

2 (1945) Nr. 12

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1997 Nr. 106

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.

C. VERTALING

Een herziene vertaling van het Statuut is afgedrukt in *Trb.* 1987, 114.

D. PARLEMENT

Zie *Trb.* 1951, 90.

E. BEKRACHTIGING

Zie *Trb.* 1971, 55.

F. TOETREDING

Zie *Trb.* 1971, 55, *Trb.* 1979, 36 en *Trb.* 1987, 114.

Behalve de aldaar genoemde zijn nog de volgende Staten Lid van de Verenigde Naties geworden en derhalve ingevolge artikel 93 van het Handvest der Verenigde Naties eveneens Partij bij het onderhavige Statuut:

Nauru	29 januari 1988
Namibië	23 april 1990
Liechtenstein	18 september 1990
Estland	17 september 1991
Noord-Korea	17 september 1991
Zuid-Korea	17 september 1991

Letland	17 september 1991
Litouwen	17 september 1991
de Marshalleilanden	17 september 1991
Micronesia	17 september 1991
Armenië	2 maart 1992
Azerbeidzjan	2 maart 1992
Kazachstan	2 maart 1992
Kirgizië	2 maart 1992
Moldavië	2 maart 1992
Oezbekistan	2 maart 1992
San Marino	2 maart 1992
Tadzjikistan	2 maart 1992
Turkmenistan	2 maart 1992
Slovenië	22 mei 1992
Bosnië-Herzegowina	22 mei 1992
Kroatië	22 mei 1992
Georgië	31 juli 1992
De Voormalige Joegoslavische Republiek Macedonië	8 april 1993
Slowakije	19 januari 1993
Tsjechië	19 januari 1993
Eritrea	28 mei 1993
Monaco	28 mei 1993
Andorra	28 juli 1993
Palau	15 december 1994

G. INWERKINGTREDING

Zie *Trb.* 1956, 119.

J. GEGEVENS

Zie *Trb.* 1951, 90 en laatstelijk *Trb.* 1987, 114.

I

Voor het Handvest der Verenigde Naties zie laatstelijk *Trb.* 1994, 277.

II

Aanvaarding van de verplichte rechtsmacht van het Hof, op grond van artikel 36 van het Statuut.

3. AANVAARDING DOOR ANDERE STATEN

Zie, laatstelijk, *Trb.* 1987, 114.

Suriname

August, 31 1987

Excellency,

I have the honour by direction of the Minister of Foreign Affairs of the Republic of Suriname, to declare on behalf of the Government of Suriname:

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 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 have given notice of its termination.

(sd.) W.H. WERNER VREEDZAAM
*Charge d'Affaires of the Permanent
Mission of the Republic of Suriname
to the United Nations*

Deze verklaring werd op 31 augustus 1987 bij de Secretaris-Generaal van de Verenigde Naties neergelegd.

Nauru

On behalf of the Government of the Republic of Nauru 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 Court, and stipulate that the acceptance of the Court's jurisdiction shall extend to all disputes to which the Republic is or may be a party, other than any dispute with respect to which there exists a dispute settlement mechanism under an agreement between the Republic of Nauru and another State.

I further declare that 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.

In witness whereof under my hand and the Common Seal of the Republic of Nauru, dated this Thirtieth day of the month of December, One Thousand Nine Hundred and Eighty-Seven.

(sd.) HAMMER DEROBURT
*President and Minister
for External Affairs
Republic of Nauru*

Deze verklaring werd op 29 januari 1988 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Op 9 september 1992 heeft de Regering van Nauru de op 29 januari 1988 afgelegde verklaring met ingang van 29 januari 1993 voor een periode van 5 jaar verlengd.

Cyprus

Nicosia, 19th April, 1988.

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 recognises 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:

- a) to disputes relating to questions which fall within the domestic jurisdiction of the Republic of Cyprus;
- b) where the declaration recognizing the compulsory jurisdiction of the International Court of Justice on behalf of any other Party to the dispute was deposited with the Secretary General of the United Nations less than six months prior to the filing of the application bringing the dispute before the Court.

The Government of the Republic of Cyprus reserves the right at any time, by means of a notification addressed to 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.

(sd.) GEORGE IACOVU
Minister of Foreign Affairs

Deze verklaring werd op 29 april 1988 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Zaire

Le Conseil Exécutif de la République du Zaïre reconnaît comme obligatoire de plein droit et sans convention spéciale, à l'égard de tout autre État acceptant la même obligation la juridiction de la Cour Internationale de Justice pour tous les différends d'ordre juridique ayant pour objet:

- a) L'interprétation d'un traité;
- b) Tout point de droit international;
- c) La réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international;
- d) La nature ou l'étendue de la réparation due pour la rupture d'un engagement international. Il est entendu en outre que la présente déclaration restera en vigueur aussi longtemps qu'avis de sa révocation n'aura pas été donné.

Deze verklaring werd op 8 februari 1989 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Guinee-Bissau

Conformément au paragraphe 2 de l'article 36 du Statut de la Cour, la République de Guinée-Bissau reconnaît comme obligatoire de plein droit et sans convention spéciale à l'égard de tout autre État acceptant la même obligation, la juridiction de la Cour Internationale de Justice sur tous les différends d'ordre juridique mentionnés au paragraphe 2 de l'article 36 du Statut de la Cour Internationale de Justice.

La présente déclaration restera en vigueur jusqu'à l'expiration d'un délai de six mois à dater du jour où le Gouvernement de la Guinée-Bissau fera connaître son intention d'y mettre fin.

Deze verklaring werd op 7 augustus 1989 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Polen

In accordance with article 36, paragraph 2 of the Statute of the International Court of Justice, I hereby declare, on behalf of the Government of the Republic of Poland, that the Republic of Poland recognizes as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation and subject to the sole condi-

tion of reciprocity, the jurisdiction of the International Court of Justice in all legal disputes other than:

- a) disputes prior to the date of this declaration 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 pollution of the environment unless the jurisdiction of the International Court of Justice results from the treaty obligations of the Republic of Poland,
- 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 State.

This declaration shall be valid for a period of five years and be automatically prolonged thereafter for further periods of one year if not denounced by notification addressed to the Secretary General of the United Nations taking effect after six months from the moment of such notification.

The Government of the Republic of Poland also reserves its right to add, by means of a notification addressed to the Secretary General of the United Nations and taking effect after six months from the moment of such notification, new reservations or supplements, or to amend or withdraw, any of the foregoing reservations.

(sd.) KRZYSZTOF SKUBISZWESKI
Minister of Foreign Affairs

Deze verklaring werd op 25 september 1990 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Estonia

Tallinn, 10 October 1991

I, Arnold Rüütel, Chairman of the Supreme Council of the Republic of Estonia, 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.

(sd.) A. RÜÜTEL
Chairman of the Supreme Council

Deze verklaring werd op 21 oktober 1991 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Bulgarije

Sofia, 26 May 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 of where such acceptance has been made only for the purpose of a particular dispute.

The Republic of Bulgaria also reserve 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. (*vertaling*)

(sd.) S. GANEV
*The Minister of Foreign Affairs
of the Republic of Bulgaria*

Deze verklaring werd op 24 juni 1992 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Madagascar

Antananarivo, le douze mai mil neuf cent quatre vingt douze

Au nom du Gouvernement malgache, je déclare que, conformément au paragraphe 2 de l'article 36 du Statut de la Cour internationale de Justice, Madagascar accepte comme obligatoire de plein droit et sans convention spéciale à l'égard de tout autre État acceptant la même obligation, et jusqu'à ce qu'il soit donné notification de l'abrogation de cette acceptation, la juridiction obligatoire de la Cour sur tous les différends d'ordre juridique ayant pour objet:

- l'interprétation d'un traité;
- tout point de droit international;
- la réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international;
- la nature ou l'étendue de la réparation due par la rupture d'un engagement international.

La présente déclaration ne s'applique pas:

- aux différends pour lesquels les parties seraient convenues d'avoir recours à un autre mode de règlement;
- aux différends relatif à des questions qui, d'après le droit international, relèvent de la compétence exclusive de Madagascar.

Le Gouvernement malgache se réserve également le droit de compléter, modifier ou retirer les réserves ci-dessus à tout moment moyennant notification adressée au Secrétaire général de l'Organisation des Nations Unies, les nouvelles réserves, modifications ou retraits prenant effet à la date de la réception par le Secrétaire général.

(s.) CÉSAIRE RABENORO
Le Ministre des Affaires étrangères

Deze verklaring werd op 2 juli 1992 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Hongarije

Budapest, October 7, 1992

.....

The Republic of Hungary hereby recognizes as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdic-

tion 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 matter 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.

.....

(sd.) Dr. GÉZA JESZENSZKY
*Minister for Foreign Affairs
of the Republic of Hungary*

Deze verklaring werd op 22 oktober 1992 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Griekenland

Athens, 20 December 1993

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. How-

ever, 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.

(sd.) KAROLOS PAPOULIAS
Minister for Foreign Affairs

Deze verklaring werd op 10 januari 1994 bij de Secretaris-Generaal van de Verenigde Naties neergelegd.

Canada

New York, May 10, 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 the 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 the 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.

It is requested that this notification be communicated to the governments of all the States that have accepted the Optional Clause and to the Registrar of the International Court of Justice.

(sd.) LOUISE FRÉCHETTE
Ambassador and Permanent Representative

Deze verklaring werd op 10 mei 1994 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd. Zie voor de in de verklaring bedoelde verklaring van 10 september 1985 blz. 25 en 26 van *Trb.* 1987, 114.

Kameroen

New York, le 2 mars 1994

D'ordre du Gouvernement de la République du Cameroun, j'ai l'honneur de déclarer que:

Le Gouvernement de la République du Cameroun, conformément au paragraphe 2 de l'article 36 du Statut de la Cour, reconnaît de plein droit et sans convention spéciale, à l'égard de tout autre État acceptant la même obligation, la juridiction de la Cour pour tous les différends d'ordre juridique.

La présente déclaration restera en vigueur pendant une période de cinq ans. Elle continuera ensuite à produire effet jusqu'à notification contraire ou modification écrite par le Gouvernement de la République du Cameroun.

(s.) FERDINAND LÉOPOLD OYONO
Ministre des Relations Extérieures

Deze verklaring werd op 3 maart 1994 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Georgië

Tbilisi, June 16, 1995

Your Excellency,

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 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 International Court of Justice.

Please accept, Your Excellency, the assurances of my highest consideration.

(sd.) ALEXANDER CHIKVAIDZE
*Minister of Foreign Affairs of
the Republic of Georgia*

Deze verklaring werd op 20 juni 1995 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Polen

25 March 1996

Declaration of the Republic of Poland on the recognition of compulsory jurisdiction of the International Court of Justice

On behalf of the Government of the Republic of Poland I hereby declare that the Republic of Poland withdraws its consent to the compulsory jurisdiction of the International Court of Justice communicated on 25 September 1990 in light of the article 36 par. 2 of the Statute of the Court. At the same time, I hereby declare that the Republic of Poland shall recognize with the effect as of 25 September 1996, in accordance with the provisions of the aforementioned article 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 and 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 the parties have agreed or shall agree to have recourse to 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 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.

(sd.) DARIUSZ ROSATI
Minister for Foreign Affairs

Deze verklaring werd op 25 maart 1996 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

De in deze verklaring genoemde verklaring van 25 september 1990 is afgedrukt op blz. 5 en 6 van dit Tractatenblad.

Noorwegen

New York, 24 June 1996

On behalf of the Government of Norway,

I give notice that I hereby amend the acceptance by Norway of the compulsory jurisdiction of the International Court of Justice hitherto effective by virtue of the declaration made on 2 April 1976 in conformity with paragraph 2 of article 36 of the Statute of the Court. As amended, the declaration shall read:

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.

It is requested that this notification be communicated to the governments of all the States that have accepted the Optional Clause and to the Registrar of the International Court of Justice.

(sd.) HANS JACOB BIØRN LIAN
*Permanent Representative of Norway to the
United Nations*

Deze verklaring werd op 24 juni 1996 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Paraguay

I HEREBY ACCEPT on behalve 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.
... (*vertaling*)

(sd.) JUAN CARLOS WASMOSY
President

Deze verklaring werd op 25 september 1996 bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Uitgegeven de *zestiende* mei 1997.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO