

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 84

A. TITEL

Verdrag inzake de voorkoming en bestraffing van misdrijven tegen internationaal beschermde personen, met inbegrip van diplomaten; New York, 14 december 1973

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1981, 69.

C. VERTALING

Zie *Trb.* 1981, 69.

D. PARLEMENT

Zie *Trb.* 1988, 166.

Artikel 1 van de Rijkswet van 21 februari 2009 (*Stb.* 2009, 128) luidt als volgt:

„Artikel 1

Voor het gehele Koninkrijk wordt goedgekeurd dat het voorbehoud, dat betrekking heeft op artikel 7 van het op 14 december 1973 te New York totstandgekomen Verdrag inzake de voorkoming en bestraffing van misdrijven tegen internationaal beschermde personen, met inbegrip van diplomaten (*Trb.* 1981, 69), dat bij de bekrachtiging van dat Verdrag is gemaakt overeenkomstig artikel 2 van de Rijkswet van 19 mei 1988, houdende de goedkeuring van dat Verdrag (*Stb.* 274), 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 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.* 1981, 69 en *Trb.* 1988, 166.

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		07-11-00	T	07-12-00		
Andorra		23-09-04	T	23-10-04		
Antigua en Barbuda		19-07-93	T	18-08-93		
Argentinië		18-03-82	T	17-04-82		
Armenië		18-05-94	T	17-06-94		
Australië	30-12-74	20-06-77	R	20-07-77		
Azerbeidzjan		02-04-01	T	02-05-01		
Bahama's		22-07-86	T	21-08-86		
Bahrein		16-09-05	T	16-10-05		
Bangladesh		20-05-05	T	19-06-05		
Barbados		26-10-79	T	25-11-79		
Belarus	11-06-74	05-02-76	R	20-02-77		
België		19-05-04	T	18-06-04		
Belize		14-11-01	T	14-12-01		
Benin		31-07-03	T	30-08-03		
Bhutan		16-01-89	T	15-02-89		
Bolivia		22-01-02	T	21-02-02		
Bosnië en Herzegovina		01-09-93	VG	06-03-92		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Botswana		25-10-00	T	24-11-00		
Brazilië		07-06-99	T	07-07-99		
Brunei		13-11-97	T	13-12-97		
Bulgarije	27-06-74	18-07-74	R	20-02-77		
Burkina Faso		01-10-03	T	31-10-03		
Burundi		17-12-80	T	16-01-81		
Cambodja		27-07-06	T	26-08-06		
Canada	26-06-74	04-08-76	R	20-02-77		
Centraal- Afrikaanse Republiek		19-02-08	T	20-03-08		
Chili		21-01-77	T	20-02-77		
China		05-08-87	T	04-09-87		
Colombia		16-01-96	T	15-02-96		
Comoren		25-09-03	T	25-10-03		
Congo, Democratische Republiek		25-07-77	T	24-08-77		
Costa Rica		02-11-77	T	02-12-77		
Cuba		10-06-98	T	10-07-98		
Cyprus		24-12-75	T	20-02-77		
Denemarken	10-05-74	01-07-75	R	20-02-77		
Djibouti		01-06-04	T	01-07-04		
Dominica		24-09-04	T	24-10-04		
Dominicaanse Republiek		08-07-77	T	07-08-77		
Duitsland	15-08-74	25-01-77	R	24-02-77		
Ecuador	27-08-74	12-03-75	R	20-02-77		
Egypte		25-06-86	T	25-07-86		
El Salvador		08-08-80	T	07-09-80		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Equatoriaal- Guinea		07-02-03	T	09-03-03		
Estland		21-10-91	T	20-11-91		
Ethiopië		16-04-03	T	16-05-03		
Fiji		15-05-08	T	14-06-08		
Filipijnen		26-11-76	T	20-02-77		
Finland	10-05-74	31-10-78	R	30-11-78		
Frankrijk		26-08-03	T	25-09-03		
Gabon		14-10-81	T	13-11-81		
Georgië		18-02-04	T	19-03-04		
Ghana		25-04-75	T	20-02-77		
Grenada		13-12-01	T	12-01-02		
Griekenland		03-07-84	T	02-08-84		
Guatemala	12-12-74	18-01-83	R	17-02-83		
Guinee		22-12-04	T	21-01-05		
Guinee-Bissau		06-08-08	T	05-09-08		
Guyana		12-09-07	T	12-10-07		
Haïti		25-08-80	T	24-09-80		
Honduras		29-01-03	T	28-02-03		
Hongarije	06-11-74	26-03-75	R	20-02-77		
Ierland		30-06-05	T	30-07-05		
IJsland	10-05-74	02-08-77	R	01-09-77		
India		11-04-78	T	11-05-78		
Irak		28-02-78	T	30-03-78		
Iran		12-07-78	T	11-08-78		
Israël		31-07-80	T	30-08-80		
Italië	30-12-74	30-08-85	R	29-09-85		
Ivoorkust		13-03-02	T	12-04-02		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Jamaica		21-09-78	T	21-10-78		
Japan		08-06-87	T	08-07-87		
Jemen		09-02-87	T	11-03-87		
Joegoslavië (< 25-06-1991)	17-12-74	29-12-76	R	20-02-77		
Jordanië		18-12-84	T	17-01-85		
Kaapverdië		10-09-02	T	10-10-02		
Kameroen		08-06-92	T	08-07-92		
Kazachstan		21-02-96	T	22-03-96		
Kenia		16-11-01	T	16-12-01		
Kirgistan		02-10-03	T	01-11-03		
Kiribati		15-09-05	T	15-10-05		
Koeweit		01-03-89	T	31-03-89		
Kroatië		12-10-92	VG	08-10-91		
Laos		22-08-02	T	21-09-02		
Lesotho		06-11-09	T	06-12-09		
Letland		14-04-92	T	14-05-92		
Libanon		03-06-97	T	03-07-97		
Liberia		30-09-75	T	20-02-77		
Libië		25-09-00	T	25-10-00		
Liechtenstein		28-11-94	T	28-12-94		
Litouwen		23-10-02	T	22-11-02		
Luxemburg		10-05-06	T	09-06-06		
Macedonië, de voormalige Joegoslavische Republiek		12-03-98	VG	17-11-91		
Madagaskar		24-09-03	T	24-10-03		
Malawi		14-03-77	T	13-04-77		
Malediven		21-08-90	T	20-09-90		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Maleisië		24-09-03	T	24-10-03		
Mali		12-04-02	T	12-05-02		
Malta		11-11-01	T	11-12-01		
Marokko		09-01-02	T	08-02-02		
Marshalleilanden		27-01-03	T	26-02-03		
Mauritanië		09-02-98	T	11-03-98		
Mauritius		24-09-03	T	24-10-03		
Mexico		22-04-80	T	22-05-80		
Micronesia		06-07-04	T	05-08-04		
Moldavië		08-09-97	T	08-10-97		
Monaco		27-11-02	T	27-12-02		
Mongolië	23-08-74	08-08-75	R	20-02-77		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		14-01-03	T	13-02-03		
Myanmar		04-06-04	T	04-07-04		
Nauru		02-08-05	T	01-09-05		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten		06-12-88 – – – – – –	T	05-01-89 10-10-10 10-10-10 10-10-10 05-01-89 10-10-10 10-10-10		
Nepal		09-03-90	T	08-04-90		
Nicaragua	29-10-74	10-03-75	R	20-02-77		
Nieuw-Zeeland		12-11-85	T	12-12-85		
Niger		17-06-85	T	17-07-85		
Niue		22-06-09	T	22-07-09		
Noord-Korea		01-12-82	T	31-12-82		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Noorwegen	10-05-74	28-04-80	R	28-05-80		
Oekraïne	18-06-74	20-01-76	R	20-02-77		
Oezbekistan		19-01-98	T	18-02-98		
Oman		22-03-88	T	21-04-88		
Oostenrijk		03-08-77	T	02-09-77		
Pakistan		29-03-76	T	20-02-77		
Palau		14-11-01	T	14-12-01		
Panama		17-06-80	T	17-07-80		
Papua-Nieuw- Guinea		30-09-03	T	30-10-03		
Paraguay	25-10-74	24-11-75	R	20-02-77		
Peru		25-04-78	T	25-05-78		
Polen	07-06-74	14-12-82	R	13-01-83		
Portugal		11-09-95	T	11-10-95		
Qatar		03-03-97	T	02-04-97		
Roemenië	27-12-74	15-08-78	R	14-09-78		
Russische Federatie	07-06-74	15-01-76	R	20-02-77		
Rwanda	15-10-74	29-11-77	R	29-12-77		
Saint Kitts en Nevis		28-07-08	T	27-08-08		
Saint Vincent en de Grenadines		12-09-00	T	12-10-00		
Sao Tomé en Principe		12-04-06	T	12-05-06		
Saudi-Arabië		01-03-04	T	31-03-04		
Senegal		07-04-06	T	07-05-06		
Servië		12-03-01	VG	27-04-92		
Seychellen		29-05-80	T	28-06-80		
Sierra Leone		26-09-03	T	26-10-03		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Singapore		02-05-08	T	01-06-08		
Slovenië		06-07-92	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Spanje		08-08-85	T	07-09-85		
Sri Lanka		27-02-91	T	29-03-91		
Sudan		10-10-94	T	09-11-94		
Swaziland		04-04-03	T	04-05-03		
Syrië		25-04-88	T	25-05-88		
Tadzjikistan		19-10-01	T	18-11-01		
Thailand		23-02-07	T	25-03-07		
Togo		30-12-80	T	29-01-81		
Tonga		09-12-02	T	08-01-03		
Trinidad en Tobago		15-06-79	T	15-07-79		
Tsjechië		22-02-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)	11-10-74	30-06-75	R	20-02-77		
Tunesië	15-05-74	21-01-77	R	20-02-77		
Turkije		11-06-81	T	11-07-81		
Turkmenistan		25-06-99	T	25-07-99		
Uganda		05-11-03	T	05-12-03		
Uruguay		13-06-78	T	13-07-78		
Venezuela		19-04-05	T	19-05-05		
Verenigd Koninkrijk	13-12-74	02-05-79	R	01-06-79		
Verenigde Arabische Emiraten		25-02-03	T	27-03-03		
Verenigde Staten van Amerika	28-12-73	26-10-76	R	20-02-77		
Vietnam		02-05-02	T	01-06-02		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Zuid-Afrika		23-09-03	T	23-10-03		
Zuid-Korea		25-05-83	T	24-06-83		
Zweden	10-05-74	01-07-75	R	20-02-77		
Zwitserland		05-03-85	T	04-04-85		

* 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	20-12-1999	

Denemarken

Uitgebreid tot	In werking	Buiten werking
Faeröer	01-04-1980	
Groenland	01-04-1980	

Nieuw-Zeeland

Uitgebreid tot	In werking	Buiten werking
Cookeilanden	12-12-1985	
Niue	12-12-1985	

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Akrotiri en Dhekelia (Soevereine Basis Gebieden op Cyprus)	01-06-1979	
Anguilla	26-03-1987	
Belize (< 21-09-1981)	01-06-1979	21-09-1981

Uitgebreid tot	In werking	Buiten werking
Bermuda	01-06-1979	
Brits Antarctisch Territorium	01-06-1979	
Brits Territorium in de Indische Oceaan	01-06-1979	
Britse Maagdeneilanden	01-06-1979	
Caymaneilanden	01-06-1979	
Ducie en Oeno-eilanden	01-06-1979	
Falklandeilanden	01-06-1979	
Gibraltar	01-06-1979	
Guernsey	01-06-1979	
Henderson	01-06-1979	
Jersey	01-06-1979	
Kiribati (< 12-07-1979)	01-06-1979	12-07-1979
Man	01-06-1979	
Montserrat	01-06-1979	
Pitcairneilanden	01-06-1979	
Sint-Helena, Ascension en Tristan da Cunha	01-06-1979	
Turks- en Caicoseilanden	01-06-1979	

Verklaringen, voorbehouden en bezwaren

Algerije, 7 november 2000

The Government of the People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

The Government of the People's Democratic Republic of Algeria states that in each individual case, a dispute may be submitted to arbitration or referred to the International Court of Justice only with the consent of all parties to the dispute.

Andorra, 23 september 2004

In view of article 1, paragraph 1 (a) of this Convention, the Principality of Andorra declares that, in accordance with article 43 of the Constitution of Andorra, and the tradition dating from the Pareatges of 1278, the Heads of State of Andorra are jointly and indivisibly the Coprinceps. These Coprinceps, in their personal and exclusive right, are the Bishop of Urgell and the President of the French Republic.

Argentinië, 18 maart 1982

In accordance with article 13, paragraph 2, of the Convention, the Argentine Republic declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

Argentinië, 3 oktober 1983

The Government of Argentina makes a formal objection to the [declaration] of territorial extension issued by the United Kingdom with regard to the Malvinas Islands (and dependencies), which that country is illegally occupying and refers to as the “Falkland Islands”.

The Argentine Republic rejects and considers null and void the [said declaration] of territorial extension.

Bezaaar Verenigd Koninkrijk, 28 februari 1985

The Government of the Kingdom of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their right, by notification to the Depositary under the relevant provisions of the above mentioned Convention, to extend the application of the Convention in question to the Falkland Islands or to the Falkland Islands Dependencies, as the case may be.

For this reason alone, The Government of the Kingdom of the United Kingdom are unable to regard the Argentine [communication] under reference as having any legal effect.

Belarus, 11 juni 1974 en 5 februari 1976

The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, 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, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

Brazilië, 7 juni 1999

With the reservation provided for in paragraph 2 of article 13.

Burundi, 17 december 1980

In respect of cases where the alleged offenders belong to a national liberation movement recognized by Burundi or by an international organization of which Burundi is a member, and their actions are part of their struggle for liberation, the Government of the Republic of Burundi reserves the right not to apply to them the provisions of article 2, paragraph 2, and article 6, paragraph 1.

Bezwaar door Duitsland, 25 maart 1981

The Government of the Republic of Germany considers the reservation made by the Government of Burundi concerning article 2, paragraph 2, and article 6, paragraph 1 of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, to be incompatible with the objects and purpose of the Convention.

Bezwaar door Verenigd Koninkrijk, 15 januari 1982

The purpose of this Convention was to secure the world-wide repression of crimes against internationally protected persons, including diplomatic agents, and to deny the perpetrators of such crimes a safe haven. Accordingly the Government of the United Kingdom of Great Britain and Northern Ireland regard the reservation entered by the Government of Burundi as incompatible with the object and purpose of the Convention, and are unable to consider Burundi as having validly acceded to the Convention until such time as the reservation is withdrawn.

Bezwaar door Israël, 28 juni 1982

The Government of the State of Israel regards the reservation entered by the Government of Burundi as incompatible with the object and purpose of the Convention and is unable to consider Burundi as having validly acceded to the Convention until such time as the reservation is withdrawn.

In the view of the Government of Israel, the purpose of this Convention was to secure the world-wide repression of crimes against internationally protected persons, including diplomatic agents, and to deny the perpetrators of such crimes a safe haven.

Bezwaar door Italië, 30 augustus 1985

[...] With regard to the reservation expressed by Burundi on 17 December 1980, [the Italian Government considers that] the purpose of the Convention is to ensure the punishment, world-wide, of crimes against internationally protected persons, including diplomatic agents, and to deny a safe haven to the perpetrators of such crimes. Considering therefore that the reservation expressed by the Government of Burundi is incompatible with the aim and purpose of the Convention, the Italian Government

can not consider Burundi's accession to the Convention as valid as long as it does not withdraw that reservation.

Bezwaar door Frankrijk, 26 augustus 2003

France objects to the declaration made by Burundi on 17 December 1980 limiting the application of the provisions of article 2, paragraph 2 and article 6, paragraph 1.

China, 5 augustus 1987

[The People's Republic of China] declares that, in accordance with paragraph 2 of article 13 of the Convention, the People's Republic of China has reservations on paragraph 1 of article 13 of the Convention and does not consider itself bound by the provisions of the said paragraph.

China, 6 juni 1999

Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention with reservation will also apply to the Hong Kong Special Administrative Region.

China, 13 december 1999

Upon resuming the exercise of sovereignty over Macao, China notified the Secretary-General that the Convention with reservation will also apply to the Macao Special Administrative Region.

Colombia, 16 januari 1996

1. Colombia enters a reservation to those provisions of the Convention, and particularly to article 8 (1), (2), (3) and (4) thereof, which are inconsistent with article 35 of the Basic Law on force which states that: Native-born Colombians may not be extradited. Aliens will not be extradited for political crimes or for their opinions. Any Colombian who has committed, abroad, crimes that are considered as such under national legislation, shall be tried and sentenced in Colombia.

2. Colombia enters a reservation to article 13 (1) of the Convention, inasmuch as it is contrary to the provisions of article 35 of its Political Constitution.

3. Colombia enters a reservation to those provisions of the Convention, which are contrary to the guiding principles of the Colombian Penal Code and to article 29 of the Political Constitution of Colombia, the fourth paragraph of which states that:

Everyone shall presumed innocent until proven guilty according to law. Anyone who is charged with an offence shall be entitled to defence and the assistance of counsel of his own choosing, or one appointed by the court, during the investigation and trial; to be tried properly, in public, without undue delay; to present evidence and to refute evidence brought against him; to contest the sentence; and not to be tried twice for the same act.

Consequently, the expression “Alleged offender” shall be taken to mean “the accused”.

Colombia, 1 maart 2002

Withdrawal of the following reservations made upon accession:

1. Colombia enters a reservation to those provisions of the Convention, and particularly to article 8 (1), (2), (3) and (4) thereof, which are inconsistent with article 35 of the Basic Law on force which states that: Native-born Colombians may not be extradited. Aliens will not be extradited for political crimes or for their opinions. Any Colombian who has committed, abroad, crimes that are considered as such under national legislation, shall be tried and sentenced in Colombia.

2. Colombia enters a reservation to article 13 (1) of the Convention, inasmuch as it is contrary to the provisions of article 35 of its Political Constitution.

Congo, Democratische Republiek, 25 juli 1977

[The Democratic Republic of Congo] does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice. In the light of its policy based on respect for the sovereignty of States, [the Democratic Republic of Congo] is opposed of any form of compulsory arbitration and hopes that such disputes may be submitted to arbitration or referred to the International Court of Justice not at the request of the parties but with the consent of the interested parties.

Cuba, 10 juni 1998

In accordance with article 13, paragraph 2 of the Convention, the Republic of Cuba declares that it does not consider itself bound by the provisions of the said paragraph.

El Salvador, 8 augustus 1980

The State of El Salvador does not consider itself bound by paragraph 1 of article 13 of the Convention.

Ethiopië, 16 april 2003

Reservation in relation to paragraph 1 of article 13:

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 arbitra-

tion or to the Court only with the prior consent of all the parties concerned.

Finland, 10 mei 1974 en 31 oktober 1978

Finland reserves the right to apply the provisions of article 8, paragraph 3, in such a way that extradition shall be restricted to offences which, under Finnish Law, are punishable by a penalty more severe than imprisonment for one year and, provided also that other conditions in the Finnish Legislation for extradition are fulfilled.

Frankrijk, 26 augustus 2003

France understands that only acts which may be defined as acts of terrorism constitute crimes within the meaning of article 2 of the Convention.

The application of the Convention shall be without prejudice to the Convention adopted at New York on 9 December 1994 on the Safety of United Nations and Associated Personnel.

Ghana, 25 april 1975

[...] Paragraph 1 of article 13 of the Convention provides that disputes may be submitted to arbitration, failing which any of the parties to the dispute may refer it to the International Court of Justice by request. Since Ghana is opposed to any form of compulsory arbitration, she wishes to exercise her opinion under article 13 (2) to make a reservation on article 13 (1). It is noted that such a reservation can be withdrawn later under article 13 (3).

India, 11 april 1978

The Government of the Republic of India does not consider itself bound by paragraph 1 of article 13 which establishes compulsory arbitration or adjudication by the International Court of Justice concerning disputes between two or more States Parties relating to the interpretation of application of this Convention.

Irak, 28 februari 1978

(1) The resolution of the United Nations General Assembly with which the above-mentioned Convention is enclosed shall be considered to be an integral part of the above-mentioned Convention.

(2) Sub-paragraph (b) of paragraph (1) of article 1 of the Convention shall cover the representatives of the national liberation movements recognized by the League of Arab States or the Organization of African Unity.

(3) The Republic of Iraq shall not bind itself by paragraph (1) of article 13 of the Convention.

(4) The accession of the Government of the Republic of Iraq to the Convention shall in no way constitute a recognition of Israel or a cause for the establishment of any relations of any kind therewith.

Bezwaar door Duitsland, 30 november 1979

The statement by the Republic of Iraq on sub-paragraph (b) of paragraph 1 of the Convention does not have any legal effects for the Federal Republic of Germany.

Bezwaar door Verenigd Koninkrijk, 2 mei 1979

The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation made by Iraq in respect of paragraph (1)(b) of article 1 of the said Convention.

Bezwaar door Israël, 11 mei 1979

[Communication]

The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israël. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties. The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity.

Bezwaar door Israël, 31 juli 1980

The Government of the State of Israel does not regard as valid the reservation made by Iraq in respect of paragraph (1)(b) of article 1 of the said Convention.

Bezwaar door Italië, 30 augustus 1985

[...] The Italian Government does not consider as valid the reservation made by Iraq on 28 February 1978 with regard to article 1, paragraph 1(b), of the said Convention.

Bezwaar door Frankrijk, 26 augustus 2003

France contests the interpretation made by Iraq on 28 February 1978 that the resolution of the United Nations General Assembly with which the above-mentioned Convention is enclosed should be considered to be an integral part of the Convention, and objects to Iraq's reservation relating to article 1, paragraph 1 (b) of the Convention.

Israël, 31 juli 1980

Declarations:

The Government of the State of Israel declares that its accession to the Convention does not constitute acceptance by it as binding of the pro-

visions of any other international instrument, or acceptance by it of any other international instrument as being an instrument related to the Convention.

The Government of Israel reaffirms the contents of its communication of 11 May 1979 to the Secretary-General of the United Nations.

Reservation:

The State of Israel does not consider itself bound by paragraph 1 of article 13 of the Convention.

Jamaica, 21 september 1978

Jamaica avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of this article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and 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.

Jemen, 9 februari 1987

Reservation:

In acceding to this Convention, the People's Democratic Republic of Yemen does not consider itself bound by article 13, paragraph 1, of the Convention, which states that disputes between two or more States parties concerning the interpretation or application of this Convention may, at the request of anyone of the parties to the dispute, be referred to the International Court of Justice. It declares that the competence of the International Court of Justice with respect to disputes concerning the interpretation or application of the Convention shall in each case be subject to the express consent of all parties to the dispute.

Declaration:

The People's Democratic Republic of Yemen declares that its accession to this Convention shall in no way signify recognition of Israel or serve as grounds for the establishment of relations of any sort with Israel.

Bezwaar door Israël, 21 augustus 1987

The instrument deposited by the People's Democratic Republic of Yemen contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the People's Democratic Republic of Yemen cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the People's Democratic Republic of Yemen an attitude of complete reciprocity.

Jordanië, 18 december 1984

The Government of the Hashemite Kingdom of Jordan declares that its accession [...] cannot give rise to relations with "Israel".

Bezwaar door Israël, 11 maart 1985

The instrument deposited by the Hashemite Kingdom of Jordan contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Hashemite Kingdom of Jordan cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of the Hashemite Kingdom of Jordan an attitude of complete reciprocity.

Koeweit, 1 maart 1989

[The Government of Kuwait] wishes to reiterate Kuwait's complete reservation on paragraph 1 of article 13 in the Convention, for its accession to it does not mean in any way a recognition of Israel by the Government of the State of Kuwait and does not engage them into any treaty relations as a result.

Bezwaar door Israël, 17 mei 1989

The instrument deposited by the Government of Kuwait contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Kuwait cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Kuwait an attitude of complete reciprocity.

Laos, 22 augustus 2002

In accordance with paragraph 2, Article 13 of the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, the Lao People's Democratic Republic

lic does not consider itself bound by paragraph 1, article 13 of the present Convention. The Lao People's Democratic Republic declares that to refer to 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.

Liechtenstein, 28 november 1994

Interpretative declaration:

The Principality of Liechtenstein construes articles 4 and 5, paragraph 1 of the Convention, to mean that the Principality of Liechtenstein undertakes to fulfil the obligations contained therein under the conditions laid down in its domestic legislation.

Litouwen, 23 oktober 2002

[...] Whereas it is provided in paragraph 2 of Article 13 of the said Convention, the Seimas of the Republic of Lithuania declares that the Republic of Lithuania does not consider itself bound by paragraph 1 of Article 13 of the said Convention, providing that any dispute concerning the interpretation or application of this Convention shall be referred to the International Court of Justice.

Luxemburg, 10 mei 2006

Luxembourg courts are competent to apply the Convention, and Luxembourg criminal law applies to the crimes referred to in article 2 of the Convention when the alleged offender is in Luxembourg territory and has not been extradited to another State, regardless of the nationality of the alleged offender and the place where the crime was perpetrated.

Malawi, 14 maart 1977

The Government of the Republic of Malawi [declares], in accordance with the provisions of paragraph 2 of article 13, that it does not consider itself bound by the provisions of paragraph 1 of article 13 of the Convention.

Maleisië, 24 september 2003

1. The Government of Malaysia understands the phrase "alleged offender" in Article 1(2) of the Convention to mean the accused.
2. The Government of Malaysia understands the phrase "or other attack" in Article 2(1)(a) of the Convention to mean acts that are recognized as offences under its domestic laws.
3. The Government of Malaysia understands Article 7 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 13(2) of the Convention, the Government of Malaysia declares that it does not consider itself bound by Article 13(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 13(1) of the Convention or any other procedure for arbitration.

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

The Government of the Kingdom of the Netherlands has examined the declaration relating to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents 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 7 of the Convention subject to the national legislation of Malaysia, the Government of Malaysia is formulating a general and indefinite 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.

Bezwaar door **Duitsland**, 3 november 2004

The Government of the Federal Republic of Germany has examined the declaration relating to the Convention on the Prevention and Punishment of Crimes against internationally protected Persons, including Diplomatic Agents 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 7 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.

Mauritius, 24 september 2003

Reservation:

In accordance with Article 13, paragraph 2, of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, the Republic of Mauritius hereby declares that it does not consider itself bound by the provisions of Article 13, paragraph 1, of the Convention, and states that it considers that a dispute may be submitted or referred to the International Court of Justice only with the consent of all parties to the dispute.

Declaration:

The Republic of Mauritius rejects the extension of the Convention by the Government of the United Kingdom and Northern Ireland to the Chagos Archipelago (so-called British Indian Ocean Territory) and reaffirms its sovereignty over the Chagos Archipelago which forms part of its national territory.

Mongolië, 23 augustus 1973 en 8 augustus 1975

The Mongolian People's Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties 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, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

Mozambique, 14 januari 2003

The Republic of Mozambique does not consider itself bound by the provisions of article 13, 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 declares that: The Republic of Mozambique, in accordance with its Constitution and domestic laws, can not extradite Mozambique citizens. Therefore, Mozambique citizens will be tried and sentenced in national courts.

Myanmar, 4 juni 2004

The Government of Myanmar does not consider itself bound by the Article 13 (1) of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents adopted on 14 December 1973.

Nederlanden, het Koninkrijk der, 6 december 1988

In view of the Government of the Kingdom of the Netherlands article 12 of the Convention, and in particular the second sentence of that Article, in no way affects the applicability of article 33 of the Convention of 28 July 1951 relating to the Status of Refugees.

In cases where the judicial authorities of either the Netherlands, the Netherlands Antilles or Aruba cannot exercise jurisdiction pursuant to one of the principles mentioned in article 3, para. 1, the Kingdom accepts the aforesaid obligation [laid down in article 7] subject to the condition that it has received and rejected a request for extradition from another State party to the Convention.

Nederlanden, het Koninkrijk der, 31 januari 2012

The Kingdom of the Netherlands withdraws the reservation made upon accession to article 7, only for the European part of the Netherlands and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba).

Nieuw-Zeeland, 12 november 1985

The Government of New Zealand reserves the right not to apply the provisions of the Convention to Tokelau pending the enactment of the necessary implementing legislation in Tokelau law.

Noord-Korea, 1 december 1982

The Government of the Democratic People's Republic of Korea does not consider itself bound by the provisions of article 13, paragraph 1 of the Convention, recognizing that any dispute between two or more States Parties concerning the interpretation or application of the Convention should not, without consent of both parties, be submitted to international arbitration and to the International Court of Justice.

Oekraïne, 18 juni 1974 en 20 januari 1976

The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, 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, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

Pakistan, 29 maart 1976

Pakistan shall not be bound by paragraph 1 of article 13 of the Convention.

Peru, 25 april 1978

Peru does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

Polen, 14 december 1982

The Polish People's Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

Polen, 16 oktober 1997

[...] the Government of Poland [...] to withdraw its reservation with regard to article 13, paragraph 1 of the Convention made upon ratification.

Roemenië, 27 december 1974 en 15 augustus 1978

The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice.

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

Roemenië, 19 september 2007

The Government of Romania notifies the Secretary-General that it has decided to withdraw the reservation made upon signature to the Convention and confirmed upon ratification thereof:

“The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice.

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

Russische Federatie, 7 juni 1974 en 15 januari 1976

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 13, paragraph 1, 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, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

Russische Federatie, 1 mei 2007

Withdrawal of reservation to Article 13, paragraph 1, upon ratification.

Saint Vincent and the Grenadines, 12 september 2000

Saint Vincent and the Grenadines avails itself of the provisions of article 13, paragraph 2 of the aforesaid Convention and declares that it does not consider itself bound by the provisions of paragraph 1 of that article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and 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.

Saudi-Arabië, 1 maart 2004

[...] the Kingdom of Saudi Arabia does not consider itself obligated to observe paragraph 1 of Article 13 with deals with resolving any dispute arising from interpretation of the Convention.

Singapore, 2 mei 2008

Declaration:

The Republic of Singapore understands Article 7, 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.

Reservation:

Pursuant to Article 13, paragraph 2, of the Convention, the Republic of Singapore declares that it will not be bound by the provisions of Article 13, paragraph 1 of the Convention.

Syrië, 25 april 1988

1. The Syrian Arab Republic does not consider itself bound by the provisions of article 13, paragraph 2, of the Convention, concerning arbitration and the results thereof.

2. Accession of the Syrian Arab Republic to this Convention in no way implies recognition of Israel or entry into any relations with Israel concerning any question regulated by this Convention.

Bezwaar door Israël, 26 juli 1988

The instrument deposited by the Syrian Arab Republic contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Syrian Arab Republic

lic cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties. The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Syrian Arab Republic attitude of complete reciprocity.

Thailand, 23 februari 2007

1. In applying the provision of article 8, paragraph 3 of the Convention, extraditable offences shall be restricted to offences which, under Thai law, are punishable with imprisonment of not less than one year and are subject to the procedural provisions and other conditions of the Thai legislation for extradition.

2. The Kingdom of Thailand does not consider itself bound by article 13, paragraph 1 of the Convention.

Trinidad en Tobago, 15 juni 1979

The Republic of Trinidad and Tobago avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of that article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and 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.

Tunesië, 15 mei 1974 en 21 januari 1977

No dispute may be brought before the International Court of Justice unless by agreement between all parties to the dispute.

Venezuela, 19 april 2005

The Bolivarian Republic of Venezuela, in accordance with the provision of article 13 (2) of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents formulates a reservation with respect to the provision established under paragraph 1 of the said article. Consequently, it does not consider itself obligated to refer to arbitration as a means of settlement of disputes, nor does it recognize the compulsory jurisdiction of the International Court of Justice.

Vietnam, 2 mei 2002

Acceding to this Convention, the Socialist Republic of Viet Nam makes its reservation to paragraph 1 of article 13 of the Convention.

Zwitserland, 5 maart 1985

The Swiss Federal Council interprets article 4 and article 5, paragraph 1 of the Convention to mean that Switzerland undertakes to fulfil the obli-

gations contained therein in the conditions specified by its domestic legislation.

G. INWERKINGTREDING

Zie *Trb.* 1981, 69 en *Trb.* 1988, 166.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, dat vanaf 5 januari 1989 voor het Europese deel van Nederland, de Nederlandse Antillen en Aruba gold, vanaf 10 oktober 2010, voor Nederland (het Europese en het Caribische deel), Aruba, Curaçao en Sint Maarten.

J. VERWIJZINGEN

Zie *Trb.* 1981, 69, *Trb.* 1988, 166 en *Trb.* 1994, 214.

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

Laatste *Trb.* : *Trb.* 2011, 176

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

Laatste *Trb.* : *Trb.* 1997, 106

Uitgegeven de *tiende* mei 2012.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL