republic of Pakistan.

Verklaring door Moldavië, 6 oktober 2003

The Government of the Republic of Moldova has examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997.

The Government of the Republic of Moldova considers that the declaration is, in fact, a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention...are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of the Republic of Moldova recalls that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of the Republic of Moldova therefore objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between the Republic of Moldova and the Islamic Republic of Pakistan. The Convention enters into force in its entirety between the two States, without Pakistan benefiting from its reservation.

Bezwaar door **Nederlanden, het Koninkrijk der**, 20 februari 2003

The Government of the Kingdom of the Netherlands has examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the suppression of terrorist bombings.

The Government of the Kingdom of the Netherlands considers that the declaration made by Pakistan is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its object and purpose, which is the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of the Kingdom of the Netherlands recalls that, according to Article 19 (c) the Vienna Convention on the law of treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the suppression of terrorist bombings. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Pakistan.

Bezwaar door Nieuw-Zeeland, 12 augustus 2003

The Government of New Zealand has carefully examined the declaration made by the Government of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997.

The Government of New Zealand considers the declaration made by Pakistan to be a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and who carries them out.

The Government of New Zealand further considers the declaration to be contrary to the terms of article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention...are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious, or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of New Zealand recalls that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of New Zealand therefore objects to the reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings 1997. This objection does not, however, preclude the entry into force of the Convention between New Zealand and Pakistan.

Bezwaar door Noorwegen, 5 september 2003

The Government of Norway has examined the declaration made by the Government of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings.

The Government of Norway considers the declaration to be a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention according to which State Parties commit themselves to adopt measures as may be necessary to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature.

The Government of Norway recalls that, according to customary international law, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Norway therefore objects to the aforesaid declaration made by the Government of Pakistan to the Convention between the Kingdom of Norway and Pakistan.

Bezwaar door Oostenrijk, 14 april 2003

The Government of Austria has examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the suppression of terrorist bombings.

The Government of Austria considers that the declaration made by the Government of the Islamic Republic of Pakistan is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its objective and purpose, which is the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention (...) are under no circumstance justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.”

The Government of Austria recalls that according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Austria therefore objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the suppression of terrorist bombings.

This objection shall not preclude the entry into force of the Convention between Austria and the Islamic Republic of Pakistan.

Verklaring door Polen, 3 februari 2004

The Government of the Republic of Poland considers that the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings of 15 December 1997 is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The Government of the Republic of Poland further considers the declaration to be contrary to the terms of article 5 of the Convention, according to which each State Party commits itself to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention (...) are under no circum-

stances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of the Republic of Poland wishes to recall that, according to the customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the treaty shall not be permitted.

The Government of the Republic of Poland therefore objects to the aforesaid declaration made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not, however, preclude the entry into force of the Convention between the Republic of Poland and the Islamic Republic of Pakistan.

Verklaring door Russische Federatie, 22 september 2003

The Russian Federation has considered the declaration made by the Islamic Republic of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings, of 1997.

The Russian Federation takes the position that every State which has agreed to the binding nature of the provisions of the Convention must adopt such measures as may be necessary, pursuant to article 5, to ensure that criminal acts which, in accordance with article 2, are within the scope of the Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

The Russian Federation notes that the realization of the right of peoples to self-determination must not conflict with other fundamental principles of international law, such as the principle of the settlement of international disputes by peaceful means, the principle of the territorial integrity of States, and the principle of respect for human rights and fundamental freedoms.

The Russian Federation believes that the declaration made by the Islamic Republic of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings is incompatible with the object and purpose of the Convention. In the view of the Russian Federation, the declaration made by the Islamic Republic of Pakistan may jeopardize the fulfilment of the provisions of the Convention in relations between the Islamic Republic of Pakistan and other States Parties and thereby impede cooperation in combating acts of terrorist bombing. It is in the

common interest of States to develop and strengthen cooperation in formulating and adopting effective practical measures to prevent terrorist acts and punish the perpetrators.

The Russian Federation, once again declaring its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustified, regardless of their motives and in all their forms and manifestations, wherever and by whomever they are perpetrated, calls upon the Islamic Republic of Pakistan to reconsider its position and withdraw the declaration.

Bezwaar door Spanje, 23 januari 2003

The Government of the Kingdom of Spain has considered the declaration made by the Islamic Republic of Pakistan in respect of the International Convention for the Prevention of Terrorist Bombings (New York, 15 December 1997) at the time of its ratification of the Convention.

The Government of the Kingdom of Spain considers this declaration to constitute a de facto reservation the aim of which is to limit unilaterally the scope of the Convention. This is incompatible with the object and purpose of the Convention, which is the repression of terrorist bombings, by whomever and wherever they may be carried out.

In particular, the declaration by the Government of the Islamic Republic of Pakistan is incompatible with the spirit of article 5 of the Convention, which establishes the obligation for all States Parties to adopt "such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention [...] are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature."

The Government of the Kingdom of Spain wishes to point out that, under customary international law, as codified in the 1969 Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of treaties are not permitted.

Consequently, the Government of Spain objects to the aforementioned declaration by the Islamic Republic of Pakistan to the International Convention for the Prevention of Terrorist Bombings.

This objection does not prevent the entry into force of the aforementioned Convention between the Kingdom of Spain and the Islamic Republic of Pakistan.

Bezwaar door Verenigd Koninkrijk, het, 28 maart 2003

The Government of the United Kingdom of Great Britain and Northern Ireland have examined the Declaration made by the

Government of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997. The Government of the United Kingdom consider the declaration made by Pakistan to be a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The Government of the United Kingdom further consider the Declaration to be contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention...are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature”.

The Government of the United Kingdom recall that, according to Article 19(c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with object and purpose of the Convention shall not be permitted.

The Government of the United Kingdom therefore object to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings. However, this objection shall not preclude the entry into force of the Convention between the United Kingdom and Pakistan.

Bezwaar door Verenigde Staten van Amerika, de, 5 juni 2003

The Government of the United States of America, after careful review, considers the declaration made by Pakistan to be a reservation that seeks to limit the scope of the Convention on a unilateral basis. The declaration is contrary to the object and purpose of the Convention, namely, the suppression of terrorist bombings, irrespective of where they take place and who carries them out. The Government of the United States also considers the declaration to be contrary to the terms of Article 5 of the Convention, which provides: “Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention ... are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.”

The Government of the United States notes that, under established principles of international treaty law, as reflected in Article 19(c) of the Vienna Convention on the Law of Treaties, a res-

ervation that is incompatible with the object and purpose of the treaty shall not be permitted.

The Government of the United States therefore objects to the declaration made by the Government of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings. This objection does not, however, preclude the entry into force of the Convention between the United States and Pakistan.

Bezwaar door Zweden, 4 juni 2003

The Government of Sweden has examined the declaration made by the Government of the Islamic Republic of Pakistan upon acceding to the International Convention for the Suppression of Terrorist Bombings (the Convention).

The Government of Sweden recalls that the name assigned to a statement, whereby the legal effect of certain provisions of a treaty is excluded or modified, does not determine its status as a reservation to the treaty. The Government of Sweden considers that the declaration made by Pakistan to the Convention in substance constitutes a reservation.

The Government of Sweden notes that the Convention is being made subject to a general reservation. This reservation does not clearly specify the extent of the derogation from the Convention and it raises serious doubts as to the commitment of Pakistan to the object and purpose of the Convention.

The declaration is furthermore contrary to the terms of article 5 of the Convention, according to which States Parties commit themselves to “adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention (...) are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature”.

The Government of Sweden would like to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid reservation made by the Government of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between Pakistan and Sweden. The Convention enters into force in its entirety between the two States, without Pakistan benefiting from its reservation.

Paraguay, 22 september 2004

..., by virtue of the provisions of article 6, paragraph 3, of the aforementioned Convention, the Republic of Paraguay has established its jurisdiction in accordance with its domestic legislation, under article 6, paragraph 2, of the Convention.

Portugal, 30 december 1999

For the purposes of article 8, paragraph 2, of the Convention, Portugal declares that the extradition of Portuguese nationals from its territory will be authorized only if the following conditions, as stated in the Constitution of the Portuguese Republic, are met:

- a) In case of terrorism and organised criminality; and
- b) For purposes of criminal proceedings and, being so, subject to a guarantee given by the state seeking the extradition that the concerned person will be surrendered to Portugal to serve the sentence or measure imposed on him or her, unless such person does not consent thereto by means of expressed declaration.

For purposes of enforcement of a sentence in Portugal, the procedures referred to in the declaration made by Portugal to the European Convention on the transfer of sentenced persons shall be complied with.

Portugal, 16 januari 2002

Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Portugal declares that in accordance with article 5 (1) (a) of the Penal Code, Portuguese courts will have jurisdiction against the crimes of terrorism and of terrorist organisations, set forth respectively in article 300 and 301 of the same Code, wherever the place they have been committed, thus covering, in connection with the said crimes, the cases set forth in article 6 (2) of the Convention.

Qatar, 27 juni 2008

(...) with reservation regarding paragraph 1 of Article (20) concerning the submission of disputes to international arbitration or to the International Court of Justice.

Roemenië, 29 juli 2004

In accordance with Article 6, paragraph 3 of the Convention, Romania declares that it has established its jurisdiction for the offenses set forth in Article 2, in all cases stipulated by Article 6, paragraphs 1 and 2, in conformity with relevant provisions of its domestic law.

Russische Federatie, 12 januari 1998

The position of the Russian Federation is that the provisions of article 12 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offences falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance.

Russische Federatie, 8 mei 2001

1. The Russian Federation declares that in accordance with paragraph 3 of article 6 of the International Convention for the Suppression of Terrorist Bombings (hereinafter – the Convention) it has established its jurisdiction over the offences set forth in article 2 of the Convention in cases envisaged in paragraphs 1 and 2 of article 6 of the Convention.
2. The position of the Russian Federation is that the provisions of article 12 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offenses falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance.

Saudi-Arabië, 31 oktober 2007

1. The Kingdom of Saudi Arabia decides to establish its full jurisdiction in accordance with paragraph (2) of article 6 of the Convention.
2. The Kingdom of Saudi Arabia declares that it does not consider itself bound by paragraph 1 of article 20 of the Convention concerning the submission of disputes arising from the interpretation or application of this Convention or referring such dispute to the International Court of Justice.

Singapore, 31 december 2007

Pursuant to Article 20, paragraph 2, of the Convention, the Republic of Singapore declares that it does not consider itself bound by the provisions of Article 20, paragraph 1 of the Convention.

- (1) The Republic of Singapore understands Article 8, paragraph 1, of the Convention to include the right of competent authorities to decide not to submit any particular case for prosecution before the judicial authorities if the alleged offender is dealt with under national security and preventive detention laws.
- (2) The Republic of Singapore understands that the term ‘armed conflict’ in Article 19, paragraph 2, of the Convention does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.
- (3) The Republic of Singapore understands that, under Article 19 and Article 1, paragraph 4, the Convention does not apply to:
 - (a) the military forces of a state in the exercise of their official duties;

(b) civilians who direct or organize the official activities of military forces of a state; or

(c) civilians acting in support of the official activities of the military forces of a state, if the civilians are under the formal command, and responsibility of those forces.

In accordance with Article 6, paragraph 3 of the Convention, the Republic of Singapore declares that it has established jurisdiction over offences set forth in Article 2 of the Convention in all the cases provided for in Article 6, paragraph 1, and Article 6, paragraph 2.

Soedan, 8 september 2000

The Republic of the Sudan declares hereby that it has established its jurisdiction over crimes set out in article 2 of the Convention in accordance with situations and conditions as stipulated in article 6, paragraph 2.

Declaration concerning article 19, paragraph 2:

This paragraph shall not create any additional obligation to the Government of the Republic of the Sudan. It does not affect and does not diminish the responsibility of the Government of the Republic of the Sudan to maintain by all legitimate means order and law or re-establish it in the country or to defend its national unity or territorial integrity.

This paragraph does not affect the principle of non-interference in internal affairs of states, directly or indirectly, as it is set out in the United Nations Charter and relative provisions of international law.

Reservation to article 20, paragraph 1:

The Republic of the Sudan does not consider itself bound by paragraph 1 of article 20, in pursuance to paragraph 2 of the same article.

Spanje, 29 februari 2000

According to article 23 of the Organization of Justice Act 6/1985 of 1 July, terrorism is a crime that is universally prosecutable and over which the Spanish courts have international jurisdiction under any circumstances; accordingly, article 6, paragraph 2 of the Convention is deemed to have been satisfied and there is no need to establish a special jurisdiction upon ratification of the Convention.

Thailand, 12 juni 2007

The Government of the Kingdom of Thailand does not consider itself bound by Article 20 paragraph 1 of the Convention.

Pursuant to Article 6 paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Government of the Kingdom of Thailand hereby notifies the Secretary-General of the criminal jurisdiction it has established in accordance with Chapter 2 of the Thai Penal Code on the Scope of Application as follows:

Section 4: Any person who commits an offence within the Kingdom shall be punished according to the law.

The commission of an offence in any Thai vessel or aeroplane shall be deemed as being committed within the Kingdom, irrespective of the place where such Thai vessel or aeroplane may be. Section 5: Whenever any offence is even partially committed within the Kingdom, or the consequence of the commission of which, as intended by the offender, occurs within the Kingdom, or by the nature of the commission of which, the consequence resulting therefrom should occur within the Kingdom, or it could be foreseen that the consequence would occur within the Kingdom, it shall be deemed that such offence is committed within the Kingdom.

In case of preparation or attempt to commit any act provided by the law to be an offence, even though it is done outside the Kingdom, if the consequence of the doing of such act, when carried through to the stage of accomplishment of the offence, will occur within the Kingdom, it shall be deemed that the preparation or attempt to commit such offence is done within the Kingdom.

Section 6: Whenever an offence is committed within the Kingdom, or is deemed by this Code as being committed within the Kingdom, even though the act of the co-principal, a supporter or an instigator in the offence is done outside the Kingdom, it shall be deemed that the principal, supporter or instigator has committed the offence within the Kingdom.

Section 7: Any person who commits the following offences outside the Kingdom shall be punished in the Kingdom, namely:

- (1) offences relating to the Security of the Kingdom as provided in Sections 107 to 129;
 - (1/1) offences relating to Terrorism as provided in Section 135/1, Section 135/2, Section 135/3 and Section 135/4;
- (2) offences relating to Counterfeiting and Alteration as provided in Sections 240 to 249, Section 254, Section 256, Section 257 and Section 266 (3) and (4);
- (2bis) offences relating to Sexuality as provided in Section 282 and Section 283;
- (3) offences relating to Robbery as provided in Section 339, and offences relating to Gang-Robbery as provided in Section 340; which is committed on the high seas.

Section 8: Any person who commits an offence outside the Kingdom shall be punished in the Kingdom, provided that:

- (a) the offender is a Thai person, and the Government of the country where the offence has occurred or the injured person has requested for such punishment; or
 - (b) the offender is an alien, and the Thai Government or a Thai person is an injured person, and the injured person has requested for such punishment;
- and, provided further that the offence committed by any of the following:

- (1) offences relating to Causing Public Dangers as provided in Section 217, Section 218, Section 221 to 223 except the case relating to the first paragraph of Section 220, and Section 224, Section 226, Section 228 to 232, Section 237, and Section 233 to 236 only when it is the case to be punished according to Section 238;
- (2) offences relating to Documents as provided in Section 264, Section 265, Section 266 (1) and (2), Section 268 except the case relating to Section 267 and Section 269;
- (2/1) offence relating [to] the Electronic Card according to be prescribed by Section 269/1 to Section 269/7.
- (3) offences relating to Sexuality as provided in Section 276, Section 280 and Section 285 only for the case relating to Section 276;
- (4) offences against Life as provided in Section 288 to 290;
- (5) offences relating to Bodily Harm as provided in Section 295 to 298;
- (6) offences of Abandonment of Children, Sick or Aged Persons as provided in Section 306 to 308;
- (7) offences against Liberty as provided in Section 309, Section 310, Sections 312 to 315, and Sections 317 to 320;
- (8) offences of Theft and Snatching as provided in Sections 334 to 336;
- (9) offences of Extortion, Blackmail, Robbery and Gang-Robbery as provided in Sections 337 to 340;
- (10) offences of Cheating and Fraud as provided in Sections 341 to 344, Section 346 and Section 347;
- (11) offences of Criminal Misappropriation as provided in Sections 352 to 354;
- (12) offences of Receiving Stolen Property as provided in Section 357;
- (13) offences of Mischief as provided in Sections 358 to 360.

Tunesië, 22 april 2005

By agreeing to accede to the International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997, [the Republic of Tunisia] declares that it does not consider itself bound by the provisions of article 20 (1) and affirms that disputes concerning the interpretation or application of the said Convention may only be submitted to the International Court of Justice with its prior consent.

Turkije, 20 mei 1999

The Republic of Turkey declares that articles 9 and 12 should not be interpreted in such a way that offenders of these crimes are neither tried nor prosecuted. Furthermore mutual legal assistance and extradition are

two different concepts and the conditions for rejecting a request for extradition should not be valid for mutual legal assistance.

The Republic of Turkey declares its understanding that the term international humanitarian law referred to in article 19 of the Convention for the Suppression of Terrorist Bombings shall be interpreted as comprising the relevant international rules excluding the provisions of additional Protocols to Geneva Conventions of 12 August 1949, to which Turkey is not a Party. The first part of the second paragraph of the said article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby as creating new obligations for Turkey.

Pursuant to paragraph 2 of article (20) of the [Convention] the Republic of Turkey declares that it does not consider itself bound by the provisions of paragraph 1 of article (20) of the said Convention.

Turkije, 30 mei 2002

1) The Republic of Turkey declares that Articles (9) and (12) should not be interpreted in such a way that offenders of these crimes are neither tried nor prosecuted.

2) The Republic of Turkey declares its understanding that the term international humanitarian law referred to in Article (19) of the Convention for the Suppression of Terrorist Bombings shall be interpreted as comprising the relevant international rules excluding the provisions of Additional Protocols to Geneva Conventions of 12 August 1949, to which Turkey is not a Party. The first part of the second paragraph of the said article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby as creating new obligations for Turkey.

3) Pursuant to Paragraph 2 of Article (20) of the International Convention for the Suppression of Terrorist Bombings, the Republic of Turkey declares that it does not consider itself bound by the provisions of Paragraph 1 of Article (20) of the said Convention.

Bezwaar door Zweden, 3 juni 2003

The Government of Sweden has examined the reservation made by Turkey to article 19 of the International Convention for the Suppression of Terrorist Bombings, whereby Turkey intends to exclude the Protocols Additional to the Geneva Conventions from the term international humanitarian law. It is the view of the Government of Sweden that the majority of the provisions of those Additional Protocols constitute customary international law, by which Turkey is bound.

In the absence of further clarification, Sweden therefore objects to the aforesaid reservation by Turkey to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between Turkey and Sweden. The Convention enters into force in its entirety between the two States, without Turkey benefiting from its reservation.

Uruguay, 10 november 2001

Notifies, by virtue of article 6, paragraph 3, of the Convention, that the authorities of the Eastern Republic of Uruguay exercise jurisdiction over the offences set forth in article 2, to which reference is made in article 6, paragraph 2. With regard to article 6, paragraph 2, subparagraphs (a) and (b), that jurisdiction is established in article 10 of the Penal Code (Act 9.155 of 4 December 1933) and, with regard to article 6, paragraph 2, subparagraph (e), in article 4 of the Aeronautical Code (Decree-Law 14.305 of 29 November 1974).

Venezuela, 23 september 2003

The Bolivarian Republic of Venezuela, pursuant to the provisions of article 20, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings, formulates an express reservation regarding the stipulation in paragraph 1 of that article. Accordingly, it does not consider itself bound to resort to arbitration as a means of dispute settlement, and does not recognize the binding jurisdiction of the International Court of Justice.

Moreover, the Bolivarian Republic of Venezuela, having regard for article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, declares that it has established jurisdiction under its domestic law over the offences committed in the situations and under the conditions envisaged in article 6, paragraph 2, of the Convention.

Vereiniged Arabische Emirate, de, 23 september 2005

...subject to a reservation with respect to paragraph 1 of article 20 thereof, which relates to the settlement of disputes arising between States Parties, in consequence of which the United Arab Emirates does not consider itself bound by that paragraph concerning arbitration.

Moreover, the Government of the United Arab Emirates will determine its jurisdiction over the offences in the cases provided for in article 6, paragraph 2, of the Convention and will notify the Secretary-General of the United Nations to that effect in accordance with paragraph 3 of that article.

Vereiniged Staaten von Amerika, de, 26 juni 2002

(a) pursuant to article 20 (2) of the Convention, the United States of America declares that it does not consider itself bound by Article 20 (1) of the Convention; and

(b) the United States of America reserves the right specifically to agree in a particular case to follow the procedure in Article 20 (1) of the Convention or any other procedure for arbitration.

Understandings:

(1) Exclusion from coverage of term “armed conflict”.

The United States of America understands that the term “armed conflict” in Article 19 (2) of the Convention does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

(2) Meaning of term “international humanitarian law”.

The United States of America understands that the term “international humanitarian law” in Article 19 of the Convention has the same substantive meaning as the law of war.

(3) Exclusion from coverage of activities by military forces.

The United States understands that, under Article 19 and Article 1 (4), the Convention does not apply to:

- (A) the military forces of a state in the exercise of their official duties;
- (B) civilians who direct or organize the official activities of military forces of a state; or
- (C) civilians acting in support of the official activities of the military forces of a state, if the civilians are under the formal command, control, and responsibility of those forces.

Zuid-Korea, 7 juli 2004

Pursuant to Article 6, Paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, The Republic of Korea provides the following information on its criminal jurisdiction. Principles on the criminal jurisdiction are set out in the Chapter I of Part I of the Korean Penal Code.

The provisions have the following wording:

Article 2 (Domestic Crimes)

This Code shall apply to anyone, whether Korean or alien, who commits a crime within the territorial boundary of the Republic of Korea.

Article 3 (Crimes by Koreans outside Korea)

This Code shall apply to a Korean national who commits a crime outside the territorial boundary of the Republic of Korea.

Article 4 (Crimes by Aliens on board Korean Vessel, etc., outside Korea)

This Code shall apply to an alien who commits a crime on board a Korean vessel or a Korean aircraft outside the territorial boundary of the Republic of Korea.

Article 5 (Crimes by Aliens outside Korea)

This Code shall apply to an alien who commits any of the following crimes outside the territorial boundary of the Republic of Korea:

1. Crimes concerning insurrection;
2. Crimes concerning treason;
3. Crimes concerning the national flag;
4. Crimes concerning currency;
5. Crimes concerning securities, postage and revenue stamps;

6. Crimes specified in Articles 225 through 230 among crimes concerning documents; and

7. Crimes specified in Article 238 among crimes concerning seal.

Article 6 (Foreign Crimes against the Republic of Korea and Koreans outside Korea)

This Code shall apply to an alien who commits a crime, other than those specified in the preceding Article, against the Republic of Korea or its national outside the territorial boundary of the Republic of Korea, unless such act does not constitute a crime, or it is exempt from prosecution or execution of punishment under the *lex loci delictus*.

Article 8 (Application of General Provisions)

The provisions of the preceding Articles shall also apply to such crimes as are provided by other statutes unless provided otherwise by such statutes.

Zweden, 5 november 2002

Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Sweden provides the following information on Swedish criminal jurisdiction. Rules on Swedish criminal jurisdiction are laid down in Chapter 2 Section 1-5 in the Swedish Penal Code. The provisions have the following wording:

Section 1

Crimes committed in this Realm shall be adjudged in accordance with Swedish law and by a Swedish court. The same applies when it is uncertain where the crime was committed but grounds exist for assuming that it was committed within the Realm.

Section 2

Crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court when the crime has been committed:

1. By a Swedish citizen or an alien domiciled in Sweden,
2. By an alien not domiciled in Sweden who, after having committed the crime, has become a Swedish citizen or has acquired domicile in the Realm or who is a Danish, Finnish, Icelandic or Norwegian citizen and is present in the Realm, or
3. By any other alien, who is present in the Realm, and the crime under Swedish law can result in imprisonment for more than six months.

The first paragraph shall not apply if the act is not subject to criminal responsibility under the law of the place where it was committed or if it was committed within an area not belonging to any state and, under Swedish law, the punishment for the act cannot be more severe than a fine.

In cases mentioned in this Section, a sanction may not be imposed which is more severe than the most severe punishment provided for the crime under the law in the place where it was committed.

Section 3

Even in cases other than those listed in Section 2, crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court:

1. if the crime was committed on board a Swedish vessel or aircraft, or was committed in the course of duty by the officer in charge or by a member of its crew,
2. if the crime was committed by a member of the armed force in an area in which a detachment of the armed forces was present, or if it was committed by some other person in such an area and the detachment was present for a purpose other than exercise,
3. if the crime was committed in the course of duty outside the Realm by a person employed in a foreign contingent of the Swedish armed forces,
- 3a. if the crime was committed in the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,
4. if the crime committed was a crime against the Swedish nation, a Swedish municipal authority or other assembly, or against a Swedish public institution,
5. If the crime was committed in an area not belonging to any state and was directed against a Swedish citizen, a Swedish association or private institution, or against an alien domiciled in Sweden,
6. if the crime is hijacking, maritime or aircraft sabotage, airport sabotage, counterfeiting currency, an attempt to commit such crimes, a crime against international law, unlawful dealings with chemical weapons, unlawful dealings with mines or false or careless statement before an international court, or
7. if the least severe punishment prescribed for the crime in Swedish law is imprisonment for four years or more.

Section 3 a

Besides the cases described in Sections 1-3, crimes shall be adjudged according to Swedish law by a Swedish court in accordance with the provisions of the Act on International Collaboration concerning Proceedings in Criminal matters.

Section 4

A crime is deemed to have been committed where the criminal act was perpetrated and also where the crime was completed or in the case of an attempt, where the intended crime would have been completed.

Section 5

Prosecution for a crime committed within the Realm on a foreign vessel or aircraft by an alien, who was the officer in charge or member of its crew or otherwise travelled in it, against another alien or a foreign interest shall not be instituted without the authority of the Government or a person designated by the Government.

1. on a Swedish vessel or aircraft or by the officer in charge or some member of its crew in the course of duty,
2. by a member of the armed forces in an area in which a detachment of the armed forces was present,
3. in the course of duty outside the Realm by a person employed by a foreign contingent of the Swedish armed forces,
4. In the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,
5. In Denmark, Finland, Iceland or Norway or on a vessel or aircraft in regular commerce between places situated in Sweden or one of the said states, or
6. By a Swedish, Danish, Finnish, Icelandic or Norwegian citizen against a Swedish interest.

Zwitserland, 23 september 2003

Pursuant to article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, Switzerland establishes its jurisdiction over the offences set forth in article 2 in all the cases provided for in article 6, paragraph 2.

G. INWERKINGTREDING

Zie *Trb.* 2002, 62 en *Trb.* 2005, 193.

Wat betreft het Koninkrijk der Nederlanden, zijn de bepalingen van het Verdrag ingevolge artikel 22, tweede lid, op 22 maart 2010 in werking getreden voor de Nederlandse Antillen.

J. VERWIJZINGEN

Zie *Trb.* 1998, 84, *Trb.* 1999, 161, *Trb.* 2002, 62 en *Trb.* 2005, 193.

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San Francisco, 26 juni 1945
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Uitgegeven de *negentiende* mei 2010.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN