

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 86

A. TITEL

Europese Overeenkomst inzake de controle op de verwerving en het bezit van vuurwapens door particulieren;
(met Bijlagen)
Straatsburg, 28 juni 1978

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst, met Bijlagen, zijn geplaatst in *Trb.* 1980, 123.

C. VERTALING

Zie *Trb.* 1980, 123.

D. PARLEMENT

Zie *Trb.* 1982, 74.

E. PARTIJGEGEVENS

Zie *Trb.* 1980, 123. Toetreding tot de Overeenkomst is voorzien in artikel 13.

Partij	Onder-tekening	Ratificatie	Type [*]	In werking	Opzeg-ging	Buiten werking
Azerbeidzjan		28-03-00	T	29-06-00		
Cyprus	29-08-79	12-10-81	R	01-07-82		
Denemarken	28-06-78	11-08-89	R	01-12-89		
Duitsland	28-06-78	05-02-86	R	01-06-86		
Georgië	15-10-02					

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Griekenland	09-11-79					
Ierland	28-06-78					
IJsland	27-09-82	20-06-84	R	01-10-84		
Italië	23-01-85	23-08-89	R	01-12-89		
Luxemburg	13-09-78	11-06-82	R	01-10-82		
Malta	16-11-88					
Moldavië	03-11-98	05-03-03	R	01-07-03		
Nederlanden, het Koninkrijk der	07-07-80					
– Nederland:						
– in Europa		25-11-81	R	01-07-82		
– Bonaire		–		10-10-10		
– Sint Eustatius		–		10-10-10		
– Saba		–		10-10-10		
– Aruba		–		01-01-86		
– Curaçao		–		10-10-10		
– Sint Maarten		–		10-10-10		
Polen	23-05-02	02-06-05	R	01-10-05		
Portugal	20-11-79	02-10-86	R	01-02-87		
Roemenië	24-07-95	07-12-98	R	01-04-99		
Russische Federatie	10-12-99					
Slovenië	09-06-99	29-05-00	R	01-09-00		
Spanje	25-11-86					
Tsjechië	07-05-99	18-01-02	R	01-05-02		
Turkije	03-04-79					
Verenigd Koninkrijk	28-06-78					
Zweden	12-01-82	26-03-82	R	01-07-82		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Verklaringen, voorbehouden en bezwaren

Azerbeidzjan, 28 maart 2000

The Republic of Azerbaijan designates the Ministry of the Interior as the competent authority, in accordance with the Articles 9 and 11 of the Convention.

Cyprus, 29 augustus 1979 en 12 oktober 1981

The Government of the Republic of Cyprus wishes to avail itself, in accordance with Article 15(1) of the Convention and Appendix II thereto, of the following reservations:

- a. not to apply Chapter II of the Convention in respect of the objects comprised in sub-paragaphs i to n inclusive of paragraph 1 and in paragraphs 3, 4 and 6 of the Appendix I of the Convention;
- b. not to apply Chapter II of the Convention in respect of the objects comprised in paragraphs 2 and 5 of Appendix I in so far as they comprise parts of or are designed to be fitted to the objects comprised in sub-paragaphs i. to n. inclusive of paragraph 1 of Appendix I of the Convention;
- c. not to apply Chapter III of the Convention.

Cyprus, 4 juli 2003

In accordance with Article 9 of the Convention, the Republic of Cyprus declares that the competent authority is:

Departmental Commander C
Police Headquarters
1478, Nicosia
Cyprus
Phone: 22808018-19
Fax: 22808600
E-mail: policecid@cytanet.com.cy

Denemarken, 11 augustus 1989

In accordance with article 14 the Convention will not apply to the Faroe Islands nor to Greenland.

In accordance with Article 15 (Appendix II a and c) the Convention will not apply to the firearms mentioned in Appendix I A, j to n.

In accordance with Article 9 of the Convention the notifications referred to in Articles 5, 6 and 7 shall be addressed to the Director General of the Danish Police (Rigspolitichefen). Equally, in accordance with Article 11 of the Convention, as fas as Denmark is concerned, the Danish Ministry of Justice (Justitsministeriet) is the competent authority to grant the authorisation referred to in paragraph 2 of Article 10.

Duitsland, 22 februari 1982

Considering that:

- the Convention, as evident in its title, is intended to control the acquisition of firearms by individuals,
- Article 5, paragraph 1 and Article 10 paragraph 1 make it clear that the Convention refers to the sale and transfer of firearms to persons, including legal entities,
- there is no need to apply the Convention to business transactions in which public agencies acquire firearms directly from foreign companies,
- it would indeed be unnecessary to apply the control mechanisms of the Convention to such business transactions,

the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals is to be interpreted as not applicable to business transactions in which official agencies acquire firearms directly from foreign companies or in which the acquisition of firearms by companies serves to implement co-operation arrangements between States or official agencies.

If within a period of three months no contrary declaration has been made, consent shall be assumed to have been given by the contracting States.

Duitsland, 6 mei 1983 en 5 februari 1986

In respect of the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals, it should be specified that it is not necessary to give notice of transactions in which official bodies directly acquire firearms from foreign firms or in which firearms are acquired by firms within the framework of co-operation agreements between States or official bodies, on condition that the authorities of the country of destination provide a certificate to the effect that they have been informed of the acquisition in question.

Duitsland, 5 februari 1986

Pursuant to paragraph 1 of Article 15 of the European Convention of 28 June 1978 on the Control of the Acquisition and Possession of Firearms by Individuals, the Federal Republic of Germany declares that it reserves the right:

1. not to apply Chapter II of the Convention in respect of objects comprised in sub-paragraphs i to n inclusive of paragraph 1 or in paragraph 3 of Appendix I to the Convention;
2. not to apply Chapter II of the Convention in respect of objects comprised in paragraphs 2, 4 and 5 of Appendix I to the Convention provided that they constitute parts of one of the objects listed in sub-paragraphs i to n inclusive of paragraph 1 of Appendix I to the Convention or are designed to be fitted to such objects;
3. not to apply Chapter III of the Convention.

Pursuant to paragraph 3 of Article 9 of the Convention, the Bundeskriminalamt (Federal Crime Bureau) is herewith designated as the authority to which notifications pursuant to Article 9 should be addressed.

IJsland, 12 november 1985

The Ministry has the honour to inform the Secretary General, with reference to Article 9, paragraph 3, of the Convention, that notifications under Articles 5, 6 and 7 shall be addressed to the Ministry of Justice, Arnarhvali, Reykjavik, and with reference to Article 11, that the Ministry of Justice is competent to issue the authorisations referred to in Article 10, paragraph 2.

Italië, 23 augustus 1989

In accordance with Article 9 of the Convention on the Control of the Acquisition and Possession of Firearms by Individuals, the Chargé d'Affaires a.i. of the Permanent Representation of Italy to the Council of Europe declares herewith on behalf of his Government, at the time of deposit of the instrument of acceptance, ratification and confirmation, that the competent authority to which notifications referred to in Articles 5, 6 and 7 of the Convention should be addressed is: Ministero dell'Interno, Dipartimento della Pubblica Sicurezza, I-00100 Roma.

Luxemburg, 11 juni 1982

The Grand Duchy of Luxembourg declares that it reserves the right:

1. not to apply Chapter II of this Convention in respect of the objects comprised in paragraphs 2, 3, 4, 5 and 6 of Appendix I to this Convention;
2. not to apply Chapter III of this Convention in respect of any one or more of the objects comprised in sub-paragraphs i to n inclusive of paragraph 1 or in paragraphs 2, 3, 4, 5 or 6 of Appendix I to this Convention;
3. not to apply Chapter III of this Convention to transactions between dealers resident in the territories of two Contracting Parties.

Luxemburg, 21 april 2010

In accordance with Article 9, paragraph 3, and Article 11 the Ministry of Justice is designated as the authority to which notifications should be addressed in application of Article 9 and as the authority competent to issue the authorisations referred to in paragraph 2 of Article 10 of the Convention:

Ministry of Justice
 13 Rue Erasme
 Centre Administratif Pierre Werner
 L – 1468 Luxembourg.

Moldavië, 5 maart 2003

The Republic of Moldova declares that it will apply the provisions of the Convention only on the territory controlled by the Government of the Republic of Moldova until the full establishment of the territorial integrity of the Republic of Moldova.

According to Articles 9 and 11 of the Convention, the Ministry of Internal Affairs is designated as the competent authority.

Nederlanden, het Koninkrijk der, 25 november 1981

In application of the provisions of Article 9, paragraph 3, of the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals, the Government of the Kingdom of the Netherlands hereby designates as the authority to which the notifications referred to this article should be addressed for the Netherlands: the National Firearms Office: ("Landelijke Vuurwapencentrale") of the Police Central Information service ("Centrale Recherche Informatiedienst"). The Convention so accepted shall be observed, with the reservation provided for in Article 15, paragraph 1, of the Convention and Appendix II, point a., that the Kingdom shall not apply Chapter II of the Convention in respect of the objects comprised under A, paragraph 1, subparagraphs j. to n. of Appendix I of the Convention, and with the reservation, provided for in Article 15, paragraph 1 of the Convention and Appendix II, point b., that the Kingdom shall not apply Chapter III of the Convention.

Nederlanden, het Koninkrijk der, 9 januari 2012

In application of the provisions of Article 9, paragraph 3, of the Convention, the Government of the Kingdom of the Netherlands hereby designates as the authority to which the notifications referred to in this article should be addressed for Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba):

The Procurator-General of Curaçao, of Sint Maarten

and of the islands of Bonaire, Sint Eustatius and Saba

Wilhelminaplein 14-16

Willemstad

Curaçao

Phone: +599-9-463-4233

Fax: +599-9-461-3786

Email: parket.pg@caribjustitia.org

Polen, 23 mei 2002 en 2 juni 2005

The Republic of Poland makes the following interpretative declaration:

In respect of the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals, it should be specified that it is not necessary to give notice of transactions in which official bodies directly acquire firearms from foreign firms or in which firearms are acquired by firms within the framework of co-operation agreements between States or official bodies, on condition that the authorities of the country of destination provide a certificate to the effect that they have been informed of the acquisition in question.

The Republic of Poland declares that the Convention will apply only to persons who have habitual residence within the meaning of Rule No. 9

of the Annex to Resolution (72) 1 of the Committee of Ministers of the Council of Europe, on condition that the Contracting Party to the Convention, in the territory of which a given person resides, acknowledges such a residence as habitual.

The Republic of Poland declares that the Convention will apply to firearms of low power and to any object which has been permanently rendered for use provided such an object is indeed firearm or part of it.

In accordance with Article 9, paragraph 3, of the Convention, the Republic of Poland hereby designates as the authority to which the notifications referred to in this article should be addressed:

The Chief Commanding Officer of Police

148/150 Pulawska Street

02-624 Warsaw

Tel.: (00 48 22) 60 148 79; (00 48 22) 60 131 45; (00 48 22) 845 21 90

Fax: (00 48 22) 60 129 21

E.mail: rzecznik@kgp.gov.pl

In accordance with the provisions of Article 15, paragraph 1, of the Convention the Republic of Poland declares that it reserves the right:

– not to apply Chapter II of the Convention in respect of the objects comprised in sub-paragraphs j to n inclusive of paragraph 1 of Appendix I to the Convention;

– not to apply Chapter II of the Convention in respect of the objects comprised in paragraphs 2 and 4 of Appendix I to the Convention provided that they constitute parts of one of the objects listed in sub-paragraphs j to n inclusive of paragraph 1 of Appendix I to the Convention or are designated to be fitted to such objects;

– not to apply Chapter III of the Convention.

Portugal, 2 oktober 1986

Considering Article 15 together with the provisions of Appendix II, Portugal will not apply chapters II and III of the Convention in respect of the objects comprised in sub-paragraphs j) to n) of paragraph 1 and in paragraphs 2 and 3 of Appendix I.

The authority referred to in Article 9, to which notifications should be addressed is the Ministry of Internal Administration, Praça do Comércio, P-1100 Lisboa.

Roemenië, 7 december 1998

The Romanian authority in charge of the application of the Convention concerning the delivery of authorisations referred to in Article 10, paragraph 2, and concerning the transmission and reception of notifications foreseen by the Convention, is, according to the Law no 17/1996 and the Government Decree no. 679/1997, the Ministry of Interior, through the Police Control Authority (Inspection Générale de la Police).

Slovenië, 29 mei 2000

In accordance with Article 9, paragraph 3, of the Convention, the Republic of Slovenia declares that the authority to which notifications should be addressed is the:

Ministry of the Interior

Beethovnova 3

1000 Ljubljana

Slovenia

Tel.:+ 386 61 172 47 59

Fax: + 386 61 223 202

E.mail: vinko.policnik@gov.si

In accordance with Article 11, the Republic of Slovenia specifies that the authority competent to issue the authorisations referred to in Article 10, paragraph 2, is the:

Ministry of the Interior

Beethovnova 3

1000 Ljubljana

Slovenia

Tel.:+ 386 61 172 47 59

Fax: + 386 61 223 202

E.mail: vinko.policnik@gov.si

Tsjechië, 18 januari 2002

Pursuant to Article 9, paragraph 3, and Article 11 of the Convention, the Czech Republic indicates as the authority to which notifications should be addressed under Article 9 and as the authority competent to issue authorizations referred to in paragraph 2 of Article 10 of the Convention:

Polocjní prezidium České republiky

reditelství služby správních čiností policie

Strojnická 27, schr. 62/RSSCP

170 89 Praha 7

Ceska republika

Tel.:+ 4202 6143 4435

Fax: + 4202 6143 4107

E.mail: rsscp@mvcr.cz

In accordance with the provisions of Article 15, paragraph 1, of the Convention and in accordance with sub-paragraphs a, c and d of Appendix II to the Convention, the Czech Republic reserves the right:

1. not to apply Chapter II of the Convention in respect of any objects comprised in paragraph 3 of Appendix I to the Convention, including:

– any ammunition specially designed to be discharged by an object comprised in paragraph 1, sub-paragraphs j, k or n of Appendix I to the Convention;

– any substance or matter specially designed to be discharged by an instrument comprised in paragraph 1, sub-paragraph g of Appendix I to the Convention;

2. not to apply Chapter III of the Convention in respect of any objects comprised in paragraph 3 of Appendix I to the Convention, including:
 - any ammunition specially designed to be discharged by an object comprised in paragraph 1, sub-paragraphs j, k or n of Appendix I to the Convention;
 - any substance or matter specially designed to be discharged by an instrument comprised in paragraph 1, sub-paragraph g of Appendix I to the Convention.
3. not to apply Chapter III of the Convention to transactions between dealers resident in the territories of two Contracting Parties.

Verenigd Koninkrijk, 28 juni 1978

In accordance with Article 15(1) of the Convention and Appendix II thereto, the United Kingdom of Great Britain and Northern Ireland reserves the right:

- a. not to apply Chapter II of the Convention in respect of the objects comprised in sub-paragraphs i to n inclusive of paragraph 1 and in paragraphs 3, 4 and 6 of Appendix I to the Convention;
- b. not to apply Chapter II of the Convention in respect of the objects comprised in paragraphs 2 and 5 of Appendix I in so far as they comprise parts of or are designed to be fitted to the objects comprised in sub-paragraphs i to n inclusive of paragraph 1 of Appendix I to the Convention;
- c. not to apply Chapter III of the Convention.

Zweden, 26 maart 1982

In accordance with Article 15(1) of the Convention, Sweden avails itself of the following reservations:

1. not to apply Chapter II of the Convention in respect of the objects comprised in sub-paragraphs i to n inclusive of paragraph 1 or in paragraphs 3, 4 and 6 of Appendix I to the Convention;
2. not to apply Chapter II of the Convention in respect of the objects comprised in paragraphs 2 and 5 of Appendix I in so far as they are parts of or are designed to be fitted to any of the objects comprised in sub-paragraphs i to n inclusive of paragraph 1 of Appendix I to the Convention;
3. not to apply Chapter III of the Convention.

I have the honour to inform you that Sweden, notwithstanding its reservation in respect of Chapter III of this Convention, intends to comply with the main requirements of that Chapter.

In accordance with paragraph 3 of Article 9 of this Convention, the notifications referred to in this Article should be addressed to the National Police Board of Sweden ("Rikspolisstyrelsen").

G. INWERKINGTREDING

Zie *Trb.* 1982, 74.

J. VERWIJZINGEN

Zie *Trb.* 1980, 123.

Titel : Statuut van de Raad van Europa;
Londen, 5 mei 1949

Laatste *Trb.* : *Trb.* 2007, 146

Uitgegeven de *eenentwintigste* mei 2012.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL