

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2014 Nr. 193

A. TITEL

*Internationaal Verdrag betreffende de meting van schepen, 1969,
met bijlagen;
Londen, 23 juni 1969*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met bijlagen, aanhangsels en aanbevelingen, zijn geplaatst in *Trb.* 1970, 122.

Op 4 december 2013 heeft de Algemene Vergadering van de Internationale Maritieme Organisatie, in overeenstemming met artikel 18(3)(b) van het Verdrag, resolutie A.1084(28) aangenomen, houdende een wijziging van het Verdrag. De Engelse tekst¹⁾ van de resolutie luidt als volgt:

Resolution A.1084(28)

adopted on 4 December 2013

**Amendments to the International Convention on Tonnage
Measurement of Ships, 1969**

The Assembly,

Recalling Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

¹⁾ De Arabische, de Chinese, de Franse, de Russische en de Spaanse tekst zijn niet opgenomen.

Recalling also that, by resolution A.1070(28), it adopted the IMO Instruments Implementation Code (III Code),

Noting proposed amendments to the International Convention on Tonnage Measurement of Ships, 1969 (1969 Tonnage Measurement Convention) to make the use of the III Code mandatory,

Noting also that the Maritime Safety Committee, at its ninety-first session, adopted the proposed amendments in accordance with article 18(3)(a) of the 1969 Tonnage Measurement Convention,

Having considered the proposed amendments to the 1969 Tonnage Measurement Convention,

1. Adopts, in accordance with article 18(3)(b) of the 1969 Tonnage Measurement Convention, the amendments, set out in the annex to the present resolution;

2. Determines that, pursuant to new regulation 8 of annex III, whenever the word “should” is used in the III Code (Annex to resolution A.1070(28)), it is to be read as being “shall”, except for paragraphs 29, 30, 31 and 32;

3. Requests the Secretary-General, in accordance with article 18(3)(b) of the 1969 Tonnage Measurement Convention, to transmit certified copies of the present resolution and its annex to all Contracting Governments to the said Convention, for consideration and acceptance, and also to transmit copies to all Members of the Organization;

4. Urges all Governments concerned to accept the amendments at the earliest possible date; and

5. Resolves that, should entry into force of the aforementioned amendments take place following their unanimous acceptance in accordance with article 18(2) of the 1969 Tonnage Measurement Convention, prior to entry into force based on their acceptance as requested by this resolution, this resolution shall become invalid.

Annex

Amendments to Annexes I and III to the International Convention on Tonnage Measurement of Ships, 1969

Annex I

Regulations for determining gross and net tonnages of ships

Regulation 2

– Definitions of terms used in the annexes

1. The following definitions are added after definition (8):

“(9) *Audit* means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled.

(10) *Audit Scheme* means the IMO Member State Audit Scheme established by the Organization and taking into account the guidelines developed by the Organization.

(11) *Code for Implementation* means the IMO Instruments Implementation Code (III Code) adopted by the Organization by resolution A.1070(28).

(12) *Audit Standard* means the Code for Implementation.

2. A new Annex III is added after Annex II to read as follows:

“Annex III

Verification of compliance with the provisions of this Convention

Regulation 8

Application

Contracting Governments shall use the provisions of the Code for Implementation in the execution of their obligations and responsibilities contained in the present Convention.

Regulation 9

Verification of compliance

(1) Every Contracting Government shall be subject to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of the present Convention.

(2) The Secretary-General of the Organization shall have responsibility for administering the Audit Scheme, based on the guidelines developed by the Organization.

(3) Every Contracting Government shall have responsibility for facilitating the conduct of the audit and implementation of a programme of actions to address the findings, based on the guidelines developed by the Organization.

(4) Audit of all Contracting Governments shall be:

.1 based on an overall schedule developed by the Secretary-General of the Organization, taking into account the guidelines developed by the Organization; and

.2 conducted at periodic intervals, taking into account the guidelines developed by the Organization.”

C. VERTALING

Zie *Trb.* 1970, 194.

D. PARLEMENT

Zie *Trb.* 1981, 148.

De wijzigingen van het Verdrag behoeven ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

E. PARTIJGEGEVENS

Zie *Trb.* 1970, 122.

Partij	Onder-tekening	Ratificatie	Type [*]	In werking	Opzeg-ging	Buiten werking
Albanië		03-04-03	T	03-07-03		
Algerije		04-10-76	T	18-07-82		
Angola		04-10-01	T	04-01-02		
Antigua en Barbuda		03-03-87	T	03-06-87		
Argentinië	23-06-69	24-01-79	R	18-07-82		
Australië		21-05-82	T	21-08-82		
Azerbeidzjan		01-07-97	T	01-10-97		
Bahama's		22-07-76	T	18-07-82		
Bahrein		21-10-85	T	21-01-86		
Bangladesh		06-11-81	T	18-07-82		
Barbados		01-09-82	T	01-12-82		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
België	23-06-69	02-06-75	R	18-07-82		
Belize		09-04-91	T	09-07-91		
Benin		01-11-85	T	01-02-86		
Bolivia		04-06-99	T	04-09-99		
Brazilië	23-06-69	30-11-70	R	18-07-82		
Brunei		23-10-86	T	23-01-87		
Bulgarije	23-06-69	14-10-82	R	14-01-83		
Cambodja		28-11-94	T	28-02-95		
Canada	23-06-69	18-07-94	R	18-10-94		
Chili		22-11-82	T	22-02-83		
China		08-04-80	T	18-07-82		
Colombia		16-06-76	T	18-07-82		
Comoren		22-11-00	T	22-02-01		
Congo, Democratische Republiek		07-08-02	T	07-11-02		
Cookeilanden		21-12-01	T	21-03-02		
Costa Rica		27-05-09	T	27-08-09		
Cuba		09-11-82	T	09-02-83		
Cyprus		09-05-86	T	09-08-86		
Denemarken	23-06-69	22-06-82	R	22-09-82		
Dominica		21-06-00	T	21-09-00		
Duitsland	23-06-69	07-05-75	R	18-07-82		
Ecuador		21-09-95	T	21-12-95		
El Salvador		25-04-97	T	25-07-97		
Equatoriaal- Guinea		24-04-96	T	24-07-96		
Eritrea		22-04-96	T	22-07-96		
Estland		16-12-91	T	16-03-92		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Ethiopië		18-07-85	T	18-10-85		
Fiji		29-11-72	T	18-07-82		
Filipijnen	23-06-69	06-09-78	R	18-07-82		
Finland	23-06-69	06-02-73	R	18-07-82		
Frankrijk	22-12-69	31-10-80	R	18-07-82		
Gabon		12-04-05	T	12-07-05		
Gambia		01-11-91	T	01-02-92		
Georgië		19-04-94	T	19-07-94		
Ghana	23-06-69	13-12-73	R	18-07-82		
Grenada		28-06-04	T	28-09-04		
Griekenland	23-06-69	19-08-83	R	19-11-83		
Guatemala		20-02-08	T	20-05-08		
Guinee		19-01-81	T	18-07-82		
Guyana		10-12-97	T	10-03-98		
Haiti		06-04-89	T	06-07-89		
Honduras		02-12-98	T	02-03-99		
Hongarije		23-05-75	T	18-07-82		
Ierland	23-06-69	11-04-85	R	11-07-85		
IJsland	23-06-69	17-06-70	R	18-07-82		
India		26-05-77	T	18-07-82		
Indonesië	23-06-69	14-03-89	R	14-06-89		
Irak		29-08-72	T	18-07-82		
Iran		28-12-73	T	18-07-82		
Israël	23-06-69	13-02-75	R	18-07-82		
Italië	23-06-69	10-09-74	R	18-07-82		
Ivoorkust		05-10-87	T	05-01-88		
Jamaica		08-09-00	T	08-12-00		
Japan	10-12-69	17-07-80	R	18-07-82		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Jemen		06-03-79	T	18-07-82		
Joegoslavië (< 25-06-1991)	23-06-69	29-04-71	R	18-07-82		
Jordanië		03-10-95	T	03-01-96		
Kaapverdië		04-07-03	T	04-10-03		
Kazachstan		07-03-94	T	07-06-94		
Kenia		15-12-92	T	15-03-93		
Kiribati		05-02-07	T	05-05-07		
Koeweit	23-06-69	02-03-83	R	02-06-83		
Kroatië		27-07-92	VG	08-10-91		
Letland		11-05-98	T	11-08-98		
Libanon		16-12-94	T	16-03-95		
Liberia	23-06-69	25-09-72	R	18-07-82		
Libië		28-04-05	T	28-07-05		
Litouwen		04-12-91	T	04-03-92		
Luxemburg		14-02-91	T	14-05-91		
Malediven		02-06-83	T	02-09-83		
Maleisië		24-04-84	T	24-07-84		
Malta		20-03-89	T	20-06-89		
Marokko		28-06-90	T	28-09-90		
Marshalleilanden		25-04-89	T	25-07-89		
Mauritanië		24-11-97	T	24-02-98		
Mauritius		11-10-88	T	11-01-89		
Mexico	30-09-69	14-07-72	R	18-07-82		
Moldavië		11-10-05	T	11-01-06		
Monaco		19-01-71	T	18-07-82		
Mongolië		26-06-02	T	26-09-02		
Montenegro		03-06-06	VG	03-06-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Mozambique		30-10-91	T	30-01-92		
Myanmar		04-05-88	T	04-08-88		
Namibië		27-11-00	T	27-02-01		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	18-12-69	16-06-81 – – – – – –	R	18-07-82 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Nicaragua		02-02-94	T	02-05-94		
Nieuw-Zeeland		06-01-78	T	18-07-82		
Nigeria		13-11-84	T	13-02-85		
Niue		18-05-12	T	18-08-12		
Noord-Korea		18-10-89	T	18-01-90		
Noorwegen	23-06-69	26-08-71	R	18-07-82		
Oekraïne		25-10-93	T	25-01-94		
Oman		24-09-90	T	24-12-90		
Oostenrijk		07-10-75	T	18-07-82		
Pakistan	23-06-69	17-10-94	R	17-01-95		
Palau		29-09-11	T	29-12-11		
Panama		09-03-78	T	18-07-82		
Papoea-Nieuw- Guinea		25-10-93	T	25-01-94		
Peru		16-07-82	T	16-10-82		
Polen	23-06-69	27-07-76	R	18-07-82		
Portugal	23-06-69	01-06-87	R	01-09-87		
Qatar		03-02-86	T	03-05-86		
Roemenië		21-05-76	T	18-07-82		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Russische Federatie	23-06-69	20-11-69	R	18-07-82		
Saint Kitts en Nevis		11-06-04	T	11-09-04		
Saint Lucia		20-05-04	T	20-08-04		
Saint Vincent en de Grenadines		28-10-83	T	28-01-84		
Salomonseilan- den		30-06-04	T	30-09-04		
Samoa		18-05-04	T	18-08-04		
Sao Tomé en Principe		29-10-98	T	29-01-99		
Saudi-Arabië		20-01-75	T	18-07-82		
Senegal		16-01-97	T	16-04-97		
Servië		12-03-01	VG	27-04-92		
Sierra Leone		26-07-01	T	26-10-01		
Singapore		06-06-85	T	06-09-85		
Slovenië		12-11-92	VG	25-06-91		
Slowakije		30-01-95	VG	01-01-93		
Spanje	12-12-69	06-11-72	R	18-07-82		
Sri Lanka		11-03-92	T	11-06-92		
Sudan		21-05-02	T	21-08-02		
Syrië		06-02-75	T	18-07-82		
Tanzania		28-03-01	T	28-06-01		
Thailand		11-06-96	T	11-09-96		
Togo		19-07-89	T	19-10-89		
Tonga		12-04-77	T	18-07-82		
Trinidad en Tobago		15-02-79	T	18-07-82		
Tsjechië		19-10-93	VG	01-01-93		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Tsjechoslowakije (<01-01-1993)		10-04-74	T	18-07-82		
Tunesië		13-01-99	T	13-04-99		
Turkije		16-05-80	T	18-07-82		
Turkmenistan		04-02-09	T	04-05-09		
Tuvalu		22-08-85	T	22-11-85		
Uruguay		03-02-89	T	03-05-89		
Vanuatu		13-01-89	T	13-04-89		
Venezuela	23-06-69	06-07-83	R	06-10-83		
Verenigd Koninkrijk	23-06-69	08-01-71	R	18-07-82		
Verenigde Arabische Emiraten		15-12-83	T	15-03-84		
Verenigde Staten van Amerika	23-06-69	10-11-82	R	10-02-83		
Vietnam		18-12-90	T	18-03-91		
Zuid-Afrika		24-11-82	T	24-02-83		
Zuid-Korea	23-06-69	18-01-80	R	18-07-82		
Zweden	23-12-69	11-05-79	R	18-07-82		
Zwitserland	23-06-69	21-06-77	R	18-07-82		

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

Uitbreidingen

China

Uitgebreid tot	In werking	Buiten werking
Hongkong SAR	01-07-1997	
Macau SAR	18-07-2005	

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Bermuda	06-12-1982	
Britse Maagdeneilanden	15-09-2009	
Caymaneilanden	23-06-1988	
Falklandeilanden	16-06-1995	
Gibraltar	01-12-1988	
Guernsey	01-01-1989	
Hongkong (< 01-07-1997)	18-07-1982	01-07-1997
Jersey	24-10-2005	
Man	19-10-1984	

Verklaringen, voorbehouden en bezwaren

Argentinië, 11 augustus 1995

The Argentine Republic rejects the statement by the United Kingdom of Great Britain and Northern Ireland in connection with the International Convention on Tonnage Measurement of Ships, 1969, to the effect that the provisions of the Convention shall apply to the Malvinas Islands, South Georgia and South Sandwich Islands "with immediate effect". The Argentine Republic reaffirms its sovereignty over these islands and their surrounding maritime spaces, which constitute an integral part of its national territory.

The Argentine Republic recalls the adoption, by the General Assembly of the United Nations, of resolutions 2065(XX), 3160(XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 42/19 and 43/25, acknowledging the existence of a dispute concerning sovereignty and urging the Governments of the Argentine Republic and of the United Kingdom of Great Britain and Northern Ireland to enter into negotiations with a view to identifying means of pacific and final settlement of the outstanding problems between the two countries, including all matters concerning the future of the Malvinas Islands, in accordance with the Charter of the United Nations.

Bezwaar door Verenigd Koninkrijk, 17 januari 1996

The Government of the United Kingdom of Great Britain and Northern Ireland have noted the declaration of the Government of Argentina regarding the extension by the United Kingdom of the application of the Convention to the Falkland Islands and to South Georgia and the South Sandwich Islands.

The British Government have no doubt about the sovereignty of the United Kingdom over the Falkland Islands and over South Georgia and the South Sandwich Islands and their consequential right to defend the said Convention to these Territories. The British Government reject as unfounded the claims by the Government of Argentina.

Bulgarije, 14 oktober 1982

(a) The People's Republic of Bulgaria declares that the provisions of article 16 of the Convention are in contradiction with the principle of sovereign equality of States and are not in line with the internationally adopted practice of concluding international treaties of universal significance;

(b) The People's Republic of Bulgaria declares that the provisions of article 20 of the Convention concerning its application by the States Parties on the territories of the international relations of which they are responsible, do not correspond to the Declaration of the United Nations General Assembly on Granting Independence to Colonial Countries and People's (resolution 1514(XV)) of December 14, 1960.

Chili, 22 november 1982

[...] amendments referred to in article 18 of the Convention shall not be binding on Chile until such time as it has brought into operation the internal procedure established by the Political Constitution of the Republic for the approval of international treaties.

China, 8 april 1980

[The Government of the People's Republic of China] wish to declare illegal and null and void the signing of the Convention by the Authorities in Taiwan in the name of China.

Cuba, 9 november 1982

The Government of the Republic of Cuba considers that the provisions contained in article 2(3), article 3(1)(b) and article 20 of the Convention, to the extent that they accept that the international relations of any territory may be the responsibility of another Government, are not applicable in that respect because they are contrary to the Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 adopted by the General Assembly of the United Nations on 14 December 1960), which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

The Government of the Republic of Cuba considers that article 16(1) of the Convention, despite the fact that its provisions deal with questions of interest for all States, is of a discriminatory nature in that it withholds from a number of States the right of signature and accession, which is contrary to the principle of universality.

Denemarken, 22 juni 1982

Even though the Convention has not yet entered into force for Denmark the Danish Government will apply the provisions of the Convention already as of July 18, 1982, insofar as regards both Danish ships and ships of States for which the Convention will enter into force on July 18, 1982 or at any date between the said date and the date of the formal entry into force of the Convention for Denmark.

Frankrijk, 31 oktober 1980

[...] the French Government will not accept any invocation against it of a decision taken under the provisions of article 18(3)(d).

Hongarije, 23 mei 1975

The Presidential Council of the Hungarian People's Republic declares that the terms contained in article 2, paragraph (3) and article 20 of the Convention concerning the extension of the validity of the Convention to territories for the international relations of which the Contracting Governments are responsible, are incompatible with the Declaration of the United Nations General Assembly of December 14, 1960 on the Granting of Independence to Colonial Countries and Peoples.

Roemenië, 21 mei 1976

(a) The Socialist Republic of Romania considers that the provisions of article 16 of the International Convention on Tonnage Measurement of Ships are not in accord with the principle whereby multilateral international treaties, the purposes of which are of concern to the international community as a whole, should be open to universal participation.

(b) The Socialist Republic of Romania considers that the maintenance in a state of dependency of certain territories, to which the provisions of article 2(3) and article 20 of the International Convention on Tonnage Measurement of Ships refer, is inconsistent with the Charter of the United Nations and with the texts adopted by the United Nations regarding the granting of independence to colonial countries and peoples, including the Declaration relative to the principles of international law concerning friendly relations and co-operation between States in accordance with the Charter of the United Nations unanimously adopted in 1970 by the General Assembly of the United Nations by resolution 2625(XXV), which solemnly proclaims the duties of States to encourage the achievement of the principle of the equality of the rights of peoples and their right to self-determination with a view to bringing colonialism to a speedy end.

Russische Federatie, 20 november 1969

The Government of the Union of Soviet Socialist Republics states that paragraph (1) of article 16 of the International Convention on Tonnage Measurement, 1969, under which Governments of a number of States are deprived of the opportunity to become Parties to this Convention, is of

a discriminatory nature and believes that, in accordance with the principle of sovereign equality of States, the Convention should be open for participation to all the interested Parties without any discrimination or restrictions.

The Government of the Soviet Union considers it necessary to state also that the provisions of article 2 (paragraph (3)) and article 20 of the Convention on the extension by the Contracting Parties of its application to the territories, for whose international relations they are responsible are incompatible with the Declaration of the General Assembly of the United Nations Organization on the granting of independence to colonial countries and peoples (resolution 1514(XV) of 14 December 1960).

Slowakije, 10 april 1974

Acceding to the International Convention on Tonnage Measurement of Ships, the Government of the Czechoslovak Socialist Republic wished to declare that article 16 of the Convention is at variance with the generally recognized principle of sovereign equality of States, and article 20 with the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted at the XVth session of the United Nations General Assembly on 14 December 1960.

Syrië, 6 februari 1975

[...] this accession [...] to this Convention [...] in no way implies recognition of Israel and does not involve the establishment of any relations with Israel arising from the provisions of this Convention.

Bezwaar door Israël, 11 februari 1976

This statement by the Government of the Syrian Arab Republic is a political one and it is the view of the Government of Israel that the [International Maritime Organization] and its Conventions are not the proper place for making such pronouncements. These pronouncements are, moreover in flagrant contradiction to the principles, objects and purposes of the Convention in question. The Government of Israel rejects the said statement as being devoid of any legal validity whatsoever and will proceed on the assumption that it cannot in any way affect the obligations incumbent on the Syrian Arab Republic under the above-mentioned Convention.

The Government of Israel will, in so far as concerns the substance of the matter, towards the Government of the Syrian Arab Republic an attitude of complete reciprocity.

Verenigde Staten van Amerika, 10 november 1982

That in the assessment of tolls for transit of the Panama Canal, the United States will continue to have the right to apply the present Panama Canal tonnage system or to adopt any other basis, in computing tonnages

derived from volumes or other measures developed in connection with the said Convention.

G. INWERKINGTREDING

De wijzigingen van het Verdrag zullen ingevolge artikel 18(2)(b) twaalf maanden na de datum waarop zij door alle verdragsluitende regeringen is aanvaard in werking treden, tenzij over een eerdere datum overeenstemming is bereikt. Een verdragsluitende regering die haar aanvaarding of verwerping van de wijziging niet binnen vierentwintig maanden nadat deze wijziging haar voor het eerst door de Organisatie is medegedeeld ter kennis van laatstgenoemde brengt, wordt geacht de wijziging te hebben aanvaard.

J. VERWIJZINGEN

Zie *Trb.* 1970, 122, *Trb.* 1981, 48 en *Trb.* 1996, 222.

Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2014, 112

Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2012, 128

Titel : Verdrag inzake de Internationale Maritieme Organisatie;
Genève, 6 maart 1948
Laatste *Trb.* : *Trb.* 2008, 26

Titel : Statuut van de Internationale Organisatie voor
Atoomenergie;
New York, 26 oktober 1956
Laatste *Trb.* : *Trb.* 2001, 135

Uitgegeven de *elfde* november 2014.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS