

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2011 Nr. 129

A. TITEL

Protocol tot bestrijding van wederrechtelijke gedragingen gericht tegen de veiligheid van vaste platforms op het continentale plat; Rome, 10 maart 1988

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 1989, 18.

De Engelse en de Franse tekst van het Protocol tot wijziging van 14 oktober 2005 zijn geplaatst in *Trb.* 2006, 224.

C. VERTALING

Zie *Trb.* 1989, 18 en *Trb.* 2006, 224.

D. PARLEMENT

Zie *Trb.* 1992, 76 en *Trb.* 1993, 30.

Artikel 2 van de Rijkswet van 28 oktober 2010 (*Stb.* 2011, 23) luidt als volgt:

„Artikel 2

Het op 14 oktober 2005 te Londen tot stand gekomen Protocol van 2005 bij het Protocol tot bestrijding van wederrechtelijke gedragingen gericht tegen de veiligheid van vaste platforms op het continentale plat,

waarvan de Engelse en Franse tekst alsmede de Nederlandse vertaling zijn geplaatst in Tractatenblad 2006, 224, wordt goedgekeurd voor het gehele Koninkrijk.”.

Deze Rijkswet is gecontrasigneerd door de Minister van Veiligheid en Justitie I. W. OPSTELTEN, de Minister van Buitenlandse Zaken U. ROSENTHAL, de Staatssecretaris van Infrastructuur en Milieu J. J. ATSMA en de Minister van Defensie J. S. J. HILLEN.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2009/2010, 2010/2011, 32256 (R1906); Hand. II 2010/2011, 32256 (R1906); Kamerstukken I 2010/2011, 32256 (R1906); Hand. I 2010/2011, 32256 (R1906).

E. PARTIJGEGEVENS

Zie *Trb.* 1989, 18, rubriek F van *Trb.* 1992, 76 en *Trb.* 2006, 224.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Afghanistan		23-09-03	T	22-12-03		
Albanië		19-06-02	T	17-09-02		
Algerije		30-06-06	T	28-09-06		
Andorra		17-07-06	T	15-10-06		
Antigua en Barbuda		12-10-09	T	10-01-10		
Argentinië	10-03-88	26-11-03	R	24-02-04		
Armenië		08-06-05	T	06-09-05		
Australië		19-02-93	T	20-05-93		
Azerbeidzjan		26-01-04	T	25-04-04		
Bahama's	10-03-88	25-10-05	R	23-01-06		
Bahrein		21-10-05	T	19-01-06		
Bangladesh		09-06-05	T	07-09-05		
Barbados		06-05-94	T	04-08-94		
Belarus	02-03-89	04-12-02	R	04-03-03		
België	09-03-89	11-04-05	R	10-07-05		
Benin		31-08-06	T	29-11-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Bolivia		13-02-02	T	14-05-02		
Bosnië en Herzegovina		28-07-03	T	26-10-03		
Botswana		14-09-00	T	13-12-00		
Brazilië	10-03-88	25-10-05	R	23-01-06		
Brunei	03-02-89	04-12-03	R	03-03-04		
Bulgarije	10-03-88	08-07-99	R	06-10-99		
Burkina Faso		14-01-04	T	13-04-04		
Cambodja		18-08-06	T	16-11-06		
Canada	10-03-88	18-06-93	R	16-09-93		
Chili	10-03-88	22-04-94	R	21-07-94		
China	25-10-88	20-08-91	R	01-03-92		
Comoren, de		06-03-08	T	04-06-08		
Costa Rica	10-03-88	25-03-03	R	23-06-03		
Cuba		20-11-01	T	18-02-02		
Cyprus		02-02-00	T	02-05-00		
Denemarken	26-10-88	25-08-95	R	23-11-95		
Djibouti		09-06-04	T	07-09-04		
Dominica		12-10-04	T	10-01-05		
Dominicaanse Republiek, de		12-08-09	T	10-11-09		
Duitsland		06-11-90	T	01-03-92		
Ecuador	10-03-88	10-03-03	R	08-06-03		
Egypte	16-08-88	08-01-93	R	08-04-93		
El Salvador		07-12-00	T	07-03-01		
Equatoriaal Guinee		15-01-04	T	14-04-04		
Estland		28-01-04	T	27-04-04		
Fiji-eilanden		21-05-08	T	19-08-08		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Filipijnen, de	10-03-88	06-01-04	R	05-04-04		
Finland		28-04-00	T	27-07-00		
Frankrijk	10-03-88	02-12-91	R	01-03-92		
Georgië		11-08-06	T	09-11-06		
Ghana		01-11-02	T	30-01-03		
Grenada		09-01-02	T	09-04-02		
Griekenland	10-03-88	11-06-93	R	09-09-93		
Guatemala		26-08-09	T	24-11-09		
Guinee		01-02-05	T	02-05-05		
Guinee-Bissau		14-10-08	T	12-01-09		
Guyana		30-01-03	T	30-04-03		
Honduras		17-05-05	T	15-08-05		
Hongarije	10-03-88	09-11-89	R	01-03-92		
Ierland		10-09-04	T	09-12-04		
IJsland		28-05-02	T	26-08-02		
India		15-10-99	T	13-01-00		
Irak	17-10-88					
Iran		30-10-09	T	28-01-10		
Israël	10-03-88	06-01-09	R	06-04-09		
Italië	10-03-88	26-01-90	R	01-03-92		
Jamaica		19-08-05	T	17-11-05		
Japan		24-04-98	T	23-07-98		
Jemen		30-06-00	T	28-09-00		
Jordanië	10-03-88	02-07-04	R	30-09-04		
Kaapverdië		03-01-03	T	03-04-03		
Kazachstan		24-11-03	T	22-02-04		
Kenia		21-01-02	T	21-04-02		
Kiribati		17-11-05	T	16-02-06		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Koeweit		30-06-03	T	28-09-03		
Kroatië		18-08-05	T	16-11-05		
Letland		04-12-02	T	04-03-03		
Libanon		16-12-94	T	16-03-95		
Liberia	10-03-88	05-10-95	R	03-01-96		
Libië		08-08-02	T	06-11-02		
Liechtenstein		08-11-02	T	06-02-03		
Litouwen		30-01-03	T	30-04-03		
Luxemburg		05-01-11	T	05-04-11		
Macedonië, de voormalige Joegoslavische Republiek		07-08-07	T	05-11-07		
Madagaskar		15-09-06	T	14-12-06		
Mali		29-04-02	T	28-07-02		
Malta		20-11-01	T	18-02-02		
Marokko	10-03-88	08-01-02	R	08-04-02		
Marshalleilan- den, de		16-10-95	T	14-01-96		
Mauritanië		17-01-08	T	16-04-08		
Mauritius		03-08-04	T	01-11-04		
Mexico		13-05-94	T	11-08-94		
Moldavië		11-10-05	T	09-01-06		
Monaco		25-01-02	T	25-04-02		
Mongolië		22-11-05	T	20-02-06		
Montenegro		03-06-06	VG	03-06-06		
Mozambique		08-01-03	T	08-04-03		
Myanmar		19-09-03	T	18-12-03		
Namibië		07-09-05	T	06-12-05		
Nauru		11-08-05	T	09-11-05		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	23-01-89	05-03-92 12-04-11 12-04-11 12-04-11 17-01-06 – –	R R R R R	03-06-92 12-04-11 12-04-11 12-04-11 17-01-06 – –		
Nicaragua		04-07-07	T	02-10-07		
Nieuw-Zeeland	08-12-88	10-06-99	R	08-09-99		
Niger		30-08-06	T	28-11-06		
Nigeria	09-09-88					
Niue		22-06-09	T	20-09-09		
Noorwegen	10-03-88	18-04-91	R	01-03-92		
Oekraïne	02-03-89	21-04-94	R	20-07-94		
Oezbekistan		25-09-00	T	24-12-00		
Oman		24-09-90	T	01-03-92		
Oostenrijk		28-12-89	T	01-03-92		
Pakistan		20-09-00	T	19-12-00		
Palau		04-12-01	T	04-03-02		
Panama		03-07-02	T	01-10-02		
Paraguay		12-11-04	T	10-02-05		
Peru		19-07-01	T	17-10-01		
Polen	22-11-88	25-06-91	R	01-03-92		
Portugal		05-01-96	T	04-04-96		
Qatar		18-09-03	T	17-12-03		
Roemenië		02-06-93	T	31-08-93		
Russische Federatie	02-03-89	04-05-01	R	02-08-01		
Saint Lucia		20-05-04	T	18-08-04		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Saint Vincent en de Grenadines		09-10-01	T	07-01-02		
Sao Tomé en Principe		05-05-06	T	03-08-06		
Saudi-Arabië	10-03-88	02-02-06	R	03-05-06		
Senegal		09-08-04	T	07-11-04		
Servië		02-03-05	T	31-05-05		
Seychellen, de	24-01-89	24-01-89	R	01-03-92		
Slovenië		18-07-03	T	16-10-03		
Slowakije		08-12-00	T	08-03-01		
Soedan		22-05-00	T	20-08-00		
Spanje	28-09-88	07-07-89	R	01-03-92		
Swaziland		17-04-03	T	16-07-03		
Syrië		24-03-03	T	22-06-03		
Tadzjikistan		12-08-05	T	10-11-05		
Togo		10-03-03	T	08-06-03		
Tonga		06-12-02	T	06-03-03		
Trinidad en Tobago		27-07-89	T	01-03-92		
Tsjechië		10-12-04	T	10-03-05		
Tunesië		06-03-98	T	04-06-98		
Turkije	10-03-88	06-03-98	R	04-06-98		
Turkmenistan		08-06-99	T	06-09-99		
Uruguay		10-08-01	T	08-11-01		
Vanuatu		18-02-99	T	19-05-99		
Verenigd Koninkrijk, het	22-09-88	03-05-91	R	01-03-92		
Verenigde Arabische Emiraten, de		15-09-05	T	14-12-05		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Verenigde Staten van Amerika, de	10-03-88	06-12-94	R	06-03-95		
Vietnam		12-07-02	T	10-10-02		
Zuid-Afrika		08-07-05	T	06-10-05		
Zuid-Korea		10-06-03	T	08-09-03		
Zweden	10-03-88	13-09-90	R	01-03-92		
Zwitserland	10-03-88	12-03-93	R	10-06-93		

* 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	20-02-2006	

Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Man	08-02-1999	

Verklaringen, voorbehouden en bezwaren

Brazilië, 25 oktober 2005

[...] with reservation to article 6, paragraph 2; article 8 and article 16, paragraph 1 of the Convention and to article 3, paragraph 2 of the Protocol.

Canada, 18 juni 1993

Pursuant to the provisions of Article 3, paragraph 2 of the Protocol, the Secretary-General has been informed that Canada has established jurisdiction over offences in all of the cases cited in Article 3, paragraph 2 of the Protocol.

China, 20 augustus 1991

The People's Republic of China shall not be bound by paragraph 1 of article 16 of the said Convention.

Cuba, 20 november 2001

The Republic of Cuba, in accordance with paragraph 2 of article 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, applicable to the present Protocol, declares that it does not consider itself bound by the provisions of paragraph 1 of the aforesaid article, with respect to the settlement of disputes between States Parties, since it considers that such disputes should be settled by amicable agreement. Similarly, the Republic of Cuba reiterates that it does not recognize the compulsory jurisdiction of the International Court of Justice.

Denemarken, 25 augustus 1995

[...] with the qualification, however, that the Convention as well as the Protocol will not apply to the Faroes nor to Greenland, pending a further decision.

Duitsland, 6 november 1990

In accordance with article 16, paragraph 2, of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the provisions of which shall also apply *mutatis mutandis* to the Protocol according to article 1, paragraph 1, of the Protocol, the Federal Republic of Germany declares that it does not consider itself bound by article 16, paragraph 1 of the Convention as regards the Protocol.

Egypte, 8 januari 1993

1. A reservation is made to article 16 on the peaceful settlement of disputes because it provides for the binding jurisdiction of the International Court of Justice, and also with regard to the application of the Convention to seagoing ships in internal waters which are scheduled to navigate beyond territorial waters.
2. A reservation is made to article 6, paragraph 2, of the Convention and article 3, paragraph 2, of the Protocol because those articles permit the optional jurisdiction of blackmailed States (which are asked by the perpetrator of an act of terrorism to do or abstain from doing any act). This is in compliance with the provision of paragraph 4 of each of the two articles.

Frankrijk, 2 december 1991

1. As far as article 2, paragraph 2, is concerned the French Republic understands by "tentative", "incitation", "complicité" and "menace", la tentative, l'incitation, la complicité and la menace as defined in the conditions envisaged by French criminal law.
2. The French Republic does not consider itself bound by the provisions of article 1, paragraph 1, to the extent that reference is made to the provisions of article 16, paragraph 1, according to which:
"Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled

through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court”.

Irak, 17 oktober 1988

This signature does not in any way imply recognition of Israel or entry into any relationship with it.

Bezwaar door Israël, 6 januari 2009

The Government of the State of Israel has noted that the reservation made upon the signature of Iraq of the aforementioned Convention contains a statement with respect to the State of Israel.

The Government of the State of Israel considers that such a statement, which is explicitly of a political nature, is incompatible with the purposes and objectives of the Convention.

The Government of the State of Israel, therefore, objects to the aforesaid statement made by Iraq.

Iran, 30 oktober 2009

Pursuant to Article 16, paragraph 2 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the Government of the Islamic Republic of Iran declares that it does not consider itself bound by the provisions of Article 16, paragraph 1 of the Convention. The Government of the Islamic Republic of Iran affirms that the consent of all parties to such a dispute is necessary in each individual case, for the submission of the dispute to arbitration or to the International Court of Justice. The Government of the Islamic Republic of Iran can, if it deems appropriate, agree with the submission of the dispute to arbitration in accordance with the Constitution of the Islamic Republic of Iran and related domestic Law.

With regard to Article 11, paragraph 4, the Islamic Republic of Iran considers that the extradition would be applicable only to the State Party within the territorial jurisdiction of which the crime has occurred. In the case where an extradition agreement exists between the requesting State and the State in which the crime has occurred, the agreement shall be applied.

Israël, 6 januari 2009

Pursuant to Article 1, paragraph 1 of the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, the provisions of article 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation shall apply, *mutatis mutandis*, to the Protocol. Accordingly, the Govern-

ment of the State of Israel declares that it does not consider itself bound by the provisions of Article 16, paragraph 1 of the Convention with regard to the Protocol.

Jamaica, 19 augustus 2005

Pursuant to the provisions of Article 3, paragraph 2 of the Protocol, the Secretary-General has been informed that Jamaica has established its jurisdiction over the offences set forth in Article 2.

Mexico, 13 mei 1994

Mexico's accession to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988, and to its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988, is on the understanding that in matters relating to extradition, both article 11 of the Convention and article 3 of the Protocol will be applied in the Republic of Mexico subject to the modalities and procedures laid down in the applicable provisions of national law.

Moldavië, 11 oktober 2005

Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Protocol shall be applied only on the territory controlled by the authorities of the Republic of Moldova. The Republic of Moldova declares that it shall establish its own jurisdiction over the offences specified in article 2 of the Protocol, in cases provided in article 3, paragraph 2 of this Protocol.

Nederlanden, het Koninkrijk der, 5 maart 1992

With regard to the obligation laid down in article 1 of the Protocol in conjunction with article 10 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to exercise jurisdiction in cases where the judicial authorities of the Netherlands cannot exercise jurisdiction on any of the grounds referred to in article 3, paragraph 1, of the Protocol, the Government of the Kingdom of the Netherlands reserves the right to be bound to exercise such jurisdiction only after the Kingdom has received and rejected a request for extradition from a State Party.

Nederlanden, het Koninkrijk der, 29 september 2010

The Government of the Kingdom of the Netherlands withdraws the above reservation.

Paraguay, 12 november 2004

Pursuant to the provisions of Article 3, paragraph 2 of the Protocol, the Secretary-General has been informed that the Republic of Paraguay has established its jurisdiction in accordance with Article 3, paragraph 2 of the Protocol.

Turkije, 6 maart 1998

In signing “the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation” and “the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf”, the Government of the Republic of Turkey, under the article 16(2) of the said Convention declares that it does not consider itself bound by the provisions of paragraph (1) of the article 16 of the said Convention.

