

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 219

A. TITEL

*Verdrag inzake de fysieke beveiliging van kernmateriaal;
(met Bijlagen)
Wenen / New York, 3 maart 1980*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met Bijlagen, zijn geplaatst in *Trb.* 1980, 166.

Voor de Engelse tekst van de wijzigingen en aanvullingen van 8 juli 2005 van het Verdrag, met Bijlagen, zie *Trb.* 2006, 81.

C. VERTALING

Zie *Trb.* 1981, 7, *Trb.* 1991, 160 en *Trb.* 2006, 81.

D. PARLEMENT

Zie *Trb.* 1991, 160 en *Trb.* 2006, 81.

Artikel 1 van de Rijkswet van 18 december 2008 (*Stb.* 2009, 61) luidt als volgt:

„Artikel 1

De op 8 juli 2005 te Wenen tot stand gekomen Wijziging van het Verdrag inzake de fysieke beveiliging van kernmateriaal, waarvan de Engelse tekst en de vertaling in het Nederlands zijn geplaatst in Tractatenblad 2006, 81, wordt goedgekeurd voor het gehele Koninkrijk.”.

Deze Rijkswet is gecontrasigneerd door de Minister van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer J.M. CRAMER, de Minister van Buitenlandse Zaken M.J.M. VERHAGEN en de Minister van Justitie E.M.H. HIRSCH BALLIN.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2007/2008, 2008/2009, 31449 (R1857); Hand. II 2008/2009, 31449 (R1857); Kamerstukken I 2008/2009, 31449 (R1857); Hand. I 2008/2009, 31449 (R1857).

Artikel 3 van de Rijkswet van 21 februari 2009 (*Stb.* 2009, 128) luidt als volgt:

„Artikel 3

Voor het gehele Koninkrijk wordt goedgekeurd dat het voorbehoud, dat betrekking heeft op artikel 10 van het op 3 maart 1980 te Wenen/New York totstandgekomen Verdrag inzake de fysieke beveiliging van kernmateriaal, met Bijlagen (*Trb.* 1980, 166), dat bij de bekrachtiging van dat Verdrag is gemaakt overeenkomstig artikel 2 van de Rijkswet van 17 december 1987, houdende goedkeuring van dat Verdrag (*Stb.* 673), wordt ingetrokken.”

Deze Rijkswet is gecontrasigneerd door de Minister van Justitie E.M.H. HIRSCH BALLIN en de Minister van Buitenlandse Zaken M.J.M. VERHAGEN.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2007/2008, 2008/2009, 31539 (R1865); Hand. II 2008/2009, 31539 (R1865); Kamerstukken I 2008/2009, 31539 (R1865); Hand. I 2008/2009, 31539 (R1865).

E. PARTIJGEGEVENS

Zie *Trb.* 1980, 166 en rubriek F van *Trb.* 1991, 160.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Afghanistan		12-09-03	T	12-10-03		
Albanië		05-03-02	T	04-04-02		
Algerije		30-04-03	T	30-05-03		
Andorra		27-06-06	T	27-07-06		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Antigua en Barbuda		04-08-93	T	03-09-93		
Argentinië	28-02-86	06-04-89	R	06-05-89		
Armenië		24-08-93	T	23-09-93		
Australië	22-02-84	22-09-87	R	22-10-87		
Azerbeidzjan		19-01-04	T	18-02-04		
Bahama's		21-05-08	T	20-06-08		
Bahrein		10-05-10	T	09-06-10		
Bangladesh		11-05-05	T	10-06-05		
Belarus		09-09-93	VG	14-06-93		
België	13-06-80	06-09-91	R	06-10-91		
Bolivia		24-01-02	T	23-02-02		
Bosnië en Herzegovina		30-06-98	VG	01-03-92		
Botswana		19-09-00	T	19-10-00		
Brazilië	15-05-81	17-10-85	R	08-02-87		
Bulgarije	23-06-81	10-04-84	R	08-02-87		
Burkina Faso		13-01-04	T	12-02-04		
Cambodja		04-08-06	T	03-09-06		
Canada	23-09-80	21-03-86	R	08-02-87		
Centraal- Afrikaanse Republiek		20-02-08	T	21-03-08		
Chili		27-04-94	T	27-05-94		
China		10-01-89	T	09-02-89		
Colombia		28-03-03	T	27-04-03		
Comoren		18-05-07	T	17-06-07		
Congo, Democratische Republiek		21-09-04	T	21-10-04		
Costa Rica		02-05-03	T	01-06-03		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Cuba		26-09-97	T	26-10-97		
Cyprus		23-07-98	T	22-08-98		
Denemarken	13-06-80	06-09-91	R	06-10-91		
Djibouti		22-06-04	T	22-07-04		
Dominica		08-11-04	T	08-12-04		
Dominicaanse Republiek	03-03-80	30-04-09	R	30-05-09		
Duitsland	13-06-80	06-09-91	R	06-10-91		
Ecuador	26-06-86	17-01-96	R	16-02-96		
El Salvador		15-12-06	T	14-01-07		
Equatoriaal- Guinea		24-11-03	T	24-12-03		
Estland		09-05-94	T	08-06-94		
EURATOM (Europese Gemeenschap voor Atoomenergie)	13-06-80	06-09-91	R	06-10-91		
Fiji		23-05-08	T	22-06-08		
Filipijnen	19-05-80	22-09-81	R	08-02-87		
Finland	25-06-81	22-09-89	R	22-10-89		
Frankrijk	13-06-80	06-09-91	R	06-10-91		
Gabon		19-02-08	T	20-03-08		
Georgië		07-09-06	T	07-10-06		
Ghana		16-10-02	T	15-11-02		
Grenada		09-01-02	T	08-02-02		
Griekenland	03-03-80	06-09-91	R	06-10-91		
Guatemala	12-03-80	23-04-85	R	08-02-87		
Guinee		29-11-05	T	29-12-05		
Guinee-Bissau		08-10-08	T	07-11-08		
Guyana		13-09-07	T	13-10-07		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Haïti	09-04-80					
Honduras		28-01-04	T	27-02-04		
Hongarije	17-06-80	04-05-84	R	08-02-87		
Ierland	13-06-80	06-09-91	R	06-10-91		
IJsland		18-06-02	T	18-07-02		
India		12-03-02	T	11-04-02		
Indonesië	03-07-86	05-11-86	R	08-02-87		
Israël	17-06-83	22-01-02	R	21-02-02		
Italië	13-06-80	06-09-91	R	06-10-91		
Ivoorkust		17-10-12	T	16-11-12		
Jamaica		16-08-05	T	15-09-05		
Japan		28-10-88	T	27-11-88		
Jemen		31-05-07	T	30-06-07		
Joegoslavië (< 25-06-1991)	15-07-80	14-05-86	R	08-02-87		
Jordanië		07-09-09	T	07-10-09		
Kaapverdië		23-02-07	T	25-03-07		
Kameroen		29-06-04	T	29-07-04		
Kazachstan		02-09-05	T	02-10-05		
Kenia		11-02-02	T	13-03-02		
Koeweit		23-04-04	T	23-05-04		
Kroatië		29-09-92	VG	08-10-91		
Laos		29-09-10	T	29-10-10		
Lesotho		18-08-10	T	17-09-10		
Letland		06-11-02	T	06-12-02		
Libanon		16-12-97	T	15-01-98		
Libië		18-10-00	T	17-11-00		
Liechtenstein	13-01-86	25-11-86	R	08-02-87		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Litouwen		07-12-93	T	06-01-94		
Luxemburg	13-06-80	06-09-91	R	06-10-91		
Macedonië, de voormalige Joegoslavische Republiek		20-09-96	VG	17-11-91		
Madagaskar		28-10-03	T	27-11-03		
Mali		07-05-02	T	06-06-02		
Malta		16-10-03	T	15-11-03		
Marokko	25-07-80	23-08-02	R	22-09-02		
Marshalleilanden		07-02-03	T	09-03-03		
Mauritanië		29-01-08	T	28-02-08		
Mexico		04-04-88	T	04-05-88		
Moldavië		07-05-98	T	06-06-98		
Monaco		09-08-96	T	08-09-96		
Mongolië	23-01-86	28-05-86	R	08-02-87		
Montenegro		21-03-07	VG	03-06-06		
Mozambique		03-03-03	T	02-04-03		
Namibië		02-10-02	T	01-11-02		
Nauru		12-08-05	T	11-09-05		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	13-06-80	06-09-91 – – 02-12-05 – –	R R	06-10-91 – – 02-12-05 – –		
Nicaragua		10-12-04	T	09-01-05		
Nieuw-Zeeland		19-12-03	T	18-01-04		
Niger	07-01-85	19-08-04	R	18-09-04		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Nigeria		04-04-07	T	04-05-07		
Niue		19-06-09	T	19-07-09		
Noorwegen	26-01-83	15-08-85	R	08-02-87		
Oekraïne		06-07-93	T	05-08-93		
Oezbekistan		09-02-98	T	11-03-98		
Oman		11-06-03	T	11-07-03		
Oostenrijk	03-03-80	22-12-88	R	21-01-89		
Pakistan		12-09-00	T	12-10-00		
Palau		24-04-07	T	24-05-07		
Panama	18-03-80	01-04-99	R	01-05-99		
Paraguay	21-05-80	06-02-85	R	08-02-87		
Peru		11-01-95	T	10-02-95		
Polen	06-08-80	05-10-83	R	08-02-87		
Portugal	19-09-84	06-09-91	R	06-10-91		
Qatar		09-03-04	T	08-04-04		
Roemenië	15-01-81	23-11-93	R	23-12-93		
Russische Federatie	22-05-80	25-05-83	R	08-02-87		
Rwanda		28-06-02	T	28-07-02		
Saint Kitts en Nevis		29-08-08	T	28-09-08		
Saint Lucia		14-09-12	T	14-10-12		
Saudi-Arabië		07-01-09	T	06-02-09		
Senegal		03-11-03	T	03-12-03		
Servië		05-02-02	VG	27-04-92		
Seychellen		13-08-03	T	12-09-03		
Slovenië		07-07-92	VG	25-06-91		
Slowakije		10-02-93	VG	01-01-93		
Spanje	07-04-86	06-09-91	R	06-10-91		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Sudan		18-05-00	T	17-06-00		
Swaziland		17-04-03	T	17-05-03		
Tadzjikistan		11-07-96	T	10-08-96		
Tanzania		24-05-06	T	23-06-06		
Togo		07-06-06	T	07-07-06		
Tonga		24-01-03	T	23-02-03		
Trinidad en Tobago		25-04-01	T	25-05-01		
Tsjechië		24-03-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)	14-09-81	23-04-82	R	08-02-87		
Tunesië		08-04-93	T	08-05-93		
Turkije	23-08-83	27-02-85	R	08-02-87		
Turkmenistan		07-01-05	T	06-02-05		
Uganda		10-12-03	T	10-01-04		
Uruguay		24-10-03	T	23-11-03		
Verenigd Koninkrijk	13-06-80	06-09-91	R	06-10-91		
Verenigde Arabische Emiraten		16-10-03	T	15-11-03		
Verenigde Staten van Amerika	03-03-80	13-12-82	R	08-02-87		
Vietnam		04-10-12	T	03-11-12		
Zuid-Afrika	18-05-81	17-09-07	R	17-10-07		
Zuid-Korea	29-12-81	07-04-82	R	08-02-87		
Zweden	02-07-80	01-08-80	R	08-02-87		
Zwitserland	09-01-87	09-01-87	R	08-02-87		

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

Uitbreidingen

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Guernsey	06-10-1991	
Jersey	06-10-1991	
Man	06-10-1991	

Verklaringen, voorbehouden en bezwaren

Algerije, 30 april 2003

The Government of the People's Democratic Republic of Algeria does not consider itself bound by the provisions of Article 17, paragraph 2, of this Convention. The Government of the People's Democratic Republic of Algeria declares that any dispute can only be submitted to arbitration or referred to the International Court of Justice with the prior consent of all parties concerned.

Andorra, 27 juni 2006

The Principality of Andorra designates the Ministry in charge of Transport and Energy as the central authority and point of contact for the Convention on the Physical Protection of Nuclear Material.

Argentinië, 6 april 1989

In accordance with the provisions of Article 17.3 of the Convention, Argentina does not consider itself bound by either of the dispute settlement procedures provided for in Article 17.2 of the Convention.

Azerbeidzjan, 19 januari 2004

In accordance with paragraph 3 of Article 17 of the Convention, the Republic of Azerbaijan declares that it does not consider itself bound by paragraph 2 of Article 17.

Bahama's, 21 mei 2008

In accordance with Article 17 paragraph 3, the Commonwealth of The Bahamas does not consider itself bound by any of the arbitration procedures laid down in Article 17 paragraph 2 of the Convention.

Bahrein, 10 mei 2010

The Kingdom of Bahrain does not consider itself bound by the provisions of Article 17.2 of this Convention.

Belarus, 9 september 1993

[...] does not consider itself bound by the provisions of Article 17, paragraph 2 of the Convention that any dispute concerning the interpretation or application of the Convention shall be submitted to arbitration or referred to the International Court of Justice at the request of any party to such dispute.

China, 10 januari 1989

China will not be bound by the two dispute settlement procedures as stipulated in Paragraph 2, Article 17 of the said Convention.

Cuba, 26 september 1997

The Republic of Cuba declares with respect to the content of Article 17 of the Convention on the Physical Protection of Nuclear Material that any dispute that may arise concerning the interpretation or application of the Convention shall be settled by diplomatic means among the parties to the dispute. By the same token, it does not consider itself bound by the procedure involving the International Court of Justice.

Cyprus, 23 juli 1998

The Republic of Cyprus declares that in accordance with the provisions of Article 17.3 of the Convention Cyprus does not consider itself bound by either of the dispute settlement procedures provided for in Article 17.2 of the Convention.

El Salvador, 15 december 2006

With regard to the provisions of Article 11 of the Convention, the Government of the Republic of El Salvador does not consider the Convention as the legal basis for cooperation in respect of extradition. Furthermore, with regard to the provisions of Article 17 of the Convention, the Government of the Republic of El Salvador does not consider itself bound and does not recognize the mandatory jurisdiction of the International Court of Justice.

EURATOM (Europese Gemeenschap voor Atoomenergie), 6 september 1991

Pursuant to Article 18 (4)(c) of the Convention, [the European Atomic Energy Community] would like to declare:

- a) that the Member States of the Community are at present Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom of Great Britain and Northern Ireland;
- b) that Articles 7 to 13 of the Convention are not applicable to the Community.

Further, pursuant to Article 17 (3) of the Convention, [the European Atomic Energy Community] declare[s] that, since only States may be

parties in cases before the International Court of Justice, the Community considers itself exclusively bound by the arbitration procedures provided for in Article 17 (2).

Frankrijk, 6 september 1991

1. In approving the Convention, the French Government expresses the following reservation: the offences described in sub-paragraphs 1(e) and 1(f) of Article 7 of the Convention shall be punished in accordance with the provisions of French penal legislation.

2. The French Government declares that the jurisdiction referred to in Article 8, paragraph 4 may not be invoked against it, since the criterion of jurisdiction based on involvement in international nuclear transport as the exporting or importing State is not expressly recognized in international law and is not provided for in French national legislation.

3. In accordance with Article 17, paragraph 3, France declares that it does not accept the competence of the International Court of Justice in the settlement of the disputes referred to in paragraph 2 of this article, nor that of the President of the International Court of Justice to appoint one or more arbitrators.

Guatemala, 23 april 1985

The Republic of Guatemala does not consider itself bound by any of the dispute settlement procedures set out in paragraph 2 of Article 17 of the Convention, which provide for the submission of disputes to arbitration or their referral to the International Court of Justice for decision.

India, 12 maart 2002

In accordance with Article 17, paragraph 3, the Government of the Republic of India does not consider itself bound by the procedure for the settlement of disputes provided for under Article 17, paragraph 2 of the Convention.

Indonesië, 5 november 1986

The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 17, paragraph 2 of this Convention and take the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all the parties to the dispute.

Israël, 22 januari 2002

In accordance with Article 17, paragraph 3, the Government of the State of Israel declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17.

Italië, 6 september 1991

1. In connection with Art. 4.2: Italy considers that if assurances as to the levels of physical protection described in annex I have not been received in good time the importing state party may take appropriate bilateral steps as far as practicable to assure itself that the transport will take place in compliance with the aforesaid levels.

2. In connection with Art. 10: The last words 'through proceedings in accordance with the laws of the state' are to be considered as referring to the whole Article 10.

Italy considers that international co-operation and assistance for physical protection and recovery of nuclear materials as well as criminal rules and extradition will apply also to the domestic use, storage and transport of nuclear material used for peaceful purposes. Italy also considers that no provision contained in this convention shall be interpreted as precluding the possibility to widen the scope of the convention at the review conference foreseen in Art. 16.

Jordanië, 7 september 2009

[...] register the reservation of the Hashemite Kingdom of Jordan to Article 17.2 of the Convention on the settlement of disputes concerning the Convention (both the arbitration proceedings and referral to the International Court of Justice).

Koeweit, 23 april 2004

Having considered the Convention on the Physical Protection of Nuclear Material signed on 3 March 1980, and having considered Law No. 12 of 2004, issued on (14 Dhu Al-Qa'da 1424 - year of the Hegira) 6 January 2004 pertaining to approval of it with a reservation on paragraph 2 of Article 17 declaring non-obligation to be bound by it, we hereby announce our accession to the said Convention and pledge to comply with it and ensure its observance.

Laos, 29 september 2010

[...] In accordance with paragraph 3, Article 17 of the Convention on the Physical Protection of Nuclear Material, the Lao People's Democratic Republic declares that it does not consider itself bound by paragraph 2, Article 17 of the present Convention. The Lao People's Democratic Republic declares further that to refer a dispute concerning the interpretation or application of the present Convention to International Arbitration or to refer it to the International Court of Justice for decision requires the consent of all parties thereto. [...]

[...] The Lao People's Democratic Republic declares that it makes extradition conditional on the existence of a treaty. Nevertheless, it does not consider the Convention on the Physical Protection of Nuclear Material as the legal basis for extradition in respect of the offences set forth therein. It further declares that bilateral agreements will be the basis for

extradition as between the Lao People's Democratic Republic and other States Parties in respect of any offences. [...]

Mozambique, 3 maart 2003

The Republic of Mozambique does not consider itself bound by the provisions of article 17, paragraph 2 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 International Court of Justice.

Nederlanden, het Koninkrijk der, 6 september 1991

With regard to the obligation to exercise jurisdiction referred to in Article 10 of the Convention on the Physical Protection of Nuclear Material, done at Vienna/New York on 3 March 1980, the Kingdom of the Netherlands makes the reservation, that in cases where the judicial authorities of the Netherlands are unable to exercise jurisdiction on the grounds of one of the principles referred to in Article 8, paragraph 1, of the Convention, the Kingdom shall be bound by this obligation only if it has received an extradition request from a Party to the Convention and the said request has been rejected.

Nederlanden, het Koninkrijk der, 2 december 2005

With regard to the obligation to exercise jurisdiction referred to in Article 10 of the Convention on the Physical Protection of Nuclear Material, done at Vienna/New York on 3 March 1980, the Kingdom of the Netherlands makes the reservation, that in cases where the judicial authorities of Aruba are unable to exercise jurisdiction on the grounds of one of the principles referred to in Article 8, paragraph 1, of the Convention, the Kingdom shall be bound by this obligation only if it has received an extradition request from a Party to the Convention and the said request has been rejected.

Nederlanden, het Koninkrijk der, 14 oktober 2010

The Kingdom of the Netherlands, for the Kingdom in Europe, withdraws the reservation, made on 6 september 1991.

Oman, 11 juni 2003

1. Reservation with respect to Article 8, paragraph 4, the text of which states that each State Party may, consistent with international law, establish its jurisdiction over the offences set forth in Article 7 when it is involved in international nuclear transport as the exporting or importing State.

2. In accordance with Article 17, paragraph 3 of the Convention, the Sultanate does not consider itself bound by the dispute settlement procedures provided for in Article 17, paragraph 2.

Upon a request by the Secretariat, the following specification of the nature of the reservation made with respect to Article 8, paragraph 4, was received from the Sultanate of Oman:

The reservation made by the Sultanate of Oman to Article 8, paragraph 4 of the Convention is due to the fact that it is inconsistent with the principle of the sovereignty of national jurisdiction, as well as with the principles of international law. This is because it establishes jurisdiction by exporting or importing States over offences committed outside their territories when they are involved in international nuclear transport.

Pakistan, 12 september 2000

1. The Government of the Islamic Republic of Pakistan does not consider itself bound by paragraph 2 of Article 2, as it regards the question of domestic use, storage and transport of nuclear material beyond the scope of the said Convention.

2. The Government of the Islamic Republic of Pakistan does not consider itself bound by either of the dispute settlement procedures provided for in paragraph 2 of Article 17 of the said Convention.

Bezwaar door België, 16 oktober 2001

[...] the Government of the Kingdom of Belgium has examined the reservation expressed by the Government of the Islamic Republic of Pakistan on its accession to the Convention on the Physical Protection of Nuclear Material with regard to paragraph 2 of article 2 thereof.

The Government of the Kingdom of Belgium objects to the aforementioned reservation of the Government of the Islamic Republic of Pakistan which raises a doubt with regard to Pakistan's commitment to the object and purpose of the Convention. This objection shall not preclude the entry into force of the Convention between the Government of the Kingdom of Belgium and the Government of the Islamic Republic of Pakistan.

Bezwaar door Duitsland, 20 september 2001

The Government of the Federal Republic of Germany has examined the declaration made by the Government of the Islamic Republic of Pakistan upon its accession to the Convention on the Physical Protection of Nuclear Material, regarding paragraph 2 of Article 2. The Government of the Federal Republic of Germany objects to the aforesaid declaration by the Government of the Islamic Republic of Pakistan which raises doubts with regard to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention.

It is in the common interest that treaties are respected as to their object and purpose by all parties.

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

Bezwaar door EURATOM (Europese Gemeenschap voor Atoom-energie), 19 oktober 2001

The European Atomic Energy Community has carefully examined the declaration made by the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, with regard to article 2, paragraph 2. The European Atomic Energy Community objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between the European Atomic Energy Community and the Islamic Republic of Pakistan.

Bezwaar door Finland, 18 oktober 2001

The Government of Finland has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of Finland objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between the Government of Finland and the Islamic Republic of Pakistan.

Bezwaar door Frankrijk, 12 oktober 2001

The Government of the French Republic has examined the reservation expressed by the Islamic Republic of Pakistan on its accession to the Convention on the Physical Protection of Nuclear Material, with regard to paragraph 2 of article 2 thereof.

The Government of the French Republic objects to the aforementioned reservation of the Islamic Republic of Pakistan which raises a doubt with regard to Pakistan's commitment to the object and purposes of the Convention.

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

Bezwaar door Griekenland, 26 november 2001

The Government of Greece has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of Greece objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between the Government of Greece and the Islamic Republic of Pakistan.

Bezwaar door Ierland, 28 september 2001

The Government of Ireland has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan upon its accession to the Convention on the Physical Protection of Nuclear Material, regarding paragraph 2 of Article 2.

The Government of Ireland objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which raises doubts with regard to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention. It is in the common interest that treaties are respected as to their object and purpose by all parties.

This objection does not preclude the entry into force of the convention between Ireland and the Islamic Republic of Pakistan.

Bezwaar door Italië, 15 oktober 2001

The Government of the Republic of Italy has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2 of the aforesaid Convention.

The Government of the Republic of Italy objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan, which raises doubts with regard to the commitment of the Islamic Republic of Pakistan to the object and the purpose of the Convention.

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

Bezwaar door Luxemburg, 23 oktober 2001

The Government of the Grand Duchy of Luxembourg has examined the reservation expressed by the Government of the Islamic Republic of Pakistan on its accession to the Convention on the Physical Protection of Nuclear Material with regard to paragraph 2 of article 2 thereof.

The Government of the Grand Duchy of Luxembourg objects to the aforementioned reservation of the Government of the Islamic Republic of Pakistan which raises a doubt with regard to Pakistan's commitment to the object and purpose of the Convention. This objection shall not preclude the entry into force of the Convention between the Government of the Grand Duchy of Luxembourg and the Government of the Islamic Republic of Pakistan.

Bezwaar door **Nederlanden, het Koninkrijk der**, 9 oktober 2001

The Government of the Kingdom of the Netherlands has examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of the Kingdom of the Netherlands objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on Physical Protection of Nuclear Material, which raises doubts as to Pakistan's commitment to the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have chosen to become party should be respected, as to object and purpose, by all parties.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material.

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

Bezwaar door Noorwegen, 17 oktober 2001

The Government of Norway has examined the contents of the reservation made by the Islamic Republic of Pakistan upon accession to the Convention on the Physical Protection of Nuclear Material.

According to paragraph 1 of the reservation, Pakistan does not consider itself bound by paragraph 2 of article 2 of the Convention. This paragraph extends the obligation of protection of nuclear material to such material while in domestic use, storage and transport. The provision aims at averting the potential dangers

posed by the unlawful taking and use of nuclear material. Norway therefore objects to paragraph 1 of the reservation, as it is contrary to the object and purpose of the Convention and thus impermissible according to well established treaty law.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Islamic Republic of Pakistan. The Convention thus becomes operative between Norway and Pakistan without Pakistan benefiting from the said part of the reservation.

Bezwaar door Oostenrijk, 12 oktober 2001

Austria has carefully examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

Austria objects to the aforesaid declaration by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which raises doubts with regard to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention.

Although the declaration made by the Government of the Islamic Republic of Pakistan refers to the area "beyond the scope of the said Convention" the purpose of that declaration could be interpreted as if it also related to obligations within the framework of that Convention, such as obligations to make the offences described in article 7 of the Convention punishable under its national law or to cooperate with other States Parties in the field of criminal prosecution. Such interpretation would be incompatible with the object and purpose of the Convention.

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

Bezwaar door Portugal, 18 oktober 2001

The Government of the Portuguese Republic has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of the Portuguese Republic objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which raises doubts regarding the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention.

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

Bezwaar door Spanje, 4 oktober 2001

The Government of the Kingdom of Spain has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding Article 2, Paragraph 2.

The Government of the Kingdom of Spain objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This object does not preclude the entry into force of the Convention between the Government of the Kingdom of Spain and the Islamic Republic of Pakistan.

Bezwaar door Verenigd Koninkrijk, 16 oktober 2001

[...] has the honour to refer to the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of the United Kingdom of Great Britain and Northern Ireland objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Islamic Republic of Pakistan.

Bezwaar door Zweden, 8 oktober 2001

The Government of Sweden has carefully examined the reservation made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2.

The Government of Sweden objects to the aforesaid reservation by the Government of the Islamic Republic of Pakistan to the Convention on the Physical Protection of Nuclear Material, which puts in question Pakistan's commitment to the object and purpose of the Convention.

This objection does not preclude the entry into force of the convention between the Government of Sweden and the Islamic Republic of Pakistan.

Bezwaar door Zwitserland, 19 oktober 2001

The Government of Switzerland has carefully examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the Convention on the Physical Protection of Nuclear Material, regarding article 2, paragraph 2 of this Convention.

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 Switzerland considers the declaration of the Government of the Islamic Republic of Pakistan in its substance as a reservation.

According to international law a reservation incompatible with the object and purpose of the treaty is not permitted. The Government of Switzerland is of the view that the aforesaid reservation raises doubts as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention. The Government of Switzerland therefore objects to this reservation. This objection does not preclude the entry into force of the Convention between Switzerland and the Islamic Republic of Pakistan. The Convention enters into force in its entirety between the two States, without the Islamic Republic of Pakistan benefiting from its reservation.

Peru, 11 januari 1995

In accordance with the provisions of Article 17.3 of the Convention, Peru does not consider itself bound by any of the dispute settlement procedures provided for in the convention.

A Note explaining the reservation reads as follows:

The reservation made by Peru in the instrument of accession [...] refers only to the dispute settlement procedures provided for in paragraph 2 of Article 17, in accordance with paragraph 3 of the same article.

Qatar, 9 maart 2004

The State of Qatar does not consider itself bound by either of the dispute settlement procedures provided for in paragraph (2) of Article (17).

Roemenië, 15 januari 1981

The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of Article 17, paragraph 2 of the Convention on the Physical Protection of Nuclear Material, which state that any dispute concerning the interpretation or application of the Convention which cannot be settled by negotiation or by any other peaceful means of settling disputes shall, at the request of any party to such dispute, be

submitted to arbitration or referred to the International Court of Justice for decision.

The Socialist Republic of Romania considers that such disputes can be submitted to arbitration or to the International Court of Justice only with the consent of all parties to the dispute in each individual case.

In signing the Convention on the Physical Protection of Nuclear Material, the Socialist Republic of

Romania declares that, in its interpretation, the provisions of Article 18, paragraph 4 refer exclusively to organizations to which the Member States have transferred competence to negotiate, conclude and apply international agreements on their behalf and to exercise the rights and fulfil the responsibilities entailed by such agreements including the right to vote.

Russische Federatie, 25 mei 1983

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of Article 17, paragraph 2 of the Convention that any dispute concerning the interpretation or application of the Convention shall be submitted to arbitration or referred to the International Court of Justice at the request of any party to such dispute.

Russische Federatie, 3 maart 2007

On the 3 of March 2007 the President of the Russian Federation endorsed by signature the Federal Law of the Russian Federation on withdrawal of the reservations made by the USSR with regard to non-recognition of jurisdiction of the International Court of Justice in all legal disputes concerning interpretation and application of the Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980.

Saint Lucia, 14 september 2012

[...]

2. That in accordance with Article 17 paragraph 3 of the Convention, the Government of Saint Lucia does not consider itself bound by the procedures established under Article 17 paragraph [2], of the Convention;

3. That the explicit expressed consent of the Government of Saint Lucia would be necessary for any submission of any dispute to arbitration of the International Court of Justice.

Saudi-Arabië, 7 januari 2009

The Kingdom declares that it does not consider itself bound by any of the dispute settlement procedures provided for in paragraph 2 of Article 17 of that Convention.

Spanje, 6 september 1991

The Kingdom of Spain declares, in accordance with paragraph 3 of Article 17 of the Convention, that it does not consider itself bound by the procedure for the settlement of disputes stipulated in paragraph 2 of Article 17.

Turkije, 27 februari 1985

Turkey, in accordance with Article 17, Paragraph 3, of the Convention does not consider itself bound by Article 17, Paragraph 2 of the Convention.

Vietnam, 4 oktober 2012

The Socialist Republic of Viet Nam does not consider itself bound by paragraph 2 of Article 17 of this Convention and any dispute concerning the interpretation or application of the Convention shall only be referred to arbitration or the International Court of Justice on the basis of consent of all parties to the dispute.

[...] the Socialist Republic of Viet Nam, pursuant to Article 11 of this Convention, declares that it shall not take this Convention as the direct legal basis for extradition. The Socialist Republic of Viet Nam shall carry out extradition in accordance with the provisions of the Vietnamese law, on the basis of treaties on extradition and the principle of reciprocity.

Zuid-Afrika, 18 mei 1981

In accordance with Article 17, paragraph 3, the Republic of South Africa declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17.

Zuid-Korea, 7 april 1982

[...] the Government of the Republic of Korea does not consider itself bound by the dispute settlement procedures provided for in Paragraph 2 of Article 17.

Wijziging van 8 juli 2005

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Algerije		25-04-07	R			
Antigua en Barbuda		17-12-09	R			
Argentinië		15-11-11	R			
Australië		17-07-08	R			

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Bahrein		09-06-10	R			
Bosnië en Herzegovina		21-06-10	R			
Bulgarije		17-03-06	R			
Chili		12-03-09	R			
China		14-09-09	R			
Denemarken		19-05-10	R			
Duitsland		21-10-10	R			
Estland		24-02-09	R			
Fiji		22-06-08	R			
Finland		17-06-11	R			
Gabon		20-03-08	R			
Georgië		05-04-12	R			
Griekenland		13-12-11	R			
Hongarije		04-12-08	R			
India		19-09-07	R			
Indonesië		27-05-10	R			
Israël		16-03-12	R			
Jordanië		07-10-09	R			
Kazachstan		26-04-11	R			
Kenia		01-08-07	R			
Kroatië		11-09-06	R			
Lesotho		18-09-12	R			
Letland		23-11-10	R			
Libië		19-07-06	R			
Liechtenstein		13-10-09	R			
Litouwen		19-05-09	R			
Luxemburg		24-02-12	R			

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Macedonië, de voormalige Joegoslavische Republiek		25-11-11	R			
Mali		27-01-10	R			
Mauritanië		28-02-08	R			
Mexico		01-08-12	R			
Moldavië		22-12-08	R			
Nauru		14-06-10	R			
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten		17-04-11 – – – – – –	R			
Niger		28-05-09	R			
Nigeria		04-05-07	R			
Noorwegen		20-08-09	R			
Oekraïne		24-12-08	R			
Oostenrijk		18-09-06	R			
Polen		01-06-07	R			
Portugal		26-11-10	R			
Roemenië		06-02-07	R			
Russische Federatie		19-09-08	R			
Saint Lucia		08-11-12	R			
Saudi-Arabië		21-01-11	R			
Seychellen		09-01-06	R			
Slovenië		01-09-09	R			
Spanje		09-11-07	R			

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Tsjechië		30-12-10	R			
Tunesië		07-06-10	R			
Turkmenistan		22-09-05	R			
Verenigd Koninkrijk		08-04-10	R			
Verenigde Arabische Emiraten		31-07-09	R			
Vietnam		03-11-12	R			
Zweden		23-03-12	R			
Zwitserland		15-10-08	R			

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

Uitbreidingen

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Man		

Verklaringen, voorbehouden en bezwaren

Denemarken, 19 mei 2010

Until further notice the Amendment to the Convention shall not apply to Greenland and the Faroe Islands.

Israël, 16 maart 2012

In accordance with Article 17 paragraph 3, the Government of the State of Israel reiterates that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17 of the Convention.

G. INWERKINGTREDING

Zie *Trb.* 1991, 160 en *Trb.* 2006, 81.

J. VERWIJZINGEN

Zie *Trb.* 1980, 166, *Trb.* 1991, 160, *Trb.* 1997, 31 en *Trb.* 2006, 81.

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

Laatste *Trb.* : *Trb.* 2012, 200

Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945

Laatste *Trb.* : *Trb.* 2012, 128

Uitgegeven de *derde* december 2012.

De Minister van Buitenlandse Zaken,

F. C. G. M. TIMMERMANS