

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 2

A. TITEL

*Verdrag tot het brengen van eenheid in enige bepalingen inzake het internationale luchtvervoer;
Montreal, 28 mei 1999*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 2000, 32.

C. VERTALING

Zie *Trb.* 2001, 91.
Zie voor een correctie *Trb.* 2001, 107.

D. PARLEMENT

Zie *Trb.* 2004, 167.

E. PARTIJGEGEVENS

Zie *Trb.* 2000, 32 en rubriek F van *Trb.* 2001, 91.

Partij	Onder-tekening	Ratifi-catie	Type ¹⁾	In werking	Opzeg-ging	Buiten werking
Albanië		20-10-04	T	19-12-04		
Bahama's	28-05-99					
Bahrein		02-02-01	T	04-11-03		
Bangladesh	28-05-99					
Barbados		02-01-02	T	04-11-03		

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
België	28-05-99	29-04-04	R	28-06-04		
Belize	28-05-99	24-08-99	R	04-11-03		
Benin	28-05-99	30-03-04	R	29-05-04		
Bolivia	28-05-99					
Botswana		28-03-01	T	04-11-03		
Brazilië	03-08-99					
Bulgarije		10-11-03	T	09-01-04		
Burkina Faso	28-05-99					
Cambodja	28-05-99					
Canada	01-10-01	19-11-02	R	04-11-03		
Centraal Afrikaanse Republiek	25-09-01					
Chili	28-05-99					
China	28-05-99	01-06-05	R	31-07-05		
Colombia	15-12-99	28-03-03	R	04-11-03		
Costa Rica	20-12-99					
Cuba	28-05-99					
Cyprus		20-11-02	T	04-11-03		
Denemarken	28-05-99	29-04-04	R	28-06-04		
Dominicaanse Republiek, de	28-05-99					
Duitsland	28-05-99	29-04-04	R	28-06-04		
EG (Europese Gemeenschap)	09-12-99	29-04-04	R	28-06-04		
Egypte		24-02-05	T	25-04-05		
Estland	04-02-02	10-04-03	R	04-11-03		
Finland	09-12-99	29-04-04	R	28-06-04		
Frankrijk	28-05-99	29-04-04	R	28-06-04		
Gabon	28-05-99					

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Gambia		10-03-04	T	09-05-04		
Ghana	28-05-99					
Griekenland	28-05-99	22-07-02	R	04-11-03		
Hongarije		08-11-04	T	07-01-05		
Ierland	16-08-00	29-04-04	R	28-06-04		
IJsland	28-05-99	17-06-04	R	16-08-04		
Italië	28-05-99	29-04-04	R	28-06-04		
Ivoorkust	28-05-99					
Jamaica	28-05-99					
Japan		20-06-00	T	04-11-03		
Jordanië	05-10-00	12-04-02	R	04-11-03		
Kaapverdië		23-08-04	T	22-10-04		
Kameroen	27-09-01	05-09-03	R	04-11-03		
Kenia	28-05-99	07-01-02	R	04-11-03		
Koeweit	28-05-99	11-06-02	R	04-11-03		
Letland		17-12-04	T	15-02-05		
Libanon		15-03-05	T	14-05-05		
Litouwen	28-05-99	30-11-04	R	29-01-05		
Luxemburg	29-02-00	29-04-04	R	28-06-04		
Macedonië, Voormalige Joegoslavische Republiek		15-05-00	T	04-11-03		
Madagascar	28-05-99					
Malta	28-05-99	05-05-04	R	04-07-04		
Mauritius	28-05-99					
Mexico	28-05-99	20-11-00	R	04-11-03		
Monaco	28-05-99	18-08-04	R	17-10-04		
Mongolië		05-10-04	T	04-12-04		

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Mozambique	28-05-99					
Namibië	28-05-99	27-09-01	R	04-11-03		
Nederlanden, het Koninkrijk der (voor Nederland)	30-12-99	29-04-04	R	28-06-04		
Nieuw-Zeeland	13-07-01	18-11-02	R	04-11-03		
Niger	28-05-99					
Nigeria	28-05-99	10-05-02	R	04-11-03		
Noorwegen		29-04-04	T	28-06-04		
Oostenrijk		29-04-04	T	28-06-04		
Pakistan	28-05-99					
Panama	28-05-99	13-09-02	R	04-11-03		
Paraguay	17-03-00	29-03-01	R	04-11-03		
Peru	07-09-99	11-04-02	R	04-11-03		
Polen	28-05-99					
Portugal	28-05-99	28-02-03	R	04-11-03		
Qatar		15-11-04	T	14-01-05		
Roemenië	18-11-99	20-03-01	R	04-11-03		
Saudi-Arabië	28-05-99	15-10-03	R	14-12-03		
Senegal	28-05-99					
Sint Vincent en de Grenadines		29-03-04	T	28-05-04		
Slovenië	28-05-99	27-03-02	R	04-11-03		
Slowakije	28-05-99	11-10-00	R	04-11-03		
Soedan	28-05-99					
Spanje	14-01-00	29-04-04	R	28-06-04		
Swaziland	28-05-99					
Syrië		18-07-02	T	04-11-03		

Partij	Onder- tekening	Ratifi- catie	Type ¹⁾	In werking	Opzeg- ging	Buiten werking
Tanzania		11-02-03	T	04-11-03		
Togo	28-05-99					
Tonga		20-11-03	T	19-01-04		
Tsjechië	28-05-99	16-11-00	R	04-11-03		
Turkije	28-05-99					
Uruguay	09-06-99					
Verenigd Koninkrijk, het	28-05-99	29-04-04	R	28-06-04		
Verenigde Arabische Emiraten, de		07-07-00	T	04-11-03		
Verenigde Staten van Amerika, de	28-05-99	05-09-03	R	04-11-03		
Zambia	28-05-99					
Zuid-Afrika	28-05-99					
Zweden	27-08-99	29-04-04	R	28-06-04		
Zwitserland	28-05-99	07-07-05	R	05-09-05		

¹⁾ DO=Definitieve ondertekening, R=Ratificatie, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid

Verklaringen, voorbehouden en bezwaren

België, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

België, 15 juli 2004

By a Note dated 15 July 2004 from the Minister of Foreign Affairs, Belgium transmitted to ICAO the following declaration in accordance with Article 57: the Convention does not apply to:

a) international carriage by air performed and operated directly by Belgium for non-commercial purposes in respect to its functions and duties as a sovereign State;

b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Belgium, the whole capacity of which has been reserved by or on behalf of such authorities.

Canada, 19 november 2002

Canada declares, in accordance with Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999 and signed by Canada on 1 October 2001, that the Convention does not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Canada, the whole capacity of which has been reserved by or on behalf of such authorities [Article 57(b)].

China, 1 juni 2005

The Convention does not apply in the Hong Kong Special Administrative Region of the People's Republic of China until notified otherwise by the Government of the People's Republic of China.

In addition, the Representative of China on the Council of ICAO made the following declaration at the time of deposit of the instrument of ratification:

The Convention applies in the Macao Special Administrative Region of the People's Republic of China.

Denemarken, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Denemarken, 29 april 2004

The instrument of ratification by Denmark contains a declaration that until later decision, the Convention will not be applied to the Faroe Islands.

Duitsland, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Duitsland, 29 april 2004

In accordance with Article 57 of the Convention of for the Unification of Certain Rules for International Carriage by Air of 28 May 1999, the Federal Republic of Germany declares that this convention shall not apply to international carriage by air performed and operated directly by

the Federal Republic of Germany for non-commercial purposes in respect to its functions and duties as a sovereign State or to the carriage of persons, cargo and baggage for the military authorities of the Federal Republic of Germany on aircraft registered in or leased by the Federal Republic of Germany, the whole capacity of which has been reserved by or on behalf of such authorities.

EG (Europese Gemeenschap), 29 april 2004

Declaration concerning the competence of the European Community with regard to matters governed by the Convention of 28 May 1999 for the unification of certain rules for international carriage by air (the Montreal Convention):

1. The Montreal Convention provides that Regional Economic Integration Organisations constituted by sovereign States of a given region, which have competence in respect of certain matters governed by this Convention, may become parties to it.

2. The current Member States of the European Community are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

3. This declaration is not applicable to the territories of the Member States in which the Treaty establishing the European Community does not apply and is without prejudice to such acts or positions as may be adopted under the Convention by the Member States concerned on behalf of and in the interests of those territories.

4. In respect of matters covered by the Convention, the Member States of the European Community have transferred competence to the Community for liability for damage sustained in case of death or injury of passenger. The Member States have also transferred competence for liability for damage caused by delay and in the case of destruction, loss, damage or delay in the carriage of baggage. This includes requirements on passenger information and a minimum insurance requirement. Hence, in this field, it is for the Community to adopt the relevant rules and regulations (which the Member States enforce) and within its competence to enter into external undertakings with third States or competent organisations.

5. The exercise of competence which the Member States have transferred to the Community pursuant to the EC Treaty is, by its nature, liable to continuous development. In the framework of the Treaty, the competent institutions may take decisions which determine the extent of the competence of the European Community. The European Community therefore reserves the right to amend the present declaration accordingly, without this constituting a prerequisite for the exercise of its competence with regard to matters governed by the Montreal Convention.

Finland, 29 april 2004

By a note dated 13 July 2000, Finland transmitted a declaration dated 7 July 2000 signed by the Minister for Foreign Trade, setting forth the wording quoted in note (1) above

Frankrijk, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Griekenland, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Ierland, 16 augustus 2000

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Italië, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, "in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention".

Japan, 20 juni 2000

By a Note dated 24 October 2003 signed by the Minister for Foreign Affairs, Japan informed ICAO that, in accordance with Article 57(a) of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999, the Government of Japan declares that this Convention shall not apply to international carriage by air performed and operated directly by the Government of Japan for non-commercial purposes in respect to its functions and duties as a sovereign State.

Litouwen, 30 november 2004

... in accordance with Article 57 ..., the Seimas of the Republic of Lithuania declares that this Convention shall not apply to international carriage by air performed and operated directly by the Republic of Lithuania for non-commercial purposes in respect to its functions and duties as a sovereign State; and also shall not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft regis-

tered in or leased by the Republic of Lithuania, the whole capacity of which has been reserved by or on behalf of such authorities.
... in accordance with the Treaty establishing the European Community, the Seimas of the Republic of Lithuania declares that the Community has competence to take actions in certain matters governed by the Convention.

Luxemburg, 3 oktober 2000

The Grand Duchy of Luxembourg, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.

Nederlanden, het Koninkrijk der, 29 april 2004

The Kingdom of the Netherlands, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.

Nieuw-Zeeland, 18 november 2002

Upon deposit of its instrument of accession (deemed to be an instrument of ratification), New Zealand declared that this accession shall extend to Tokelau.

Oostenrijk, 29 april 2004

The Republic of Austria declares according to Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air of 28 May 1999 that this Convention shall not apply to:

- a) international carriage by air performed and operated directly by the Republic of Austria for non-commercial purposes in respect to its functions and duties as a sovereign State;
- b) the carriage of persons, cargo and baggage for the military authorities on aircraft registered in or leased by the Republic of Austria, the whole capacity of which has been reserved on behalf of such authorities.

Portugal, 28 mei 1999

... in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.

Qatar, 15 november 2004

In its instrument of accession, Qatar confirmed the application of the following declaration in accordance with Article 57: the Convention does not apply to:

- a) international carriage by air performed and operated directly by that State Party for non-commercial purposes in respect to its functions and duties as a sovereign State, and/or

b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by that State Party, the whole capacity of which has been reserved by or on behalf of such authorities.

Spanje, 29 april 2004

The Kingdom of Spain, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.

In accordance with the provisions of Article 57, the Convention shall not apply to:

a) international carriage by air performed and operated directly by Spain for non-commercial purposes in respect to its functions and duties as a sovereign State;

b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Spain, the whole capacity of which has been reserved by or on behalf of such authorities.

Tsjechië, 16 november 2000

Upon deposit of its instrument of ratification, the Czech Republic notified ICAO that “as a Member of the International Monetary Fund, [the Czech Republic] shall proceed in accordance with Article 23, paragraph 1 of the Convention”.

Vereinigd Koninkrijk, het, 28 mei 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, “in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention”.

Vereigde Staten van Amerika, de, 5 september 2003

Pursuant to Article 57 of the Convention, the United States of America declares that the Convention shall not apply to international carriage by air performed and operated directly by the United States of America for non-commercial purposes in respect to the functions and duties of the United States of America as a sovereign State.

Zweden, 27 augustus 1999

Upon signature of the Convention, this State, Member State of the European Community, declared that, “in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention”.

G. INWERKINGTREDING

Zie *Trb.* 2004, 167.

Anders dan in dat Tractatenblad staat vermeld, zijn de bepalingen van

het Verdrag niet op 11 november 2003 maar op 4 november 2003 in werking getreden.

J. VERWIJZINGEN

Zie *Trb.* 2000, 32 en *Trb.* 2004, 167.

Uitgegeven de *zesentwintigste* september 2005.

De Minister van Buitenlandse Zaken,

B. R. BOT