Verenigd Koninkrijk, het, 3 mei 1991

[...] that until consultations with various territories under the territorial sovereignty of the United Kingdom are completed, the Convention and Protocol will apply in respect of the United Kingdom of Great Britain and Northern Ireland only. Consultations with the territories are in hand and are expected to be completed by the end of 1991.

Verenigde Arabische Emiraten, de, 15 september 2005

The Government of the United Arab Emirates has taken cognizance of the provisions of the aforementioned Convention and Protocol and accedes to them with full reservation in respect of the provisions of article 16, paragraph 1, of the Convention concerning the settlement of a dispute between States Parties to the Convention by arbitration or, if they are unable to agree on the organization of arbitration, by referral of the dispute to the International Court of Justice. It also enters a full reservation with respect to the provisions of article 1 of the Protocol insofar as they refer to article 16, paragraph 1, of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.

Protocol van 14 oktober 2005

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Algerije		25-01-11	T	25-04-11		
Australië	07-03-06					
Bulgarije	11-09-06	07-10-10	R	05-01-11		
Denemarken	09-02-07					
Dominicaanse Republiek, de		09-03-10	T	28-07-10		
Estland	08-02-07	16-05-08	R	28-07-10		
Fiji-eilanden		21-05-08	T	28-07-10		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Finland	27-02-06					
Frankrijk	14-02-06					
Griekenland	12-02-07					
Italië	01-02-07					
Letland		16-11-09	T	28-07-10		
Liechtenstein		28-08-09	T	28-07-10		
Marshalleilan- den, de		09-05-08	T	28-07-10		
Nauru		29-04-10	T	28-07-10		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	31-01-07	01-03-11 01-03-11 01-03-11 01-03-11 – – –	R R R R – – –	30-05-11 30-05-11 30-05-11 30-05-11 – – –		
Nieuw-Zeeland	24-01-07					
Noorwegen	14-02-06					
Oostenrijk	12-05-06	18-06-10	R	16-09-10		
Panama		24-02-11	T	25-05-11		
Portugal	14-06-06					
Saint Vincent en de Grenadines		05-07-10	T	03-10-10		
Spanje	12-02-07	16-04-08	R	28-07-10		
Turkije	15-08-06					
Vanuatu		20-08-08	T	28-07-10		
Verenigd Koninkrijk, het	23-01-07					
Verenigde Staten van Amerika, de	17-02-06					
Zweden	14-02-06					

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Zwitserland		15-10-08	T	28-07-10		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

G. INWERKINGTREDING

Zie *Trb.* 1992, 76, voor een correctie *Trb.* 1993, 30 en *Trb.* 2006, 224.

De bepalingen van het Protocol, die vanaf 3 juni 1992 voor het Europese deel van Nederland en vanaf 17 januari 2006 voor Aruba golden, zijn voor het Caribische deel van Nederland in werking getreden op 12 april 2011.

Wat betreft het Koninkrijk der Nederlanden, geldt het Protocol voor Nederland (het Europese en het Caribische deel) en Aruba.

De bepalingen van het Protocol van 2005 zijn ingevolge artikel 9, eerste lid, op 28 juli 2010 in werking getreden.

De bepalingen van het Protocol van 2005 zijn ingevolge artikel 9, tweede lid, op 30 mei 2011 voor het Koninkrijk der Nederlanden in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt het Protocol van 2005 voor Nederland (het Europese en het Caribische deel).

J. VERWIJZINGEN

Zie voor verwijzingen en andere verdragsgegevens *Trb.* 1989, 18, *Trb.* 1992, 76, *Trb.* 1993, 30, *Trb.* 1996, 205 en *Trb.* 2006, 224.

Verbanden

Titel : Verdrag tot bestrijding van wederrechtelijke gedragingen gericht tegen de veiligheid van de zeevaart;
Rome 10 maart 1988

Laatste *Trb.* : *Trb.* 2011, 128

Overige verwijzingen

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

Laatste *Trb.* : *Trb.* 2011, 57

Titel : Verdrag inzake de Internationale Maritieme Organisatie;
Genève, 6 maart 1948

Laatste *Trb.* : *Trb.* 2008, 26

Uitgegeven de *zeventiende* augustus 2011.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL