

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1989 Nr. 20

A. TITEL

*Verdrag tegen foltering en andere wrede, onmenselijke of onterende
behandeling of bestraffing;
New York, 10 december 1984*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in
Trb. 1985, 69.

Behalve voor de aldaar genoemde is het Verdrag in overeenstem-
ming met artikel 25, eerste lid, voorts nog ondertekend voor de
volgende Staten:

Colombia	10 april 1985
Nicaragua	15 april 1985
Peru	29 mei 1985
Liechtenstein	27 juni 1985
Canada	23 augustus 1985
Brazilië	23 september 1985
Cyprus	9 oktober 1985
Gambia	23 oktober 1985
Indonesië	23 oktober 1985
Algerije	26 november 1985
Australië	10 december 1985
de Sovjet-Unie ¹⁾	10 december 1985
Wit-Rusland ¹⁾	19 december 1985
Marokko ²⁾	8 januari 1986
Polen ³⁾	13 januari 1986
Nieuw-Zeeland	14 januari 1986
Gabon	21 januari 1986
Cuba	27 januari 1986
de Oekraïne ¹⁾	27 februari 1986
de Duitse Democratische Republiek ⁴⁾	7 april 1986

Guinee	30 mei 1986
Soedan	4 juni 1986
Bulgarije ⁵⁾	10 juni 1986
Tsjechoslowakije ⁶⁾	8 september 1986
de Bondsrepubliek Duitsland ⁷⁾	13 oktober 1986
Israël	22 oktober 1986
Hongarije ¹⁾	28 november 1986
China ⁸⁾	12 december 1986
Togo ⁹⁾	25 maart 1987
Tunesië ¹⁰⁾	26 augustus 1987
Chili ¹¹⁾	23 september 1987
Guyana	25 januari 1988
Turkije	25 januari 1988
de Verenigde Staten van Amerika ¹²⁾	18 april 1988
Nigeria	28 juli 1988

¹⁾ Onder de volgende voorbehouden:

„1. The [Union of Soviet Socialist Republics] [Byelorussian Soviet Socialist Republic] [Ukrainian SSR] [Hungarian People's Republic] does not recognize the competence of the Committee against Torture, as defined by article 20 of the Convention.

2. The [Union of Soviet Socialist Republics] [Byelorussian Soviet Socialist Republic] [Ukrainian SSR] [Hungarian People's Republic] does not consider itself bound by the provisions of article 30, paragraph 1, of the Convention.”.

²⁾ Onder de volgende voorbehouden:

„1. In accordance with article 28, paragraph 1, the Government of the Kingdom of Morocco declares that it does not recognize the competence of the Committee provided for in article 20.

2. In accordance with article 30, paragraph 2, the Government of the Kingdom of Morocco declares further that it does not consider itself bound by paragraph 1 of the same article.”. (*VN-vertaling*)

³⁾ Onder de volgende voorbehouden:

„1. Under article 28 the Polish People's Republic does not consider itself bound by article 20 of the Convention.

2. Furthermore, the Polish People's Republic does not consider itself bound by article 30, paragraph 1, of the Convention.”. (*VN-vertaling*)

⁴⁾ Onder de volgende voorbehouden:

„1. The German Democratic Republic declares in accordance with article 28, paragraph 1, of the Convention that it does not recognize the competence of the Committee provided for in article 20.

2. The German Democratic Republic declares in accordance with article 30, paragraph 2, of the Convention that it does not consider itself bound by paragraph 1 of this article.”. (*VN-vertaling*)

⁵⁾ Onder de volgende voorbehouden:

1. Pursuant to article 28 of the Convention, the People's Republic of

Bulgaria states that it does not recognize the competence of the Committee against Torture provided for in article 20 of the Convention, as it considers that the provisions of article 20 are not consistent with the principle of respect for sovereignty of the States parties to the Convention.

2. Pursuant to article 30, paragraph 2 of the Convention, the People's Republic of Bulgaria states that it does not consider itself bound by the provisions of article 30, paragraph 1 of the Convention, establishing compulsory jurisdiction of international arbitration or the International Court of Justice in the settlement of disputes between States parties to the Convention. The People's Republic of Bulgaria maintains its position that disputes between two or more States can be submitted for consideration and settlement by international arbitration or the International Court of Justice only provided all parties to the dispute, in each individual case, have explicitly agreed to that.

6) Onder de volgende voorbehouden:

„The Czechoslovak Socialist Republic does not recognize the competence of the Committee against Torture as defined by article 20 of the Convention and it does not consider itself bound by the provisions of article 30, paragraph 1, of the Convention.”

7) Onder het volgende voorbehoud:

„The Government of the Federal Republic of Germany reserves the right to communicate, upon ratification, such reservations or declarations of interpretation as are deemed necessary especially with respect to the applicability of article 3 of the Convention.”. (*VN-vertaling*)

8) Onder de volgende voorbehouden:

„1. The Chinese Government does not recognize the competence of the Committee against Torture as provided for in article 20 of the Convention.
2. The Chinese Government does not consider itself bound by article 30, paragraph 1, of the Convention.”

9) Onder het volgende voorbehoud:

„The Government of the Togolese Republic reserves the right to formulate, upon ratifying the Convention, any reservations or declarations which it might consider necessary.”. (*VN-vertaling*)

10) Onder het volgende voorbehoud:

„The Government of Tunisia reserves the right to make at some later stage any reservation or declaration which it deems necessary, in particular with regard to articles 20 and 21 of the said Convention.”. (*VN-vertaling*)

11) Onder de volgende voorbehouden:

„... The Government of Chile does not recognize the competence of the Committee against Torture provided for in article 20 of the Convention.
2. The Government of Chile does not consider itself bound by the provisions of article 30, paragraph 1, of the Convention.
3. The Government of Chile reserves the right to formulate, upon ratifying the Convention, any declarations or reservations it may deem necessary in the light of its domestic law.”. (*VN-vertaling*)

¹²⁾ *Onder het volgende voorbehoud:*

„The Government of the United States of America reserves the right to communicate, upon ratification, such reservations, interpretive understandings, or declarations as are deemed necessary.”.

C. VERTALING

Zie *Trb.* 1985, 69.

D. PARLEMENT

Artikel 1 van de Rijkswet van 29 september 1988 (*Stb.* 477) luidt als volgt:

„Het op 10 december 1984 te New York tot stand gekomen Verdrag tegen foltering en andere wrede, onmenselijke of ontorende behandeling of bestraffing, waarvan de Engelse en Franse tekst en de vertaling in het Nederlands zijn geplaatst in *Tractatenblad* 1985, 69, wordt goedgekeurd voor het gehele Koninkrijk.”.

Deze Rijkswet is gecontrasigneerd door de Minister van Buitenlandse Zaken H. VAN DEN BROEK en de Minister van Justitie F. KORTHALS ALTES.

Zie voor de behandeling in de Staten-Generaal: Kamerstukken II, 1985/86, 1986/87, 1987/88, 19 617 (R1312); Hand. II, 1987/88, blz. 4891; Kamerstukken I, 1987/88, nr. 265; Hand. I, 1988/89, blz. 7-8.

E. BEKRACHTIGING

In overeenstemming met artikel 25, tweede lid, van het Verdrag hebben de volgende Staten een akte van bekrachtiging nedergelegd bij de Secretaris-Generaal van de Verenigde Naties:

Zweden	8 januari 1986
Mexico	23 januari 1986
Frankrijk ¹⁾	18 februari 1986
Noorwegen	9 juli 1986
Senegal	21 augustus 1986
Argentinië	24 september 1986
Uruguay	24 oktober 1986
Zwitserland	2 december 1986
Bulgarije ²⁾	16 december 1986
de Oekraïne ²⁾	24 februari 1987
de Sovjet-Unie ²⁾	3 maart 1987
Wit-Rusland ²⁾	13 maart 1987
Afghanistan ³⁾	1 april 1987
Hongarije ²⁾	15 april 1987
Denemarken	27 mei 1987
Canada	24 juni 1987
Oostenrijk ⁴⁾	29 juli 1987

Panama ⁵⁾	24 augustus 1987
de Duitse Democratische Repu- blik ²⁾ ⁶⁾	9 september 1987
Luxemburg ⁷⁾	29 september 1987
Spanje	21 oktober 1987
Togo	18 november 1987
Colombia	8 december 1987
Ecuador ⁸⁾	30 maart 1988
Guyana	14 mei 1988
Peru	7 juli 1988
Tsjechoslowakije ⁹⁾	7 juli 1988
Turkije ¹⁰⁾	2 augustus 1988
Tunesië ²⁾	23 september 1988
Chili ¹¹⁾	30 september 1988
China ¹²⁾	4 oktober 1988
Griekenland	6 oktober 1988
het Koninkrijk der Nederlanden ¹³⁾	21 december 1988
(voor het gehele Koninkrijk)	

1) De Regering van de Franse Republiek verklaarde bij de bekrachtiging, in overeenstemming met artikel 30, tweede lid, van het Verdrag niet gebonden te zijn door de bepalingen van het eerste lid van dat artikel.

2) Onder bevestiging van de bij de ondertekening gemaakte voorbehouden.

3) Onder de volgende voorbehouden:

„1. While ratifying the above-mentioned convention, the Democratic Republic of Afghanistan, invoking paragraph 1 of article 28, of the Convention, does not recognize the authority of the committee as foreseen in article 20 of the Convention.

2. Also according to paragraph 2 of article 30, the Democratic Republic of Afghanistan, will not be bound to honour the provision of paragraph 1 of the same article since according to that paragraph the compulsory submission of disputes in connection with interpretation or the implementation of the provisions of this Convention by one of the parties concerned to the International Court of Justice is deemed possible. Concerning this matter, it declares that the settlement of disputes between the States parties may be referred to arbitration or to the International Court of Justice with the consent of all the parties concerned and not by one of the parties.”. (VN-vertaling)

4) Met de volgende verklaringen:

„1. Austria will establish its jurisdiction in accordance with article 5 of the Convention irrespective of the laws applying to the place where the offence occurred, but in respect of paragraph 1 (c) only if prosecution by a State having jurisdiction under paragraph 1 (a) or paragraph 1 (b) is not to be expected.

2. Austria regards article 15 of the Convention as the legal basis for the inadmissibility provided for therein of the use of statements which are established to have been made as a result of torture.”.

5) Onder het volgende voorbehoud:

„The Republic of Panama declares in accordance with article 30, paragraph 2 of the Convention that it does not consider itself bound by the provisions of paragraph 1 of the said article.”. (*VN-vertaling*)

6) Met de volgende verklaring:

„The German Democratic Republic declares that it will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic.”. (*VN-vertaling*)

Tegen bovenstaande verklaring hebben een aantal Staten bezwaar gemaakt:

Luxemburg op 9 september 1988

„Upon its ratification, on 9 September 1987, of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the German Democratic Republic made the following declaration: „The German Democratic Republic declares that it will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic.”

The Grand Duchy of Luxembourg objects to this declaration, which it deems to be a reservation the effect of which would be to inhibit activities of the Committee in a manner incompatible with the purpose and the goal of the Convention.

The present objection does not constitute an obstacle to the entry into force of the said Convention between the Grand Duchy of Luxembourg and the German Democratic Republic.” (*VN-vertaling*)

Zweden op 28 september 1988

„The Government of Sweden has examined the content of the declaration made by the German Democratic Republic, by which „The German Democratic Republic declares that it will bear its share only of those expenses in accordance with Article 17, paragraph 7, and Article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic”.

According to Article 2, paragraph 1(d) of the Vienna Convention on the Law of Treaties a unilateral statement, whereby a State e.g. when ratifying a treaty purports to exclude the legal effect of certain provisions of the treaty in their application, is regarded as a reservation. Thus, such unilateral statements are considered as reservations regardless of their name or phrase.

The Government of Sweden has come to the conclusion that the declaration made by the German Democratic Republic is incompatible with the object and purpose of the Convention and therefore is invalid according to Article 19 (c) of the Vienna Convention on the Law of Treaties. For this reason the Government of Sweden objects to this declaration.”

Denemarken op 29 september 1988

„The Government of Denmark hereby enters its formal objection to this declaration which it considers to be a unilateral statement with the purpose of modifying the legal effect of certain provisions of the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment in their application to the German Democratic Republic. It is the position of

the Government of Denmark that the said declaration has no legal basis in the Convention or in international treaty law.

This objection is not an obstacle to the entry into force of the said Convention between Denmark and the German Democratic Republic.”

Noorwegen op 29 september 1988

„The Government of Norway has examined the content of the declaration made by the German Democratic Republic upon ratification of the Convention by which „The German Democratic Republic declares that it will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic”.

The Government of Norway cannot accept this declaration entered by the German Democratic Republic. The Government of Norway considers that any such declaration is without legal effect, and cannot in any manner diminish the obligation of a government to contribute to the costs of the Committee in conformity with the provisions of the Convention.”

Oostenrijk op 29 september 1988

„The Declaration entered upon ratification by the German Democratic Republic – which stipulates that the German Democratic Republic would bear her share only of those expenses in accordance with art. 17, para. 7, and art. 18, para. 5, of the Convention arising from activities under the competence of the Committee against Torture as recognized by the German Democratic Republic – cannot alter or modify, in any respect, the obligations arising from that Convention for all States Parties thereto.”

Canada op 5 oktober 1988

„The Government of Canada hereby formally objects to the declaration made by the German Democratic Republic when ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in which it declares that it will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee against Torture as recognized by the German Democratic Republic.

The Government of Canada considers that this declaration is incompatible with the object and purpose of the Convention against Torture, and thus inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties. Through its functions and its activities, the Committee against Torture plays an essential role in the execution of the obligations of States parties to the Convention against Torture. Any restriction whose effect is to hamper the activities of the Committee would thus be incompatible with the object and purpose of the Convention.”. (*VN-vertaling*)

Griekenland op 6 oktober 1988

„The Hellenic Republic raises an objection to this declaration, which it considers to be in violation of article 19, paragraph (b), of the Vienna Convention on the Law of Treaties. The Convention against Torture expressly sets forth in article 28, paragraph 1, and article 30, paragraph 2, the reservations which may be made. The declaration of the German Democratic Republic is not, however, in conformity with these specified reservations.

This objection does not preclude the entry into force of the said Convention as between the Hellenic Republic and the German Democratic Republic.”. (*VN-vertaling*)

Spanje op 6 oktober 1988

„The Government of the Kingdom of Spain declares that it objects to the reservation made by the German Democratic Republic, in ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to the effect that it will be responsible for only those expenses which, under article 17, paragraph 7, and article 18, paragraph 5, are incurred in connection with activities of the Committee whose competence it has recognized. The Government of the Kingdom of Spain feels that such a reservation is a violation of article 19, paragraph (b), of the Vienna Convention on the Law of Treaties of 23 May 1969, because the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment sets forth, in article 28, paragraph 1, and article 30, paragraph 2, the only reservations that may be made to the Convention, and the above-mentioned reservation of the German Democratic Republic does not conform to either of those reservation.”. (*VN-vertaling*)

Zwitserland op 7 oktober 1988

„The Swiss Government objects to the reservation by the German Democratic Republic to the effect that that State will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic. That reservation is contrary to the purpose and aims of the Convention which are, through the Committee's activities, to encourage respect for a vitally important human right and to enhance the effectiveness of the struggle against torture the world over. This objection does not have the effect of preventing the Convention from entering into force between the Swiss Confederation and the German Democratic Republic.”. (*VN-vertaling*)

het Koninkrijk der Nederlanden op 21 december 1988

„The Government of the Kingdom of the Netherlands hereby declares that it objects to the declaration made by the German Democratic Republic upon its ratification of the Convention by which it states that it would bear its share only of those expenses that – in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention – arise from activities under the competence of the Committee against Torture as recognized by that State.

This declaration, clearly a reservation according to Article 2, paragraph 1, under (d), of the Vienna Convention on the Law of Treaties, not only „purports to exclude or modify the legal effect” of Articles 17, paragraph 7, and 18, paragraph 5, of the present Convention in their application to the German Democratic Republic itself, but it would also affect the obligations of the other States Parties which would have to pay additionally in order to ensure the proper functioning of the Committee against Torture. For this reason the reservation is not acceptable to the Government of the Kingdom of the Netherlands.

Thus, the assessment of the financial contributions of the States Parties to be made under Article 17, paragraph 7, and Article 18, paragraph 5, must be drawn up in disregard of the declaration of the German Democratic Republic.”.

7) Onder de volgende interpretatieve verklaring met betrekking tot artikel 1:

„The Grand Duchy of Luxembourg declares that the only sanctions that it recognizes as „lawful sanctions” as used in article 1 are those that are

recognized as such equally under domestic law as under international law.”.
(VN-vertaling)

8) Onder het volgende voorbehoud:

„Ecuador declares that, in accordance with the provisions of article 42 of its Political Constitution, it will not permit extradition of its nationals.”.
(VN-vertaling)

9) Onder de volgende voorbehouden:

„1. In accordance with Article 28, paragraph 1, the Czechoslovak Socialist Republic does not recognize the competence of the Committee against Torture as defined by Article 20 of the Convention.

2. The Czechoslovak Socialist Republic does not consider itself bound, in accordance with Article 30, paragraph 2, by the provisions of Article 30, paragraph 1, of the Convention.”. (Vertaling)

10) Onder het volgende voorbehoud:

„The Government of Turkey declares in accordance with Article 30, paragraph 2, of the Convention, that it does not consider itself bound by the provision of paragraph 1 of this Article.”

11) Onder de volgende voorbehouden:

„(a) [To] Article 2, paragraph 3, in so far as it modifies the principle of „obedience upon reiteration” contained in Chilean domestic law. The Government of Chile will apply the provisions of that international norm to subordinate personnel governed by the Code of Military Justice, provided that the order patently intended to lead to perpetration of the acts referred to in article 1 is not insisted on by the superior officer after being challenged by his subordinate.

(b) Article 3, by reason of the discretionary and subjective nature of the terms in which it is drafted.

(c) The Government of Chile declares that in its relations with American States that are Parties to the Inter-American Convention to Prevent and Punish Torture, it will apply that Convention in cases where its provisions are incompatible with those of the present Convention.

(d) As provided for in article 28, paragraph 1, the Government of Chile does not recognize the competence of the Committee against Torture as defined by article 20 of the Convention.

(e) The Government of Chile will not consider itself bound by the provisions of article 30, paragraph 1 of the Convention.”. (VN-vertaling)

12) Onder het voorbehoud zich niet gebonden te achten aan artikel 20 en aan het eerste lid van artikel 30 van het Verdrag.

13) Onder de volgende interpretatieve verklaring met betrekking tot artikel 1:

„It is the understanding of the Government of the Kingdom of the Netherlands that the term „lawful sanctions” in Article 1, paragraph 1, must be understood as referring to those sanctions which are lawful not only under national law but also under international law;”

en een bezwaar, zie noot 6.

F. TOETREDING

In overeenstemming met artikel 26 van het Verdrag hebben de volgende Staten een akte van toetreding nedergelegd bij de Secretaris-Generaal van de Verenigde Naties:

Belize	17 maart 1986
de Filippijnen	18 juni 1986
Egypte	25 juni 1986
Oeganda	3 november 1986
Kameroen	19 december 1986

G. INWERKINGTREDING

Zie *Trb.* 1985, 69.

De bepalingen van het Verdrag zijn ingevolge artikel 27, eerste lid, op 26 juni 1987 in werking getreden voor Afghanistan, Argentinië, Belize, Bulgarije, Denemarken, Egypte, de Filippijnen, Frankrijk, Hongarije, Kameroen, Mexico, Noorwegen, Oeganda, de Oekraïne, Senegal, de Sovjet-Unie, Uruguay, Witrusland, Zweden en Zwitserland.

Wat het Koninkrijk der Nederlanden betreft, is het Verdrag ingevolge artikel 27, tweede lid, op 20 januari 1989 in werking getreden voor het gehele Koninkrijk.

J. GEGEVENS

Zie *Trb.* 1985, 69.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zie ook *Trb.* 1987, 113.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationaal Gerechtshof zie ook *Trb.* 1987, 114.

Op 26 november 1987 is te Straatsburg tot stand gekomen het Europees Verdrag ter voorkoming van foltering en onmenselijke of vernederende behandeling of bestraffing. De Engelse en de Franse tekst van dat Verdrag, alsmede de vertaling in het Nederlands, zijn geplaatst in *Trb.* 1988, 19; zie ook *Trb.* 1988, 152.

De wet van 29 september 1988 tot uitvoering van het Verdrag tegen foltering en andere wrede, onmenselijke of ontorende behandeling of bestraffing (Uitvoeringswet folteringverdrag) is geplaatst in *Stb.* 478.

Verklaringen door Staten die partij zijn bij het Verdrag betreffende de erkenning van de bevoegdheid van het Comité tegen Foltering krachtens de artikelen 21 en 22 van het Verdrag

Argentinië op 24 september 1986

...The Argentine Republic recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under this Convention. It also recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention. (*VN-vertaling*)

Denemarken op 27 mei 1987

The Government of Denmark declares, [...] that Denmark recognizes the competence of the Committee to receive and consider communications to the effect that the State party claims that another State party is not fulfilling its obligations under this Convention.

The Government of Denmark also declares, [...] that Denmark recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

Ecuador op 6 september 1988

The Minister for Foreign Affairs of the Republic of Ecuador, in exercise of his authority, expressly declares that the Ecuadorian State, pursuant to article 21 of the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention; it also recognizes in regard to itself the competence of the Committee, in accordance with article 21.

It further declares, in accordance with the provisions of article 22 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention. (*VN-vertaling*)

Frankrijk op 18 februari 1986

The Government of France declares [...] that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention.

The Government of France declares [...] that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be

victims of a violation by a State party of the provisions of the Convention.
(*VN-vertaling*)

Griekenland op 6 oktober 1988

The Hellenic Republic declares, pursuant to article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

The Hellenic Republic declares, pursuant to article 22, paragraph 1, of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention. (*VN-vertaling*)

het Koninkrijk der Nederlanden op 21 december 1988

The Government of the Kingdom of the Netherlands hereby declares that it recognizes the competence of the Committee against Torture, under the conditions laid down in Article 21, to receive and consider communications to the effect that another State Party claims that the Kingdom is not fulfilling its obligations under this Convention;

The Government of the Kingdom of the Netherlands hereby declares that it recognizes the competence of the Committee against Torture, under the conditions laid down in Article 22, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the Kingdom of the provisions of the Convention.

Luxemburg op 29 september 1987

The Grand Duchy of Luxembourg declares [...] that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention.

The Grand Duchy of Luxembourg declares [...] that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention. (*VN-vertaling*)

Noorwegen op 9 juli 1986

... Norway recognizes the competence of the Committee to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under this Convention.

... Norway recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

Oostenrijk op 29 juli 1987

... Austria recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under this Convention.

... Austria recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to Austrian jurisdiction who claim to be victims of a violation of the provisions of the Convention.

Spanje op 21 oktober 1987

Spain declares that it recognizes the competence of the Committee to receive and consider communications to the effect that the Spanish State is not fulfilling its obligations under this Convention. Spain understands that, in accordance with the article to which reference is made, such communications shall be accepted and transmitted only when they come from a State party which has made a similar declaration.

Spain declares that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to Spanish jurisdiction who claim to be victims of a violation by the Spanish State of the provisions of the Convention. Such communications shall comply with the provisions of the article concerned, and especially of its paragraph 5. (*VN-vertaling*)

Togo op 28 november 1987

The Government of the Republic of Togo hereby declares, [...] that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Government of the Republic of Togo further declares, [...] that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention. (*VN-vertaling*)

Tunesië op 23 september 1988

[The Government of Tunisia] declares that it recognizes the competence of the Committee against Torture provided for in article 17 of the Convention to receive communications pursuant to articles 21 and 22, thereby withdrawing any reservation made on Tunisia's behalf in this connection. (*VN-vertaling*)

Turkije op 2 augustus 1988

„The Government of Turkey declares, pursuant to Article 21, paragraph 1, of the Convention that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party is not fulfilling its obligations under the Convention.

The Government of Turkey declares, pursuant to Article 22, paragraph 1, of the Convention that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention."

Uruguay

On 27 July 1988, the Secretary-General received from the Government of Uruguay a declaration made under articles 21 and 22 of the Convention by which the Government of Uruguay recognizes the competence of the Committee against Torture to receive and consider communications referring to the said articles.

Zweden op 8 januari 1986

... Sweden recognizes the competence of the Committee to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under this Convention.

... Sweden recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

Zwitserland op 2 december 1986

(a) Pursuant to the Federal Decree of 6 October 1986 on the approval of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Federal Council declares, in accordance with article 21, paragraph 1, of the Convention, that Switzerland recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that Switzerland is not fulfilling its obligations under this Convention.

(b) Pursuant to the above-mentioned Federal Decree, the Federal Council declares, in accordance with article 22, paragraph 1, of the Convention, that Switzerland recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by Switzerland of the provisions of the Convention. (*VN-vertaling*)

Uitgegeven de *derde* februari 1989.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK