

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 128

A. TITEL

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

B. TEKST

De Engelse en de Franse tekst van het Statuut zijn geplaatst in *Trb.* 1971, 55.

In dit Tractatenblad dient de volgende correctie te worden aangebracht.

Op blz. 10, in artikel 24, tweede lid, dient voor het woord „particular” het lidwoord „a” te worden ingevoegd.

C. VERTALING

Zie *Trb.* 1987, 114.

D. PARLEMENT

Zie *Trb.* 1951, 90.

E. PARTIJGEGEVENS

Zie de rubrieken E en F van *Trb.* 1971, 55.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Afghanistan				19-11-46		
Albanië				14-12-55		
Algerije				08-10-62		
Andorra				28-07-93		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Angola				01-12-76		
Antigua en Barbuda				11-11-81		
Argentinië				24-10-45		
Armenië				02-03-92		
Australië				01-11-45		
Azerbeidzjan				02-03-92		
Bahama's				18-09-73		
Bahrein				21-09-71		
Bangladesh				17-09-74		
Barbados				09-12-66		
Belarus				24-10-45		
België				27-12-45		
Belize				25-09-81		
Benin				20-09-60		
Bhutan				21-09-71		
Bolivia				14-11-45		
Bosnië en Herzegovina				22-05-92		
Botswana				17-10-66		
Brazilië				24-10-45		
Brunei				21-09-84		
Bulgarije				14-12-55		
Burkina Faso				20-09-60		
Burundi				18-09-62		
Cambodja				14-12-55		
Canada				09-11-45		
Centraal- Afrikaanse Republiek				20-09-60		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Chili				24-10-45		
China				24-10-45		
Colombia				05-11-45		
Comoren				12-11-75		
Congo, Democratische Republiek				20-09-60		
Congo, Republiek				20-09-60		
Costa Rica				02-11-45		
Cuba				24-10-45		
Cyprus				20-09-60		
Denemarken				24-10-45		
Djibouti				20-09-77		
Dominica				18-12-78		
Dominicaanse Republiek				24-10-45		
Duitsland				18-09-73		
Ecuador				21-12-45		
Egypte				24-10-45		
El Salvador				24-10-45		
Equatoriaal- Guinea				12-11-68		
Eritrea				28-05-93		
Estland				17-09-91		
Ethiopië				13-11-45		
Fiji				13-10-70		
Filipijnen				24-10-45		
Finland				14-12-55		
Frankrijk				24-10-45		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Gabon				20-09-60		
Gambia				21-09-65		
Georgië				31-07-92		
Ghana				08-03-57		
Grenada				17-09-74		
Griekenland				25-10-45		
Guatemala				21-11-45		
Guinee				12-12-58		
Guinee-Bissau				17-09-74		
Guyana				20-09-66		
Haiti				24-10-45		
Honduras				17-12-45		
Hongarije				14-12-55		
Ierland				14-12-55		
IJsland				19-11-46		
India				30-10-45		
Indonesië				28-09-50		
Irak				21-12-45		
Iran				24-10-45		
Israël				11-05-49		
Italië				14-12-55		
Ivoorkust				20-09-60		
Jamaica				18-09-62		
Japan				18-12-56		
Jemen				30-09-47		
Joegoslavië (< 25-06-1991)				24-10-45		
Jordanië				14-12-55		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Kaapverdië				16-09-75		
Kameroen				20-09-60		
Kazachstan				02-03-92		
Kenia				16-12-63		
Kirgistan				02-03-92		
Kiribati				14-09-99		
Koeweit				14-05-63		
Kroatië				22-05-92		
Laos				14-12-55		
Lesotho				17-10-66		
Letland				17-09-91		
Libanon				24-10-45		
Liberia				02-11-45		
Libië				14-12-55		
Liechtenstein				18-09-90		
Litouwen				17-09-91		
Luxemburg				24-10-45		
Macedonië, de voormalige Joegoslavische Republiek				08-04-93		
Madagaskar				20-09-60		
Malawi				01-12-64		
Malediven				21-09-65		
Maleisië				17-09-57		
Mali				28-09-60		
Malta				01-12-64		
Marokko				12-11-56		
Marshalleilanden				17-09-91		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Mauritanië				27-10-61		
Mauritius				24-04-68		
Mexico				07-11-45		
Micronesia				17-09-91		
Moldavië				02-03-92		
Monaco				28-05-93		
Mongolië				27-10-61		
Montenegro				28-06-06		
Mozambique				16-09-75		
Myanmar				19-04-48		
Namibië				23-04-90		
Nauru				29-01-88		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten				10-12-45 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Nepal				14-12-55		
Nicaragua				24-10-45		
Nieuw-Zeeland				24-10-45		
Niger				20-09-60		
Nigeria				07-10-60		
Noord-Korea				17-09-91		
Noorwegen				27-11-45		
Oekraïne				24-10-45		
Oezbekistan				02-03-92		
Oman				07-10-71		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Oost-Timor				27-09-02		
Oostenrijk				14-12-55		
Pakistan				30-09-47		
Palau				15-12-94		
Panama				13-11-45		
Papua-Nieuw- Guinea				10-10-75		
Paraguay				24-10-45		
Peru				31-10-45		
Polen				24-10-45		
Portugal				14-12-55		
Qatar				21-09-71		
Roemenië				14-12-55		
Russische Federatie				24-10-45		
Rwanda				18-09-62		
Saint Kitts en Nevis				23-09-83		
Saint Lucia				18-09-79		
Saint Vincent en de Grenadines				16-09-80		
Salomonseilan- den				19-09-78		
Samoa				15-12-76		
San Marino				02-03-92		
Sao Tomé en Principe				16-09-75		
Saudi-Arabië				24-10-45		
Senegal				28-09-60		
Servië				01-11-00		
Seychellen				21-09-76		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Sierra Leone				27-09-61		
Singapore				21-09-65		
Slovenië				22-05-92		
Slowakije				19-01-93		
Somalië				20-09-60		
Spanje				14-12-55		
Sri Lanka				14-12-55		
Sudan				12-11-56		
Suriname				04-12-75		
Swaziland				24-09-68		
Syrië				24-10-45		
Tadzjikistan				02-03-92		
Tanzania				14-12-61		
Thailand				16-12-46		
Togo				20-09-60		
Tonga				14-09-99		
Trinidad en Tobago				18-09-62		
Tsjaad				20-09-60		
Tsjechië				19-01-93		
Tsjechoslowakije (<01-01-1993)				24-10-45		
Tunesië				12-11-56		
Turkije				24-10-45		
Turkmenistan				02-03-92		
Tuvalu				05-09-00		
Uganda				25-10-62		
Uruguay				18-12-45		
Vanuatu				15-09-81		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Venezuela				15-11-45		
Verenigd Koninkrijk				24-10-45		
Verenigde Arabische Emiraten				09-12-71		
Verenigde Staten van Amerika				24-10-45		
Vietnam				20-09-77		
Zambia				01-12-64		
Zimbabwe				25-08-80		
Zuid-Afrika				07-11-45		
Zuid-Korea				17-09-91		
Zuid-Sudan				14-07-11		
Zweden				19-11-46		
Zwitserland				10-09-02		
* 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	

Portugal

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	14-12-1955	20-12-1999

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Hongkong (< 01-07-1997)	24-10-1945	01-07-1997

Verklaringen, voorbehouden en bezwaren

Australië, 22 maart 2002

The Government of Australia declares that it recognises as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to the Secretary-General of the United Nations withdrawing this declaration. This declaration is effective immediately.

This declaration does not apply to:

- (a) any dispute in regard to which the parties thereto have agreed or shall agree to have recourse to some other method of peaceful settlement;
- (b) any dispute concerning or relating to the delimitation of maritime zones, including the territorial sea, the exclusive economic zone and the continental shelf, or arising out of, concerning, or relating to the exploitation of any disputed area of or adjacent to any such maritime zone pending its delimitation;
- (c) any dispute in respect of which any other party to the dispute has accepted the compulsory jurisdiction of the Court only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other party to the dispute was deposited less than 12 months prior to the filing of the application bringing the dispute before the Court.

Barbados, 1 augustus 1980

The Government of Barbados accepts as compulsory, *ipso facto*, and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice in conformity with paragraph 2 of Article 36 [of the Statute] of the Court until such time as notice might be given to terminate the acceptance, over all disputes arising after the declaration is made, other than:

- (a) disputes in regard to which parties have agreed or shall agree to have recourse to some other method of peaceful settlement;
- (b) disputes with the Government of any other country which is a member of the Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;
- (c) disputes with regard to questions which by international law fall exclusively within the jurisdiction of Barbados;

(d) disputes arising out of or concerning jurisdiction or rights claimed or exercised by Barbados in respect of the conservation, management or exploitation of the living resources of the Sea, or in respect of the prevention or control of pollution or contamination of the marine environment in marine areas adjacent to the coast of Barbados.

België, 17 juni 1958

I declare on behalf of the Belgian Government that I recognize as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice, in conformity with Article 36, paragraph 2 of the Statute of the Court, in legal disputes arising after 13 July 1948 concerning situations or facts subsequent to that date, except those in regard to which the parties have agreed or may agree to have recourse to another method of pacific settlement.

This declaration is made subject to ratification. It shall take effect on the day of deposit of the instrument of ratification [=17-06-1958] for a period of five years. Upon the expiry of that period, it shall continue to have effect until notice of its termination is given.

Botswana, 16 maart 1970

[...] to declare on behalf of the Government of the Republic of Botswana, that it recognises as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice, in accordance with paragraph 2 of Article 36 of the Statute of the Court.

This Declaration does not extend:

(a) to disputes in respect of which the parties have agreed or shall agree to have recourse to another means of peaceful settlement; or

(b) to disputes relating to matters which, by international law, are essentially within the domestic jurisdiction of the Republic of Botswana.

The Government of the Republic of Botswana also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Bulgarije, 24 juni 1992

On behalf of the Government of the Republic of Bulgaria, I have the honour to declare that in conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice the Republic of Bulgaria recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes arising out of facts and situations subsequent to or continuing to exist after the entry into force of the present Declaration, concerning:

1. the interpretation of a treaty;

2. any question of international law;
3. the existence of any fact which, if established, would constitute a breach of an international obligation;
4. the nature or extent of the reparation to be made for the breach of an international obligation,

except for disputes with any State which has accepted the compulsory jurisdiction of the International Court of Justice under Article 36, paragraph 2, of the Statute less than twelve months prior to filing an application bringing the dispute before the Court or where such acceptance has been made only for the purpose of a particular dispute.

The Republic of Bulgaria also reserves the right at any time to modify the present Declaration, the modifications taking effect six months after the deposit of the notification thereof.

The present Declaration shall be in force for a period of five years from the date of its deposit with the Secretary-General of the United Nations. It shall continue in force thereafter until six months after a notice of its denunciation is given to the Secretary-General of the United Nations.

Cambodja, 19 september 1957

On behalf of the Royal Government of Cambodia I have the honour to declare that, in accordance with Article 36, paragraph 2 of the Statute of the International Court of Justice, I recognize as compulsory *ipso facto* and without special agreement, in relation to any other State Member of the United Nations, accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the said Court in all legal disputes, other than:

1. Disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;
2. Disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Kingdom of Cambodia;
3. Disputes relating to any matter excluded from judicial settlement or compulsory arbitration by virtue of any treaty, convention or other international agreement or instrument to which the Kingdom of Cambodia is a party.

This declaration is valid for ten years from the date of its deposit. It shall remain in force thereafter until notice to the contrary has been given by the Royal Government of Cambodia.

Canada, 10 mei 1994

On behalf of the Government of Canada,

- (1) I give notice that I hereby terminate the acceptance by Canada of the compulsory jurisdiction of the International Court of Justice hitherto effective by virtue of the declaration made on 10 September 1985 in conformity with paragraph 2 of Article 36 of the Statute of the Court.
- (2) I declare that the Government of Canada accepts as compulsory *ipso facto* and without special convention, on condition of reciprocity,

the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes arising after the present declaration with regard to situations or facts subsequent to this declaration, other than:

- (a) disputes in regard to which parties have agreed or shall agree to have recourse to some other method of peaceful settlement;
 - (b) disputes with the Government of any other country which is a member of the Commonwealth, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;
 - (c) disputes with regard to questions which by international law fall exclusively within the jurisdiction of Canada; and (d) disputes arising out of or concerning conservation and management measures taken by Canada with respect to vessels fishing in the NAFO Regulatory Area, as defined in the Convention on Future Multilateral Co-operation in the Northwest Atlantic Fisheries, 1978, and the enforcement of such measures.
- (3) The Government of Canada also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Colombia, 30 oktober 1937

The Republic of Colombia recognizes as compulsory, *ipso facto* and without special agreement, on condition of reciprocity, in relation to any other State accepting the same obligation, the jurisdiction of the Permanent Court of International Justice, in accordance with Article 36 of the Statute.

The present Declaration applies only to disputes arising out of facts subsequent to January 6th, 1932.

Colombia, 5 december 2001

I have the honour to inform you on behalf of the Government of the Republic of Colombia that its acceptance of the compulsory jurisdiction of the Permanent Court of International Justice, as formulated in its declaration of 30 October 1937, and therefore of the International Court of Justice, is terminated with effect from the date of this notification.

The Government of the Republic of Colombia intends to transmit in due course a new declaration accepting the jurisdiction of the International Court of Justice, the formulation of which is to be determined.

Congo, Democratische Republiek, 8 februari 1989

[...] I have the honour to make the following declaration on behalf of the National Executive Council (Government) of the Republic of Zaire, in accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice:

The Executive Council of the Republic of Zaire recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

It is understood further that this declaration will remain in force until notice of its revocation is given.

Costa Rica, 20 februari 1973

The Government of Costa Rica recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes of the kinds referred to in Article 36, paragraph 2, of the Statute of the International Court of Justice. This Declaration shall be valid for a period of five years and shall be understood to be tacitly renewed for like periods, unless denounced before the expiration of the said period.

Cyprus, 3 september 2002

I have the honour on behalf of the Government of the Republic of Cyprus to declare, in conformity with paragraph 2 of Article 36 of the Statute of the International Court of Justice, that the Republic of Cyprus accepts as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdiction of the Court, in relation to any other State accepting the same obligation, over all legal disputes concerning:

- (a) the interpretation of any treaty
 - I. to which the Republic of Cyprus became a party on or after 16 August 1960 or
 - II. which the Republic of Cyprus recognizes as binding on it by succession;
- (b) any question of international law;
- (c) the existence of any fact which, if established, would constitute a breach of an international obligation.
- (d) the nature or extent of the reparation to be made for the breach of an international obligation.

Provided that this declaration shall not apply:

- i. To disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of

any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.

- ii. To disputes relating to questions which fall within the domestic jurisdiction of the Republic of Cyprus.
2. The Government of Cyprus also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw this Declaration or any of the foregoing reservations or any that may hereafter be added.

Denemarken, 10 december 1956

Pursuant to Article 36, paragraph 2 of the Statute of the International Court of Justice, the Kingdom of Denmark recognizes as compulsory *ipso facto* and without special agreement the jurisdiction of the Court in relation to any other State accepting the same obligation, that is to say on condition of reciprocity, for a period of five years from 10 December 1956 and thereafter for further periods of five years, if this declaration is not denounced by notice of not less than six months before the expiration of any five-year period.

Djibouti, 2 september 2005

[...] hereby declares that it recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature and extent of the reparation to be made for the breach of an international obligation;

with the reservation, however, that this declaration shall not apply to:

- 1. Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method or methods of settlement;
- 2. Disputes in regard to matters which are exclusively within the domestic jurisdiction of the Republic of Djibouti, under international law;
- 3. Disputes relating to or connected with facts or situations of hostilities, armed conflicts, individual or collective actions taken in self-defence, resistance to aggression, fulfilment of obligations imposed by international bodies and other similar or related acts, measures or situations in which the Republic of Djibouti is, has been or may in future be involved;

4. Disputes concerning the interpretation or application of a multilateral treaty unless all the parties to the treaty are also parties to the case before the Court or the Government of Djibouti specially agrees to jurisdiction of the Court;
5. Disputes with the Government of any State with which, on the date of an application to bring a dispute before the Court, the Government of Djibouti has no diplomatic relations or which has not been recognized by the Government of Djibouti;
6. Disputes with non-sovereign States or territories;
7. Disputes with the Republic of Djibouti concerning or relating to:
 - (a) The status of its territory or the modification or delimitation of its frontiers or any other matter concerning boundaries;
 - (b) The territorial sea, the continental shelf and the margins, the exclusive fishery zone, the exclusive economic zone and other zones of national maritime jurisdiction including for the regulation and control of marine pollution and the conduct of scientific research by foreign vessels;
 - (c) The condition and status of its islands, bays and gulfs;
 - (d) The airspace superjacent to its land and maritime territory; and
 - (e) The determination and delimitation of its maritime boundaries.

This declaration is made for a period of five years, without prejudice to the right of denunciation and modification which attaches to any commitment undertaken by the State in its international relations.

It shall take effect on the date of its receipt by the Secretary-General of the United Nations.

Dominica, 24 maart 2006

The Commonwealth of Dominica hereby accepts the compulsory jurisdiction of the International Court of Justice and makes this Declaration under article 36(2) of the Statute of the Court.

Dominicaanse Republiek, 30 september 1924

On behalf of the Government of the Dominican Republic and subject to ratification, I recognize, in relation to any other Member or State accepting the same obligation, that is to say, on the sole condition of reciprocity, the jurisdiction of the Court as compulsory, *ipso facto* and without special convention.

Duitsland, 1 mei 2008

1. The Government of the Federal Republic of Germany declares that it recognizes as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to the Secretary-General of the United Nations withdrawing the declaration and with effect as from the moment of such notification, over

all disputes arising after the present declaration, with regard to situations or facts subsequent to this date other than:

- (i) any dispute which the Parties thereto have agreed or shall agree to have recourse to some other method of peaceful settlement or which is subject to another method of peaceful settlement chosen by all the Parties.
 - (ii) any dispute which
 - (a) relates to, arises from or is connected with the deployment of armed forces abroad, involvement in such deployments or decisions thereon, or
 - (b) relates to, arises from or is connected with the use for military purposes of the territory of the Federal Republic of Germany, including its airspace, as well as maritime areas subject to German sovereign rights and jurisdiction;
 - (iii) any dispute in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.
2. The Government of the Federal Republic of Germany also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Egypte, 22 juli 1957

[...] in accordance with Article 36 (2) of the Statute of the International Court of Justice and in pursuance and for the purposes of paragraph 9 (b) of the Declaration of the Government of the Republic of Egypt dated April 24, 1957 on the 'Suez Canal and the arrangements for its operation', the Government of the Republic of Egypt accept as compulsory, *ipso facto*, on condition of reciprocity and without special agreement, the jurisdiction of the International Court of Justice in all legal disputes that may arise under the said paragraph 9 (b) of the above Declaration dated April 24, 1957, with effect as from that date.

Estland, 21 oktober 1991

[...] declare on behalf of the Republic of Estonia and in accordance with the Resolution of September 26, 1991 of the Supreme Council of the Republic of Estonia, that the Republic of Estonia recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, provided that this declaration shall not apply to disputes, the solution of which the parties

shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Filipijnen, 18 januari 1972

[...] hereby declare, under Article 36, paragraph 2, of the Statute of the International Court of Justice, that the Republic of the Philippines recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes arising hereafter concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that this declaration shall not apply to any dispute:

(a) In regard to which the parties thereto have agreed or shall agree to have recourse to some other method of peaceful settlement; or

(b) Which the Republic of the Philippines considers to be essentially within its domestic jurisdiction; or

(c) In respect of which the other party has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purposes of such dispute; or where the acceptance of the compulsory jurisdiction was deposited or ratified less than 12 months prior to the filing of the application bringing the dispute before the Court; or

(d) Arising under a multilateral treaty, unless

(1) all parties to the treaty are also parties to the case before the Court, or

(2) the Republic of the Philippines specially agrees to jurisdiction;

or

(e) Arising out of or concerning jurisdiction or rights claimed or exercised by the Philippines:

“(i) In respect of the natural resources, including living organisms belonging to sedentary species, of the sea-bed and subsoil of the continental shelf of the Philippines, or its analogue in an archipelago, as described in Proclamation No. 370 dated 20 March 1968 of the President of the Republic of the Philippines; or

“(ii) In respect of the territory of the Republic of the Philippines, including its territorial seas and inland waters; and

Provided further, that this declaration shall remain in force until notice is given to the Secretary-General of the United Nations of its termination.

Finland, 21 juni 1958

On behalf of the Finnish Government, I hereby declare that I recognize as compulsory *ipso facto* and without special agreement, in relation to

any other State accepting the same obligation, that is to say, on condition of reciprocity, the jurisdiction of the International Court of Justice, in accordance with Article 36, paragraph 2 of the Statute of the Court, for a period of five years from 25 June 1958. This declaration shall be renewed by tacit agreement for further periods of the same duration, unless it is denounced not later than six months before the expiry of any such period. This declaration shall apply only to disputes arising in regard to situations or facts subsequent to 25 June 1958.

Gambia, 22 juni 1966

In accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice, I declare, on behalf of the Government of Gambia, that the Gambia recognises as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice until such time as notice may be given to terminate the acceptance, over all disputes arising in the future concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation;

with the reservation, however, that this declaration does not apply to

- (a) Disputes in regard to which the parties have agreed to a settlement other than by recourse to the International Court of Justice;
- (b) Disputes with any country in the Commonwealth;
- (c) Disputes which, by international law, fall exclusively within the jurisdiction of the Gambia.

Georgië, 20 juni 1995

I have the honour on behalf of the Republic of Georgia to declare that, in accordance with paragraph 2 of article 36 of the Statute of the International Court of Justice, the Republic of Georgia recognises as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes referred to in paragraph 2 of article 36 of the Statute of the International Court of Justice.

Griekenland, 10 januari 1994

I declare, on behalf of the Greek Government, that I recognize as compulsory *ipso facto* and without special agreement, on condition of reciprocity, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes referred to in Article 36, paragraph 2, of the Statute of the Court. However, the Greek Government excludes from the competence of the Court

any dispute relating to defensive military action taken by the Hellenic Republic for reasons of national defence.

This declaration shall remain in force for a period of five years. Upon the expiry of that period, it shall continue to have effect until notice of its termination is given.

Guinea, 4 december 1998

I have the honour, on behalf of the Government of the Republic of Guinea, to declare that, in accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice, it accepts as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes born since 12 December 1958 and subsequently to the present declaration concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) Existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

The Republic of Guinea makes this declaration on condition of reciprocity on the part of all States. However, Guinea may waive the competence of the Court in regard to:

- (a) Disputes for which the parties have agreed to have recourse to some other method of settlement;
- (b) Disputes with regard to questions which by international law fall within the exclusive competence of the Republic of Guinea.

Lastly, the Government of the Republic of Guinea reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, to withdraw or to amend the present declaration.

Guinea-Bissau, 7 augustus 1989

On behalf of the Republic of Guinea-Bissau, I have the honour to declare that, in accordance with Article 36, paragraph 2 of the Statute of the International Court of Justice, the Republic of Guinea-Bissau accepts as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes referred to in Article 36, paragraph 2 of the Statute thereof.

This declaration will remain in force until six months following the date on which the Government of Guinea-Bissau makes known its intention of terminating it.

Haiti, 4 oktober 1921

On behalf of the Republic of Haiti, I recognize the jurisdiction of the Permanent Court of International Justice as compulsory.

Honduras, 6 juni 1986

The Government of the Republic of Honduras, duly authorized by the National Congress, under Decree No. 75-86 of 21 May 1986, to modify the Declaration made on 20 February 1960 concerning Article 36 (2) of the Statute of the International Court of Justice,

Hereby declares: That it modifies the Declaration made by it on 20 February 1960 as follows:

1. That it recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature and extent of the reparation to be made for the breach of an international obligation.

2. This Declaration shall not apply, however, to the following disputes to which the Republic of Honduras may be a party: (a) Disputes in respect of which the parties have agreed or may agree to resort to other means for the pacific settlement of disputes; (b) Disputes concerning matters subject to the domestic jurisdiction of the Republic of Honduras under international law; (c) Disputes relating to facts or situations originating in armed conflicts or acts of a similar nature which may affect the territory of the Republic of Honduras, and in which it may find itself involved directly or indirectly;

(d) Disputes referring to: (i) Territorial questions with regard to sovereignty over islands, shoals and keys; internal waters, bays, the territorial sea and the legal status and limits thereof;

(ii) All rights of sovereignty or jurisdiction concerning the contiguous zone, the exclusive economic zone and the continental shelf and the legal status and limits thereof;

(iii) The airspace over the territories, waters and zones referred to in this sub-paragraph.

3. The Government of Honduras also reserves the right at any time to supplement, modify or withdraw this Declaration or the reservations contained therein by giving notice to the Secretary-General of the United Nations.

4. This Declaration replaces the Declaration made by the Government of Honduras on 20 February 1960.

Hongarije, 22 oktober 1992

The Republic of Hungary hereby recognizes as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice, in accordance with article 36, paragraph 2, of the Statute of the Court in all disputes which may arise in respect of facts or situations subsequent to this declaration, other than:

- a) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;
- b) disputes in regard to matters which by international law fall exclusively within the domestic jurisdiction of the Republic of Hungary;
- c) disputes relating to, or connected with, facts or situations of hostilities, war, armed conflicts, individual or collective actions taken in self-defense or the discharge of any functions pursuant to any resolution or recommendation of the United Nations, and other similar or related acts, measures or situations in which the Republic of Hungary is, has been or may in the future be involved;
- d) disputes in respect of which any other party to the dispute has accepted the compulsory jurisdiction of the Court only in relation to or for the purpose of such dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other party to the dispute was deposited less than twelve months prior to the filing of the application bringing the dispute before the Court.

The Government of the Republic of Hungary reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect of six months of such notification to amend, add to or withdraw any of the foregoing reservations or any that may hereafter be added.

This declaration shall remain in force until the expiration of six months after notification has been given of its termination.

Ireland, 15 december 2011

Ireland hereby declares that it recognises as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes as specified in Article 36, paragraph 2, with the exception of any legal dispute with the United Kingdom of Great Britain and Northern Ireland in regard to Northern Ireland.

The present Declaration shall take effect from the date of its receipt by the Secretary-General of the United Nations.

The Government of Ireland reserves the right at any time, by means of a notification addressed to Secretary-General of the United Nations and with effect from the date of such notification, either to amend or withdraw the present Declaration; or to add to, amend or withdraw the foregoing reservation, or any other reservations which may subsequently be made.

India, 18 september 1974

I have the honour to declare, on behalf of the Government of the Republic of India, that they accept, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate such acceptance, as compulsory *ipso facto* and without special

agreement, and on the basis and condition of reciprocity, the jurisdiction of the International Court of Justice over all disputes other than:

- (1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method or methods of settlement;
- (2) disputes with the Government of any State which is or has been a Member of the Commonwealth of Nations;
- (3) disputes in regard to matters which are essentially within the domestic jurisdiction of the Republic of India;
- (4) disputes relating to or connected with facts or situations of hostilities, armed conflicts, individual or collective actions taken in self-defence, resistance to aggression, fulfilment of obligations imposed by international bodies, and other similar or related acts, measures or situations in which India is, has been or may in future be involved;
- (5) disputes with regard to which any other party to a dispute has accepted the compulsory jurisdiction of the International Court of Justice exclusively for or in relation to the purposes of such dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of a party to the dispute was deposited or ratified less than 12 months prior to the filing of the application bringing the dispute before the Court;
- (6) disputes where the jurisdiction of the Court is or may be founded on the basis of a treaty concluded under the auspices of the League of Nations, unless the Government of India specially agree to jurisdiction in each case;
- (7) disputes concerning the interpretation or application of a multilateral treaty unless all the parties to the treaty are also parties to the case before the Court or Government of India specially agree to jurisdiction;
- (8) disputes with the government of any State with which, on the date of an application to bring a dispute before the Court, the Government of India has no diplomatic relations or which has not been recognized by the Government of India;
- (9) disputes with non-sovereign States or territories;
- (10) disputes with India concerning or relating to:
 - (a) The status of its territory or the modification or delimitation of its frontiers or any other matter concerning boundaries;
 - (b) the territorial sea, the continental shelf and the margins, the exclusive fishery zone, the exclusive economic zone, and other zones of national maritime jurisdiction including for the regulation and control of marine pollution and the conduct of scientific research by foreign vessels;
 - (c) the condition and status of its islands, bays and gulfs and that of the bays and gulfs that for historical reasons belong to it;
 - (d) the airspace superjacent to its land and maritime territory; and
 - (e) the determination and delimitation of its maritime boundaries.
- (11) disputes prior to the date of this declaration, including any dispute the foundations, reasons, facts, causes, origins, definitions, allegations or

bases of which existed prior to this date, even if they are submitted or brought to the knowledge of the Court hereafter.

2. This declaration revokes and replaces the previous declaration made by the Government of India on 14th September 1959.

Ivoorkust, 29 augustus 2001

Concerned on the one hand to ensure the peaceful and equitable settlement of all international disputes, particularly those in which it might be involved, and on the other hand to contribute to the development and strengthening of international law, the Republic of Côte d'Ivoire, pursuant to article 36, paragraph 2 of the Statute of the International Court of Justice, declares that it recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- (a) The interpretation of a treaty;
 - (b) Any question of international law;
 - (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
 - (d) The nature or extent of the reparation to be made for the breach of an international obligation;
- with the exception of:

- 1. Disputes concerning which the parties have agreed to have recourse to some other method of settlement;
- 2. Disputes with regard to questions which by international law fall within the exclusive competence of Côte d'Ivoire.

The present declaration has been made for an unlimited period, subject to the power of denunciation and modification attached to any obligation assumed by a State in its international relations.

It will enter into force when it is received by the Secretary-General of the United Nations.

Japan, 9 juli 2007

I have the honour, by direction of the Minister for Foreign Affairs, to declare on behalf of the Government of Japan that, in conformity with paragraph 2 of Article 36 of the Statute of the International Court of Justice, Japan recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation and on condition of reciprocity, the jurisdiction of the International Court of Justice, over all disputes arising on and after 15 September 1958 with regard to situations or facts subsequent to the same date and being not settled by other means of peaceful settlement.

This declaration does not apply to disputes which the parties thereto have agreed or shall agree to refer for final and binding decision to arbitration or judicial settlement.

This declaration does not apply to any dispute in respect of which any other party to the dispute has accepted the compulsory jurisdiction of the

International Court of Justice only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.

This declaration shall remain in force for a period of five years and thereafter until it may be terminated by a written notice.

Kameroen, 3 maart 1994

By order of the Government of the Republic of Cameroon, I have the honour to declare that:

The Government of Cameroon, in accordance with article 36, paragraph 2, of the Statute of the Court, recognizes as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes.

This declaration shall remain in force for a period of five years. It shall then continue to have effect unless the Government of the Republic of Cameroon makes a statement to the contrary or submits a written amendment hereto.

Kenia, 19 april 1965

I have the honour to declare, on behalf of the Government of the Republic of Kenya, that it accepts, in conformity with paragraph 2 of Article 36 of the Statute of the International Court of Justice until such time as notice may be given to terminate such acceptance, as compulsory *ipso facto* and without special agreement, and on the basis and condition of reciprocity, the jurisdiction over all disputes arising after 12th December, 1963, with regard to situations or facts subsequent to that date, other than:

1. Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method or methods of settlement;
2. Disputes with the Government of any State which, on the date of this Declaration, is a member of the Commonwealth of Nations or may so become subsequently;
3. Disputes with regard to questions which by general rules of International Law fall exclusively within the jurisdiction of Kenya;
4. Disputes concerning any question relating to or arising out of belligerent or military occupation or the discharge of any functions pursuant to any recommendation or decision of an organ of the United Nations, in accordance with which the Government of the Republic of Kenya have accepted obligations.

The Government of the Republic of Kenya reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations to add to, amend, or withdraw any of the foregoing reservations. Such notifications shall be effective on the date of their receipt by the Secretary-General of the United Nations.

Lesotho, 6 september 2000

On behalf of the Kingdom of Lesotho, I have the honour to declare that the Kingdom of Lesotho recognizes as compulsory *ipso facto* and without special agreement, in the relation to any other State which accepts or has accepted the same obligation, the jurisdiction of the International Court of Justice in all legal disputes referred to in paragraph 2 of Article 36 of the Statute of the International Court of Justice.

This Declaration does not apply to any dispute the solution of which the parties thereto have agreed or shall agree to have recourse to other means of peaceful settlement for its final and binding decision.

This Declaration shall remain in force until notice of its termination is given.

Liberia, 20 maart 1952

On behalf of the Government of the Republic of Liberia, I, Gabriel L. Dennis, Secretary of State of Liberia, subject to ratification declare that the Republic of Liberia recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State, also a party to the Statute pursuant to Article 93 of the United Nations Charter, which accepts the same obligation (i.e., subject to reciprocity), the jurisdiction of the International Court of Justice in all legal disputes arising after ratification concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

This declaration does not apply:

- (a) To any dispute which the Republic of Liberia considers essentially within its domestic jurisdiction;
- (b) To any dispute in regard to which the parties have agreed or may agree to bring before other tribunals as a result of agreements already existing or which may be made in the future.

The present declaration has been made for a period of 5 years as from the date of deposit of the ratification and thereafter until notice of termination is given.

Liechtenstein, 29 maart 1950

[...] Declares by these presents that the Principality of Liechtenstein recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature or extent of the reparation to be made for the breach of an international obligation.

The present Declaration, which is made under Article 36 of the Statute of the International Court of Justice, shall take effect from the date on which the Principality becomes a party to the Statute and shall have effect as long as the Declaration has not been revoked subject to one year's notice.

Luxemburg, 15 september 1930

The Government of the Grand-Duchy of Luxembourg recognizes as compulsory, *ipso facto*, and without special agreement, in relation to any other State accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute, in any disputes arising after the signature of the present declaration with regard to situations or facts subsequent to this signature, except in cases where the parties have agreed or shall agree to have recourse to another procedure or to another method of pacific settlement. The present declaration is made for a period of five years. Unless it is denounced six months before the expiration of that period, it shall be considered as renewed for a further period of five years and similarly thereafter.

Madagaskar, 2 juli 1992

On behalf of the Government of Madagascar, I declare, in conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice, that Madagascar accepts as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, and until such time as notification is given of the withdrawal of this acceptance, the jurisdiction of the Court in all legal disputes concerning:

- the interpretation of a treaty;
- any question of international law;
- the existence of any fact which, if established, would constitute a breach of an international obligation;
- the nature or extent of the reparation to be made for the breach of an international obligation.

This declaration does not apply:

- to disputes in respect of which the parties have agreed to have recourse to another means of settlement;
- to disputes relating to matters which, by international law, are within the exclusive jurisdiction of Madagascar.

The Government of Madagascar also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the date of receipt of said notification by the Secretary-General, either to add to, amend or withdraw any of the foregoing reservations.

Malawi, 12 december 1966

On behalf of the Government of Malawi, I declare under Article 36, paragraph 2, of the Statute of the International Court of Justice that I recognize as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, on condition of reciprocity, the jurisdiction of the International Court of Justice in all legal disputes which may arise in respect of facts or situations subsequent to this declaration concerning-

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of international obligation.

Provided that this declaration shall not apply to-

- (i) Disputes with regard to matters which are essentially within the domestic jurisdiction of the Republic of Malawi as determined by the Government of Malawi;
- (ii) Disputes in regard to which the parties of the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; or
- (iii) Disputes concerning any question relating to or arising out of belligerent or military occupation.

The Government of Malawi also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, to add to, amend, or withdraw any of the foregoing reservations or any that may hereafter be added. Such notifications shall be effective on the date of their receipt by the Secretary-General of the United Nations.

Malta, 6 december 1966

The Government of Malta accepts as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes other than:

- (i) disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;
- (ii) disputes with the Government of any other country which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;
- (iii) disputes with regard to questions which by international law fall exclusively within the jurisdiction of Malta;
- (iv) disputes concerning any question relating to or arising out of belligerent or military occupation or the discharge of any functions

pursuant to any recommendation or decision of an organ of the United Nations, in accordance with which the Government of Malta have accepted obligations;

- (v) disputes arising under a multilateral treaty unless
 - (1) all Parties to the treaty affected by the decision are also Parties to the case before the Court, or
 - (2) the Government of Malta specially agrees to jurisdiction;
- (vi) disputes relating to any matter excluded from compulsory adjudication or arbitration under any treaty, convention or other international agreement or instrument to which Malta is a party;
- (vii) disputes in respect of which arbitral or judicial proceedings are taking, or have taken place with any State which, at the date of the commencement of the proceedings, had not itself accepted the compulsory jurisdiction of the International Court of Justice; and
- (viii) disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purposes of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.

The Government of Malta also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification either to add to, amend or withdraw any of the foregoing reservations or any that may hereafter be added.

Malta, 2 september 1983

I have the honour to refer to the Declaration made by the Government of Malta on 29 November 1966, and notified on 6 December 1966, concerning the compulsory jurisdiction of the International Court of Justice and to give notice that, with effect from the moment this notification is received by Your Excellency, the acceptance of the Government of Malta of the jurisdiction of the Court shall be limited to all disputes with Malta other than –

- (1) the disputes mentioned in paragraphs (i) to (viii), both inclusive, of the Declaration; and
- (2) the following categories of disputes, that is to say:
 - (a) its territory, including the territorial sea, and the status thereof;
 - (b) the continental shelf or any other zone of maritime jurisdiction, and the resources thereof;
 - (c) the determination or delimitation of any of the above;
 - (d) the prevention or control of pollution or contamination of the marine environment in marine areas adjacent to the coast of Malta.

The Government of Malta also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Na-

tions, and with effect from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations or any that may hereafter be added.

Mauritius, 23 september 1968

I have the honour to declare, on behalf of the Government of Mauritius, that Mauritius accepts as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes other than:

- (i) Disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;
- (ii) Disputes with the Government of any other country which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;
- (iii) Disputes with regard to questions which by international law fall exclusively within the jurisdiction of Mauritius;
- (iv) Disputes concerning any question relating to or arising out of belligerent or military occupation or the discharge of any functions pursuant to any recommendation or decision of an organ of the United Nations, in accordance with which the Government of Mauritius has accepted obligations;
- (v) Disputes relating to any matter excluded from compulsory adjudication or arbitration under any treaty, convention or other international agreement or instrument to which Mauritius is a party;
- (vi) Disputes in respect of which arbitral or judicial proceedings are taking, or have taken place with any State which, at the date of the commencement of the proceedings, had not itself accepted the compulsory jurisdiction of the International Court of Justice; and
- (vii) Disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purposes of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.

The Government of Mauritius also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification either to add to, amend or withdraw any of the foregoing reservations or any that may hereafter be added.

Mexico, 28 oktober 1947

In regard to any legal dispute that may in future arise between the United States of Mexico and any other State out of events subsequent to the date of this Declaration, the Mexican Government recognizes as compulsory, *ipso facto*, and without any special agreement being required therefore, the jurisdiction of the International Court of Justice in accordance with Article 36, paragraph 2, of the Statute of the said Court, in relation to any other State accepting the same obligation, that is, on condition of strict reciprocity. This Declaration which does not apply to disputes arising from matters that, in the opinion of the Mexican Government, are within the domestic jurisdiction of the United States of Mexico, shall be binding for a period of five years as from 1 March 1947 and after that date shall continue in force until six months after the Mexican Government gives notice of denunciation.

Nederlanden, het Koninkrijk der, 1 augustus 1956

I hereby declare that the Government of the Kingdom of The Netherlands recognizes, in accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice, with effect from 6 August 1956, as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, that is on condition of reciprocity, the jurisdiction of the said Court in all disputes arising or which may arise after 5 August 1921, with the exception of disputes in respect of which the parties, excluding the jurisdiction of the International Court of Justice, may have agreed to have recourse to some other method of pacific settlement.

The aforesaid obligation is accepted for a period of five years and will be renewed by tacit agreement for additional periods of five years, unless notice is given, not less than six months before the expiry of any such period, that the Government of the Kingdom of The Netherlands does not wish to renew it.

The acceptance of the jurisdiction of the Court founded on the declaration of 5 August 1946 is terminated with effect from 6 August 1956.

Nicaragua, 24 september 1929

On behalf of the Republic of Nicaragua, I recognize as compulsory unconditionally the jurisdiction of the Permanent Court of International Justice.

Nicaragua, 24 oktober 2001

Nicaragua will not accept the jurisdiction or competence of the International Court of Justice in relation to any matter or claim based on interpretations of treaties or arbitral awards that were signed and ratified or made, respectively, prior to 31 December 1901.

Bezwaar door Costa Rica, 9 januari 2002

I have the honour to write to you in your capacity as depositary of the declarations provided for in Article 36, paragraph 2, of the Statute of the International Court of Justice, with reference to note MRE/DW1081/10/01, which the Minister for Foreign Affairs of Nicaragua transmitted to you on 24 October 2001.

On 24 September 1929, the Republic of Nicaragua recognized, unconditionally, the compulsory jurisdiction of the Permanent Court of International Justice. That declaration was deemed transferable to the jurisdiction of the International Court of Justice by virtue of Article 36, paragraph 5, of the Statute of the Court. On various occasions, Nicaragua has used this optional declaration to bring proceedings before the International Court of Justice. In the *Military and Paramilitary Activities In and Against Nicaragua* case between Nicaragua and the United States of America, the Court found that this declaration was valid.

The above-mentioned note from the Minister for Foreign Affairs of Nicaragua, dated 24 October 2001, represents a casuistic attempt by the Nicaraguan Government to modify its voluntary declaration of unconditional acceptance of the compulsory jurisdiction of the International Court of Justice as follows:

“Nicaragua will not accept as from 1 November 2001 the jurisdiction or competence of the International Court of Justice in relation to any matter or claim based on interpretations of treaties or arbitral awards that were signed and ratified or made, respectively, prior to 31 December 1901.”

The Government of Costa Rica considers that this purported “reservation” is not permissible for the following reasons: (1) Public international law does not recognize the right to formulate reservations a posteriori to unconditional declarations of acceptance of the jurisdiction of the International Court of Justice; (2) Nicaragua is unable to formulate this “reservation” by virtue of its unilateral declarations before the same Court with respect to the nature of its acceptance of compulsory jurisdiction and the possibility of modifying it; (3) Even if this reservation were permissible, which it is not, the lack of a reasonable time period for its entry into force renders such a “reservation” contrary to the principle of good faith in international relations. In addition, it is worth noting that the foregoing is supported by the provision of the Vienna Convention on the Law of Treaties contained in article 2, paragraph 1 (d), on the meaning of a reservation. Moreover, the provision contained in article 20, paragraph 3, of that Convention should also be borne in mind with respect to the formulation of a reservation to a treaty which is a constituent instrument of an international organization.

I must point out that the note to which my Government objects was not transmitted spontaneously. Rather, it represents a reac-

tion to the fact that my Government has included an item in the national budget to cover the cost of the possible filing of a claim by Costa Rica against Nicaragua before the International Court of Justice for its failure to abide by the provisions agreed upon by both countries in the Cailas-Jerez Treaty of 1858 and the Cleveland Award of 1888. Both instruments were signed and ratified during the period which Nicaragua now seeks to exclude from the Court's jurisdiction by means of the above-mentioned reservation. However, in its haste, it has overlooked the fact that, on 21 February 1949, the Government of Nicaragua signed a Pact of Amity with Costa Rica. Article III of that instrument reflects the commitment to apply the American Treaty on Pacific Settlement. Nicaragua has also failed to consider that, on 9 January 1956, as a corollary to the 1949 Pact of Amity, Nicaragua and Costa Rica signed, at the Pan American Union in Washington, an agreement to facilitate and expedite traffic on the San Juan River within the terms of the Treaty of 15 April 1858 and its interpretation given by arbitration on 22 March 1888. Both instruments were ratified in due course by both countries. The purported reservation also fails to include the judgement pronounced on 20 September 1916 by the Central American Court of Justice. The 1916 judgement of the Central American Court of Justice, the 1949 Pact of Amity and the 1956 agreement reinforce a set of legal rules which must be respected.

1. International law does not give Nicaragua the right to formulate reservations a posteriori to its unconditional declaration of acceptance of the jurisdiction of the International Court of Justice.

In the judgement on the jurisdiction of the International Court of Justice pronounced in the *Military and Paramilitary Activities In and Against Nicaragua* case, the Court indicated that States could not modify their acceptance of the Court's compulsory jurisdiction as they pleased, but were bound by the terms of their declarations.

The Court noted, in particular, that the right to terminate declarations with indefinite duration was far from established in international law.

Nicaragua itself has recognized that contemporary international law does not give States the power to modify unilaterally their optional declarations of acceptance of the compulsory jurisdiction of the International Court of Justice when such declarations are unconditional.

In its written pleadings in the *Border and Transborder Armed Actions* case between Nicaragua and Honduras, Nicaragua stated categorically that a State bound by an optional declaration could not modify or denounce that declaration. Nicaragua claimed that the declaring State was bound by the terms of the optional dec-

laration and that, by virtue of the principle of good faith, it could not seek to disengage unilaterally from the obligations it had acquired in making that declaration.

Nicaragua argued that that rule arose from an analogous application of the customary principles of the law of treaties. Nicaragua indicated that the principles incorporated into the Vienna Convention on the Law of Treaties were applicable to voluntary declarations of acceptance of the Court's jurisdiction in respect of denunciation and reservation, meaning that such declarations could not be modified unless the declaring State had previously reserved that right. Lastly, Nicaragua maintained that State practice showed that a State could modify an optional declaration only when it reserved the right to do so at the time it made the original declaration.

In its written pleadings in the jurisdictional phase of the Military and Paramilitary Activities case, Nicaragua argued that the legality of a purported modification depended on the intention of the declaring State at the time of making the original optional declaration. If the declaring State did not expressly reserve the right to make modifications, that State did not have the power to change its declaration or to formulate reservations.

Insofar as the declaration of acceptance of the compulsory jurisdiction of the International Court of Justice made by Nicaragua in 1929 does not include any conditions or time limits, nor does it expressly reserve the right to modify its content, Nicaragua has no right to formulate reservations to its acceptance of the Court's compulsory jurisdiction.

2. Nicaragua, by virtue of its public unilateral declarations before the Court with respect to the nature of its optional declaration and the possibility of modifying it, cannot formulate any reservations.

In a number of unilateral declarations, Nicaragua has recognized that its own declaration of acceptance of the Court's compulsory jurisdiction cannot be modified in any way.

In its written pleadings in the Military and Paramilitary Activities case, Nicaragua pointed out that its 1924 declaration could not be terminated or modified without prior notice and that any withdrawal or modification of the declaration must be based on the principles of the law of treaties. What is more, Nicaragua indicated categorically that the assumption that its declaration could be modified without prior notice was unfounded in the law relating to consensual legal obligations arising from optional declarations. In the same case, Nicaragua argued against the possibility of unilaterally modifying declarations of acceptance of the Court's compulsory jurisdiction. Nicaragua based its arguments both on the writings of the most distinguished legal experts and on considerations of principle. Nicaragua noted that the existence

of a universal right of unilateral modification of optional declarations would violate the system of optional clauses in the Statute and would essentially eliminate the compulsory nature of the Court's jurisdiction.

These arguments demonstrate both Nicaragua's intention that its 1929 declaration of acceptance of the Court's compulsory jurisdiction should not be subject to any modification or denunciation and its repeated contention that the unilateral modification of such declarations, in the absence of a previous reservation, is contrary to international law. This acknowledgement of the legal situation is binding on Nicaragua. Under the principles of estoppel and good faith, Nicaragua cannot, at this time, reverse those positions.

Accordingly, Costa Rica considers that Nicaragua cannot now claim to modify unilaterally its unconditional acceptance of the voluntary jurisdiction of the Court by means of a purported "reservation".

Even if Nicaragua had the right to formulate a reservation to its optional declaration, which it does not, the lack of a reasonable time period for its entry into force renders such a "reservation" null and void.

In the Military and Paramilitary Activities case, the International Court of Justice indicated that, while the right to denounce declarations without limit of time was far from established in international law, if such a right existed, then any denunciation would, by analogy with the law of treaties, have to provide for a reasonable time period before it entered into force. This principle applies, by analogy, to the introduction of changes to the voluntary acceptance of the Court's compulsory jurisdiction. Consequently, even if Nicaragua could modify its optional declaration by means of a reservation, which is not the case, then such a modification would have to be subject to a reasonable time period, by virtue of the principle of good faith.

It should be noted that, in the Border and Transborder Armed Actions case, Nicaragua argued that only a period of at least 12 months could be considered reasonable for any modification of a declaration of voluntary acceptance of the Court's jurisdiction.

Nicaragua's purported "reservation", which my Government has analysed in this note, provides for a period of only eight days from the time of its signature by the President of Nicaragua to the time of its purported entry into force. Even if Nicaragua were legally in a position to modify its acceptance of the Court's compulsory jurisdiction, which it is not, a period of eight days would not meet the requirement of a reasonable time period for the entry into force of such a modification.

What is more, Nicaragua, by virtue of its declarations in the Border and Transborder Armed Actions case, would be obligated,

under the principles of good faith and estoppel, to provide for a period of at least 12 months before the purported “reservation” could enter into force. Accordingly, the purported “reservation” formulated on 24 October 2001 cannot be considered to meet the minimum requirements imposed by the principle of good faith.

Jurisdiction of the Court and the Pact of Bogotá:

Moreover, in the case of Nicaragua, as in the case of any other Latin American State party to the Pact of Bogotá, the denunciation of the Statute of the Court would not disengage it from the obligation to recognize the competence of that Court as a respondent, for the following reason:

In April 1948, the American Treaty on Pacific Settlement, better known as the Pact of Bogotá, was adopted. Costa Rica ratified it on 27 April 1949, and Nicaragua, in turn, ratified it on 26 July 1950. Accordingly, the Pact of Bogotá has been in force between Costa Rica and Nicaragua as from the latter date.

The Pact contains a definitive declaration of recognition of the compulsory jurisdiction of the Court for all disputes of a juridical nature among the States parties to the Pact. Article XXXI of the Pact says:

“ In conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice, the High Contracting Parties declare that they recognize in relation to any other American State, the jurisdiction of the Court as compulsory *ipso facto*, without the necessity of any special agreement so long as the present Treaty is in force, in all disputes of a juridical nature that arise among them ...”

Therefore, since both Costa Rica and Nicaragua are ratifying parties to the Pact of Bogotá, there can be no doubt that both parties have recognized the compulsory jurisdiction of the International Court of Justice to settle any legal dispute between them. The above-mentioned article XXXI has the legal effect of transforming the vague juridical relations arising from unilateral declarations made by the parties under the optional clause into contractual relations which have the force and stability characteristic of an obligation arising directly from a treaty.

Dr. Eduardo Jimenez de Aréchega, a distinguished Uruguayan jurist who had the honour to serve as President of the International Court of Justice, maintained that there were substantial differences between the exercise of the optional clause and the fact of being a party to a convention. In an opinion which he provided to Costa Rica in his capacity as adviser to our country in the 1986 Nicaragua v. Costa Rica case, he gave the following explanation: “The fundamental difference between the recognition of the Court’s jurisdiction expressed by the parties to the Pact of Bogotá and that expressed by other States under the optional clause is as follows: (a) once the Pact of Bogotá has been ratified by an

American State, the recognition of the Court's jurisdiction may be withdrawn only by denunciation of the Pact itself, which must be effected with at least one year's notice; and (b) the States which ratified the Pact could have introduced reservations to their recognition of the Court's jurisdiction if they had done so at the time of signature. As they did not do so with respect to the recognition of the compulsory jurisdiction of the Court, article XXXI became a mechanism for accepting fully the Court's jurisdiction, and is completely different in this regard from the very conditional acceptance which the majority of States have expressed through the application of the optional clause.

From these substantial differences, it follows that the American States parties to the Pact of Bogotá have established a legal system among themselves whereby the optional clause has been replaced by the categorical declaration contained in article XXXI of the Pact. The declarations made by American States in exercise of their prerogative under Article 36, paragraph 2, of the Statute of the Court only have the legal effect of establishing the tenuous relations under that clause exclusively with States which are not Contracting Parties to the Pact of Bogotá, but not the contractual obligation created by article XXXI to recognize, with the force of a treaty, the obligation to grant the American States parties to the Pact of Bogotá the right to bring claims against other American States before the Court at The Hague“.

Consequently, even if Nicaragua's Presidential Decree revoking the unilateral declaration of 1929 in which Nicaragua recognized the jurisdiction of the Court at The Hague to settle legal disputes with any other State having expressed the same recognition were valid, which it is not, that nation would still be bound to recognize the competence of the Court at The Hague to settle legal disputes with any other Latin American State party to the Pact of Bogotá.

In light of the above, so long as the Pact of Bogotá is in force, Nicaragua cannot deny the competence of the International Court of Justice to hear and settle any legal dispute brought before it by Costa Rica.

For all the foregoing reasons, the Government of Costa Rica hereby presents a formal objection to the “reservation“ formulated by the Government of Nicaragua, and declares that, for all intents and purposes, it will consider such reservation to be non-existent.

I should be grateful if you would transmit this document to the secretariat of the International Court of Justice and to the States parties to its Statute. Likewise, I should be grateful if you would have it circulated to the General Assembly as a document of the Assembly under the agenda item relating to the consideration of the report of the International Court of Justice to the General

Assembly.

Nieuw-Zeeland, 22 september 1977

- (I) The acceptance by the Government of New Zealand of the compulsory jurisdiction of the International Court of Justice by virtue of the Declaration made on 1 April 1940 under Article 36 of the Statute of the Permanent Court of International Justice, and made applicable to the International Court of Justice by paragraph 5 of Article 36 of the Statute of that Court, is hereby terminated:
- (II) The Government of New Zealand accepts as compulsory, *ipso facto*, and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice in conformity with paragraph 2 of Article 36 of the Court over all disputes other than:
1. Disputes in regard to which the parties have agreed or shall agree to have recourse to some other method of peaceful settlement:
 2. Disputes in respect of which any other party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute: or where the acceptance of the Court's compulsory jurisdiction on behalf of any other party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court:
 3. Disputes arising out of or concerning the jurisdiction or rights claimed or exercised by New Zealand in respect of the exploration, exploitation, conservation or management of the living resources in marine areas beyond and adjacent to the territorial sea of New Zealand but within 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.
- This Declaration shall remain in force for a period of five years from 22 September 1977 and thereafter until the expiration of six months after notice has been given of the termination of this Declaration provided that the Government of New Zealand reserves the right at any time to amend this Declaration in the light of the results of the Third United Nations Conference on the Law of the Sea in respect of the settlement of disputes.

Nigeria, 30 april 1998

I have the honour, on behalf of the Government of the Federal Republic of Nigeria, to declare that the acceptance by the Government of the Federal Republic of Nigeria of the compulsory jurisdiction of the International Court of Justice by virtue of the Declaration made on 14th August, 1965 under Article 36 of the Statute of the Court, is hereby amended so as to read as set out in the following paragraph;

In conformity with paragraph 2 of article 36 of the Statute, the Government of the Federal Republic of Nigeria accepts as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, that is to say, on condition of reciprocity,

the jurisdiction of the Court over all legal disputes referred to in that paragraph of the Statute other than;

- (i) disputes in respect of which any party to the dispute has accepted the jurisdiction of the Court by a Declaration deposited less than Twelve Months prior to the filing of an Application bringing the dispute before the Court after the date of this amended Declaration;
- (ii) disputes in respect of which any party has filed an Application in substitution for or in lieu of all or any part of any Application to which sub-paragraph (i) refers;
- (iii) disputes relating to matters which are essentially within the domestic jurisdiction of the Federal Republic of Nigeria;
- (iv) disputes in respect of which any other party to the dispute has accepted the jurisdiction of the Court only in relation to or for the purposes of the dispute;
- (v) disputes in regard to which the parties have agreed or agree to have recourse to any other method of peaceful settlement;
- (vi) disputes relating to or connected with facts or situations of hostilities or armed conflict, whether internal or international in character;
- (vii) disputes with any State with which the Government of Nigeria does not have diplomatic relations;
- (viii) disputes concerning the allocation, delimitation or demarcation of territory (whether land, maritime, lacustrine or superjacent air space) unless the Government of Nigeria specially agrees to such jurisdiction and within the limits of any such special agreement.
- (ix) disputes in relation to matters which arose prior to the date of Nigeria's independence, including any dispute the causes, origins or bases of which arose prior to that date.

The Government of the Federal Republic of Nigeria further reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect from the moment of such notification, to add to, amend or withdraw this Declaration or the reservations contained therein or any that may hereafter be added.

Noorwegen, 24 juni 1996

I hereby declare on behalf of the Royal Norwegian Government that Norway recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, that is on condition of reciprocity, the jurisdiction of the International Court of Justice in conformity with Article 36, paragraph 2, of the Statute of the Court, for a period of five years as from 3 October 1976. This declaration shall thereafter be tacitly renewed for additional periods of five years, unless notice of termination is given not less than six months before the expiration of the current period; provided, however, that the limitations and exceptions relating to the settlement of disputes pursuant to the provisions of, and the Norwegian declarations applicable at

any given time to, the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement of 4 December 1995 for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, shall apply to all disputes concerning the law of the sea.

Oostenrijk, 19 mei 1971

I hereby declare that the Republic of Austria recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State which accepts or has accepted the same obligation, the jurisdiction of the International Court of Justice in all legal disputes referred to in paragraph 2 of Article 36 of the Statute of the International Court of Justice. This Declaration does not apply to any dispute in respect of which the parties thereto have agreed or shall agree to have recourse to other means of peaceful settlement for its final and binding decision. This Declaration shall remain in force for a period of five years and thereafter until it will be terminated or modified by a written declaration.

Pakistan, 13 september 1960

The Government of Pakistan recognize as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes after the 24th June, 1948, arising, concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that the declaration shall not apply to:

- (a) Disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or
- (b) Disputes relating to questions which by international law fall exclusively within the domestic jurisdiction of Pakistan;
- (c) Disputes arising under a multilateral treaty unless
 - (i) All parties to the treaty affected by the decision are also parties to the case before the Court, or
 - (ii) The Government of Pakistan specially agree to jurisdiction; and provided further, that this Declaration shall remain in force till such time as notice may be given to terminate it.

Panama, 25 oktober 1921

On behalf of the Government of Panama, I recognize, in relation to any other Member or State which accepts the same obligation, that is to say,

on the sole condition of reciprocity, the jurisdiction of the Court as compulsory, *ipso facto* and without any special convention.

Paraguay, 25 september 1996

I hereby accept on behalf of the Government of Paraguay the compulsory jurisdiction of the International Court of Justice, with headquarters at The Hague, reciprocally in relation to other States accepting the same obligation in respect of all disputes as provided for in Article 36, paragraph 2, of the Statute of the Court. The present declaration shall apply only to disputes arising subsequent to the date of this declaration.

Peru, 7 juli 2003

In accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice, the Government of Peru recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation and on condition of reciprocity, the jurisdiction of the International Court of Justice in all legal disputes, until such time as it may give notice withdrawing this declaration.

This declaration does not apply to any dispute with regard to which the parties have agreed or shall agree to have recourse to arbitration or judicial settlement for a final and binding decision or which has been settled by some other method of peaceful settlement.

The Government of Peru reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations to amend or withdraw this declaration or reservations set out herein. Such notification shall take effect on the day on which it is received by the Secretary-General of the United Nations.

This declaration shall apply to countries that have entered reservations or set conditions with respect to it, with the same restrictions as set by such countries in their respective declarations.

Polen, 25 maart 1996

The Republic of Poland shall recognize with the effect as of 25 September 1996, in accordance with the provisions of [article 36] as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation and subject to the sole condition of reciprocity, the jurisdiction of the International Court of Justice in all legal disputes other than:

- a) disputes prior to 25 September 1990 or disputes arisen out of facts or situations prior to the same date;
- b) disputes with regard to the territory or State boundaries;
- c) disputes with regard to environmental protection;
- d) disputes with regard to foreign liabilities or debts;
- e) disputes with regard to any State which has made a declaration accepting the compulsory jurisdiction of the International Court of Justice less than twelve months prior to the filing of the application bringing the dispute before the Court;

f) disputes in respect whereof parties have agreed, or shall agree, to have recourse to some other method of peaceful settlement;

g) disputes relating to matters which, by international law, fall exclusively within the domestic jurisdiction of the Republic of Poland.

The Government of the Republic of Poland also reserves its right to withdraw or modify the present Declaration at any time and by means of a notification addressed to the Secretary-General of the United Nations, taking effect after six months from the moment whereof.

Portugal, 19 maart 1955

Under Article 36, paragraph 2, of the Statute of the International Court of Justice, I declare on behalf of the Portuguese Government that Portugal recognizes the jurisdiction of this Court as compulsory *ipso facto* and without special agreement, as provided for in the said paragraph 2 of Article 36 and under the following conditions:

1) The present declaration covers disputes arising out of events both prior and subsequent to the declaration of acceptance of the 'optional clause' which Portugal made on December 16, 1920, as a party to the Statute of the Permanent Court of International Justice.

2) The present declaration enters into force at the moment it is deposited with the Secretary-General of the United Nations; it shall be valid for a period of one year, and thereafter until notice of its denunciation is given to the said Secretary-General.

3) The Portuguese Government reserves the right to exclude from the scope of the present declaration, at any time during its validity, any given category or categories of disputes, by notifying the Secretary-General of the United Nations and with effect from the moment of such notification.

Portugal, 25 februari 2005

On behalf of the Portuguese Republic, I declare and give notice that Portugal, continuing to accept the jurisdiction of the International Court of Justice, amends its declaration made on 19 December 1955, replacing its terms by the following:

1. Under Article 36, paragraph 2, of the Statute of the International Court of Justice, the Portuguese Republic recognizes the jurisdiction of the Court as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation (and to the extent it accepts it), until such time as notice may be given to terminate the acceptance, in all legal disputes other than:

- (i) any dispute which Portugal has agreed or shall agree with the other party or parties thereto to settle by some other method of peaceful settlement;
- (ii) any dispute with any State that has deposited or ratified the acceptance of the Court's compulsory jurisdiction or an amendment

thereto so that the dispute became included in its scope less than twelve months prior to the filing of the application bringing the dispute before the Court;

- (iii) any dispute, unless it refers to territorial titles or rights or to sovereign rights or jurisdiction, arising before 26 April 1974 or concerning situations or facts prior to that date;
- (iv) any dispute with a party or parties to a treaty regarding which the jurisdiction of the International Court of Justice has, under the applicable rules, been explicitly excluded, irrespective of whether the scope of the dispute refers to the interpretation and application of the treaty provisions or to other sources of international law.

2. The Portuguese Republic also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Senegal, 2 december 1985

I have the honour, on behalf of the Government of the Republic of Senegal, to declare that, in accordance with Article 36, paragraph 2, of the Statute of the International Court of Justice, it accepts on condition of reciprocity as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes born subsequently to the present declaration concerning:

- the interpretation of a treaty;
- any question of international law;
- existence of any fact which, if established, would constitute a breach of an international obligation;
- the nature or extent of the reparation to be made for the breach of an international obligation.

This declaration is made on condition of reciprocity on the part of all States. However, Senegal may waive the competence of the Court in regard to:

- disputes concerning which the parties have agreed to have recourse to some other method of settlement;
- disputes with regard to questions which by international law fall within the exclusive competence of Senegal.

Lastly, the Government of the Republic of Senegal reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, to add, to amend or to withdraw the foregoing reservations.

Such notification shall be effective on the date of its receipt by the Secretary-General.

Slowakije, 28 mei 2004

On behalf of the Slovak Republic I have the honour to declare that the Slovak Republic recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, that is on condition of reciprocity, the jurisdiction of the International Court of Justice in conformity with Article 36, paragraph 2, of the Statute of the Court over all legal disputes arising after the date of signature of the present declaration with regard to situations or facts subsequent to the same date.

This declaration does not apply to disputes:

- (1) Which the parties have agreed to settle by some other method of peaceful settlement;
- (2) in respect of which any other Party to the dispute has accepted the jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute; or when the declaration recognizing the jurisdiction of the Court on behalf of any other Party to the dispute was deposited less than twelve months prior to the filing of the unilateral application bringing the dispute before the Court;
- (3) with regard to the protection of environment;
- (4) with regard to questions which by international law fall exclusively within the domestic jurisdiction of the Slovak Republic.

The Slovak republic reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the date of receipt of such notification, to amend or withdraw this declaration.

Somalië, 11 april 1963

I have the honour to declare on behalf of the Government of the Somali Republic that the Somali Republic accepts as compulsory *ipso facto*, and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such times as notice may be given to terminate the acceptance, over all legal disputes arising other than disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purposes of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.

The Somali Republic also reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Spanje, 29 oktober 1990

The Kingdom of Spain accepts as compulsory *ipso facto* and without special agreement, the jurisdiction of the International Court of Justice, in conformity with Article 36, paragraph 2, of the Statute of the Court, in relation to any other State accepting the same obligation, on condition of reciprocity, in legal disputes not included among the following situations and exceptions:

- a) Disputes in regard to which the Kingdom of Spain and the other party or parties have agreed or shall agree to have recourse to some other method of peaceful settlement of dispute;
- b) Disputes in regard to which the other party or parties have accepted the compulsory jurisdiction of the Court only in relation to or for the purposes of the dispute in question;
- c) Disputes in regard to which the other party or parties have accepted the compulsory jurisdiction of the Court less than 12 months prior to the filing of the application bringing the dispute before the Court;
- d) Disputes arising prior to the date on which this Declaration was deposited with the Secretary-General of the United Nations or relating to events or situations which occurred prior to that date, even if such events or situations may continue to occur or to have effects thereafter.

2. The Kingdom of Spain may at any time, by means of a notification addressed to the Secretary-General of the United Nations, add to, amend or withdraw, in whole or in part, the foregoing reservations or any that may hereafter be added. These amendments shall become effective on the date of their receipt by the Secretary-General of the United Nations.

3. The present Declaration, which is deposited with the Secretary-General of the United Nations in conformity with Article 36, paragraph 4, of the Statute of the International Court of Justice, shall remain in force until such time as it has been withdrawn by the Spanish Government or superseded by another declaration by the latter.

The withdrawal of the Declaration shall become effective after a period of six months has elapsed from the date of receipt by the Secretary-General of the United Nations of the relevant notification by the Spanish Government. However, in respect of States which have established a period of less than six months between notification of the withdrawal of their Declaration and its becoming effective, the withdrawal of the Spanish Declaration shall become effective after such shorter period has elapsed.

Sudan, 2 januari 1958

I have the honour by direction of the Ministry of Foreign Affairs to declare, on behalf of the Government of the Republic of the Sudan, that in pursuance of paragraph 2 of Article 36 of the Statute of the International Court of Justice the Government of the Republic of the Sudan recognize as compulsory *ipso facto* and without special agreement, on condition of reciprocity, until such time as notice may be given to terminate

this Declaration, the jurisdiction of the International Court of Justice in all legal disputes arising after the first day of January 1956 with regard to situations or facts subsequent to that date concerning:

- (a) The interpretation of a treaty concluded or ratified by the Republic of the Sudan on or after the first day of January 1956;
- (b) Any question of International Law;
- (c) The existence of any fact, which, if established, would constitute a breach of an international obligation; or
- (d) The nature or extent of the reparation to be made for the breach of an international obligation;

but excluding the following:

- (i) Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;
- (ii) Disputes in regard to matters which are essentially within the domestic jurisdiction of the Republic of the Sudan as determined by the Government of the Republic of the Sudan;
- (iii) Disputes arising out of events occurring during any period in which the Republic of the Sudan is engaged in hostilities as a belligerent.

Suriname, 31 augustus 1987

The Government of the Republic of Suriname recognizes, in accordance with Article 36, paragraph 2 of the Statute of the International Court of Justice, with effect from the seventh September 1987, as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, that is on condition of reciprocity, the jurisdiction of the said Court in all disputes, which have arisen prior to this Declaration or may arise after this Declaration, with the exception of:

- A. disputes, which have arisen or may arise with respect to or in relation with the borders of the Republic of Suriname;
- B. disputes in respect of which the parties, excluding the jurisdiction of the International Court of Justice, have agreed to settlement by means of arbitration, mediation or other methods of conciliation and accommodation.

This declaration shall be binding for a period of five years and shall continue in force after that period until twelve months after the Government of the Republic of Suriname has given notice of its termination.

Swaziland, 26 mei 1969

[...] declare on behalf of the Government of the Kingdom of Swaziland, that it recognizes as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdiction of the International Court of Justice, in accordance with paragraph 2 of Article 36 of the Statute of the Court.

This Declaration does not extend:

(a) To disputes in respect of which the parties have agreed to have recourse to another means of peaceful settlement; or

(b) To disputes relating to matters which, by international law, are essentially within the domestic jurisdiction of the Kingdom of Swaziland.

The Government of the Kingdom of Swaziland also reserves the right to add to, amend or withdraw this Declaration by means of a notification addressed to the Secretary-General of the United Nations, with effect as from the moment of such notification.

Togo, 25 oktober 1979

Declares that it recognizes as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, that is, subject to reciprocity, the jurisdiction of the International Court of Justice in all disputes concerning:

(a) The interpretation of a treaty;

(b) Any question of international law;

(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature or extent of the reparation to be made for the breach of an international obligation.

The present declaration has been made for an unlimited period subject to the power of denunciation and modification attached to any obligation assumed by a sovereign State in its international relations. It will enter into force on the day on which it is received by the United Nations Secretariat.

Uganda, 3 oktober 1963

[...] Uganda recognises as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, and on condition of reciprocity, the jurisdiction of the International Court of Justice in conformity with paragraph 2 of Article 36 of the Statute of the Court.

Uruguay, 28 januari 1921

On behalf of the Government of Uruguay, I recognize in relation to any Member or State accepting the same obligation, that is to say, on the sole condition of reciprocity, the jurisdiction of the Court as compulsory, *ipso facto* and without special convention.

Verenigd Koninkrijk, 5 juli 2004

1. The Government of the United Kingdom of Great Britain and Northern Ireland accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes arising after 1 January 1974, with regard to situations or facts subsequent to the same date, other than:

- (i) any dispute which the United Kingdom has agreed with the other Party or Parties thereto to settle by some other method of peaceful settlement;
 - (ii) any dispute with the government of any other country which is or has been a Member of the Commonwealth;
 - (iii) any dispute in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court.
2. The Government of the United Kingdom also reserve the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw any of the foregoing reservations, or any that may hereafter be added.

Zweden, 6 april 1957

On behalf of the Royal Swedish Government, I declare that it accepts as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice, in accordance with Article 36, paragraph 2, of the Statute of the said Court for a period of five years as from 6 April 1957. This obligation shall be renewed by tacit agreement for further periods of the same duration unless notice of abrogation is made at least six months before the expiration of any such period. The above-mentioned obligation is accepted only in respect of disputes which may arise with regard to situations or facts subsequent to 6 April 1957.

Zwitserland, 28 juli 1948

The Swiss Confederation recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- a. The interpretation of a treaty;
- b. Any question of international law;
- c. The existence of any fact which, if established, would constitute a breach of an international obligation;
- d. The nature or extent of the reparation to be made for the breach of an international obligation.

This declaration which is made under Article 36 of the Statute of the International Court of Justice shall take effect from the date on which the Swiss Confederation becomes a party to that Statute and shall have effect as long as it has not been abrogated subject to one year's notice.

G. INWERKINGTREDING

Zie *Trb.* 1956, 119.

Wat betreft het Koninkrijk der Nederlanden, geldt het Statuut, dat vanaf 1 januari 1986 voor Nederland (het Europese deel), 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 voor verwijzingen en overige verdragsgegevens *Trb.* 1951, 90, *Trb.* 1952, 9, *Trb.* 1953, 57, *Trb.* 1956, 45, *Trb.* 1956, 119, *Trb.* 1957, 235, *Trb.* 1959, 38, *Trb.* 1965, 171, *Trb.* 1971, 55, *Trb.* 1979, 36, *Trb.* 1987, 114 en *Trb.* 1997, 106.

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

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

Uitgegeven de *dertigste* juli 2012.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL