

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2013 Nr. 54

A. TITEL

*Verdrag inzake de sluikhandel over zee, ter uitvoering van artikel 17 van het Verdrag van de Verenigde Naties tegen de sluikhandel in verdovende middelen en psychotrope stoffen;
(met aanhangsel)
Straatsburg, 31 januari 1995*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met aanhangsel, zijn geplaatst in *Trb.* 2010, 165.

Voor een correctie in de Engelse en de Franse tekst van het Verdrag, zie *Trb.* 2010, 239.

C. VERTALING

Zie *Trb.* 2010, 239.

In dat Tractatenblad dient in de vertaling de volgende correctie te worden aangebracht.

Op blz. 20, in artikel 34, derde lid, laatste regel, dient het woord „wederkerigheid” te worden vervangen door „wederkerigheid”.

D. PARLEMENT

Artikel 1 en 2 van de Rijkswet van 15 november 2012 (*Stb.* 2012, 629) luiden als volgt:

„Artikel 1

Het op 31 januari 1995 te Straatsburg tot stand gekomen Verdrag inzake de sluikhandel over zee, ter uitvoering van artikel 17 van het Verdrag van de Verenigde Naties tegen de sluikhandel in verdovende middelen en psychotrope stoffen, waarvan de Engelse en de Franse tekst zijn

geplaatst in Tractatenblad 2010, 165, en de vertaling in het Nederlands is geplaatst in Tractatenblad 2010, 239, wordt goedgekeurd voor het gehele Koninkrijk.

Artikel 2

Goedgekeurd wordt dat bij de binding van het Koninkrijk aan het in artikel I genoemde Verdrag het volgende voorbehoud wordt gemaakt:

Ten aanzien van artikel 19, derde lid, verklaart het Koninkrijk der Nederlanden dat de aan het Europese deel van Nederland toegezonden verzoeken en andere mededelingen of documenten, voor zover zij niet in het Nederlands, Engels, Frans of Duits zijn gesteld, vergezeld dienen te gaan van een vertaling in één van deze talen, en dat de aan Aruba, Curaçao, Sint Maarten of het Caribische deel van Nederland toegezonden verzoeken en andere mededelingen of documenten, voor zover zij niet in het Nederlands, Engels of Spaans zijn gesteld, vergezeld dienen te gaan van een vertaling in één van deze talen.”.

Deze Rijkswet is gecontrasigneerd door de Minister van Veiligheid en Justitie I.W. OPSTELTEN en de Minister van Buitenlandse Zaken F.C.G.M. TIMMERMANS.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2011/2012, 33228 (R1981); Hand. II 2011/2012, 2012/2013, 33228 (R1981); Kamerstukken I 2012/2013, 33228 (R1981); Hand. I 2012/2013, 33228 (R1981).

E. PARTIJGEGEVENS

Zie *Trb.* 2010, 165.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Bulgarije	21-05-03					
Cyprus	03-07-97	19-01-00	R	01-05-00		
Duitsland		23-12-98	O	01-05-00		
Estland	06-12-01					
Griekenland	11-04-95					
Hongarije	11-07-02	11-07-02	R	01-11-02		
Ierland		21-05-07	O	01-09-07		
Italië	31-01-95					

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Kroatië	07-11-07					
Letland	23-05-02	09-12-03	R	01-04-04		
Litouwen	22-03-02	26-11-02	R	01-03-03		
Malta	14-09-00					
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	22-12-11	07-03-13 07-03-13 07-03-13 07-03-13 – – –	R R R R 	01-07-13 01-07-13 01-07-13 01-07-13 – – –		
Noorwegen	21-12-95	10-09-97	R	01-05-00		
Oekraïne	20-12-04	01-06-07	R	01-10-07		
Oostenrijk	14-12-00	14-12-00	R	01-04-01		
Roemenië	19-03-98	26-08-02	R	01-12-02		
Slovenië	28-03-00	15-11-00	R	01-03-01		
Slowakije	13-09-00	04-09-02	R	01-01-03		
Tsjechië	10-10-00	12-01-05	R	01-05-05		
Turkije	06-10-04	26-02-13	R	01-06-13		
Verenigd Koninkrijk	31-01-95					
Zweden	11-10-95					
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrchtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Verklaringen, voorbehouden en bezwaren

Cyprus, 19 januari 2000

In accordance with Article 8, paragraph 2, of the Agreement, the Republic of Cyprus declares that when acting as an intervening State it may subject its intervention to the condition that persons having its nationality who are surrendered to the flag State under Article 15 and there con-

victed of a relevant offence, shall have the possibility to be transferred back to the Republic to serve the sentence imposed.

In accordance with Article 19, paragraph 3, of the Agreement, the Republic of Cyprus reserves the right to require that requests, other communications and supporting documents sent to it be made in or accompanied by a translation into the English language which is one of the official languages of the Council of Europe.

In accordance with Article 17, paragraph 1, of the Agreement, the designated authority in the Republic of Cyprus is the Drug Law Enforcement Unit at the Police Headquarters.

Postal Address:

Police Headquarters – Nicosia

Tel. No. 357 2 808 204 / 357 2 808 258

Fax No.: 357 2 316 878 / 357 2 311 423.

In accordance with Article 17, paragraph 2, of the Agreement, the designated central authority in the Republic of Cyprus is the Ministry of Justice and Public Order.

Postal Address:

Athalassa Ave 125

Nicosia1461

Cyprus

Tel. No. 00 357 2 80 59 28 / 80 59 11

Fax No. 00 357 2 51 83 28 / 51 83 49.

Duitsland, 23 december 1998

The Federal Republic of Germany designates the Federal Criminal Police Office (Bundeskriminalamt) as the responsible authority in Germany pursuant to Article 17, paragraph 1, of the Agreement.

The Federal Republic of Germany understands Articles 23 and 24 of the Agreement as meaning that data provided by a member State will be processed and used only for the purpose for which they have been transmitted.

Hongarije, 11 juli 2002

In accordance with Article 3, paragraph 6, of the Agreement, the Republic of Hungary declares that it will not apply Article 3, paragraphs 2 and 3.

In accordance with Article 19, paragraph 3, of the Agreement, the Republic of Hungary declares that if requests, other communications or supporting documents sent to it are not made in Hungarian or in one of the official languages of the Council of Europe, they shall be accompanied by a translation into either Hungarian, English or French.

In accordance with Article 17, paragraph 1, of the Agreement, the Republic of Hungary designates as competent authority the Hungarian National Police Headquarters, International Law Enforcement Co-operation Centre.

In accordance with Article 17, paragraph 2, of the Agreement, the Republic of Hungary designates the Office of the Prosecutor General as central authority.

Ierland, 21 mei 2007

The Government of Ireland, in accordance with Article 19, paragraph 3, of the Agreement, hereby declares that Ireland reserves the right to require that requests, other communications and supporting documents sent to it be made in, or accompanied by a translation into, Irish or English.

The Government of Ireland, in accordance with Article 34, paragraph 5, of the Agreement, hereby declares that it does not consider itself bound by Article 34, paragraph 4, of the Agreement.

Letland, 9 december 2003

Pursuant to Article 19, paragraph 3, of the Agreement, the Republic of Latvia reserves its right to require that the requests, other communications and supporting documents sent to it, be made in or accompanied by a translation into Latvian or English.

Pursuant to Article 17, paragraph 3, of the Agreement, the Republic of Latvia declares that:

. the authority which is responsible for sending and answering requests under Articles 6 and 7 of the Agreement, and

. the central authority which is responsible for the notification of the exercise of preferential jurisdiction under Article 14 and for all other communications or notifications under this Agreement are:

1) the Ministry of Interior

Ciekurkalna 1st line 1, k-2

Riga, LV-1026

Latvia

Phone: + 371 6 7219263

Fax. + 371 6 7829686

E-mail: kanceleja@iem.gov.lv

Website: www.iem.gov.lv

2) the Prosecutor General's Office

O. Kalpaka blvd. 6, Riga, LV-1801, Latvia

Phone: + 371 6 7044400

Fax. + 371 6 7044449

e-mail: gen@lrp.gov.lv

Litouwen, 26 november 2002

In accordance with Article 8, paragraph 2 of the Agreement, the Republic of Lithuania declares that, when acting as an intervening State, it will subject its intervention to the condition that persons having its nationality, who are surrendered to the flag State under Article 15 of the Agree-

ment and there convicted of a relevant offence, shall have the possibility to be transferred to the intervening State to serve the sentence imposed. In accordance with Article 17, paragraph 1 of the Agreement, the Republic of Lithuania declares that the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania shall be the authority, which shall be responsible for sending and answering request under Articles 6 and 7 of the Agreement:

State Border Guard Service
Ministry of the Interior of the Republic of Lithuania
Savanoriu ave. 2
Vilnius LT-2009
Lithuania
Phone (+370 5) 271 93 05
Fax (+370 5) 222 63 96

In accordance with Article 17, paragraph 2 of the Agreement, the Republic of Lithuania declares that the Office of the Prosecutor General of the Republic of Lithuania shall be the central authority, which shall be responsible for the notification of the exercise of preferential jurisdiction under Article 14 of the Agreement and for all other communications and notifications under this Agreement:

Office of the Prosecutor General of the Republic of Lithuania
Smetonos St. 4
Vilnius LT-2009
Lithuania
Phone (+370 5) 266 24 03
Fax (+370 5) 266 23 17

In accordance with Article 19, paragraph 3 of the Agreement, the Republic of Lithuania declares that it shall reserve the right to require that requests, other communications and supporting documents sent to it be made in, or accompanied by a translation into the Lithuanian language or into one of the official languages of the Council of Europe or into such one of these languages as it shall indicate.

In accordance with Article 34 paragraph 5 of the Agreement, the Republic of Lithuania declares that it shall not consider itself bound by paragraph 4 of Article 34 of the Agreement.

Nederlanden, het Koninkrijk der, 7 maart 2013

In accordance with article 19, paragraph 3, of the Agreement, the Kingdom of the Netherlands declares that any requests, other communications and supporting documents sent to the European part of the Netherlands, must be made in Dutch, English, French or German or be accompanied by a translation into one of those languages, and that any requests, other communications and supporting documents sent to the Caribbean part of the Netherlands (Bonaire, Sint Eustatius and Saba) must be made in Dutch, English or Spanish or be accompanied by a translation into one of those languages.

In accordance with article 8, paragraph 2, of the Agreement, the Kingdom of the Netherlands declares, with respect to the European part of the Netherlands and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), that when acting as an intervening State, the Netherlands will subject its intervention to the condition that persons having Dutch nationality who are surrendered to the flag State and there convicted of a relevant offence, will be transferred to the Netherlands after conviction to serve the sentence imposed.

In accordance with article 17, paragraph 3, of the Agreement, the Kingdom of the Netherlands designates the following authorities for the execution of articles 6 and 7 of the Agreement:

For the European part of the Netherlands:

The public prosecutor (officier van justitie) at the National Public Prosecutors' Office (Landelijk Parket van het Openbaar Ministerie)

Landelijk Parket Openbaar Ministerie

Postbus 395

3000 AJ Rotterdam

The Netherlands

For the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba):

Bonaire, St Eustatius and Saba Public Prosecution Service, office at the Court of First Instance (Openbaar Ministerie BES – parket in eerste aanleg)

Postbus 214

Bonaire

Caribbean Netherlands

In accordance with article 17, paragraph 3, of the Agreement, with respect to the European part of the Netherlands and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), the Kingdom of the Netherlands designates the following central authority for the execution of article 14 of the Agreement:

International Legal Assistance (Criminal Matters) Division (Afdeling Internationale Rechtshulp in Strafzaken)

Ministry of Security and Justice

Postbus 20301

2500 EH 's-Gravenhage

The Netherlands

In accordance with article 34, paragraph 3, of the Agreement, with respect to the European part of the Netherlands and the Caribbean part of the Netherlands, the Kingdom of the Netherlands declares that in any dispute it considers itself bound by the procedure described in the Appendix to this Agreement.

Noorwegen, 10 september 1997

In accordance with Article 17, paragraphs 1 and 2, of the Agreement, the competent authority in Norway will be The District Attorney's office in Oslo:

Postal address: Postboks 8021 Dep. – N- 0030 OSLO – Norway

Telephone and telefax numbers:

Police criminal central (KRIPOS) open 24 hours a day for emergency notices:

Phone number: + 47 22 07 77 00; Fax number: + 47 22 07 79 00.

Office of the District Attorney in Oslo:

Phone number: + 47 22 98 13 00; Fax number: + 47 22 98 13 31.

Oekraïne, 1 juni 2007

In accordance with Article 8, paragraph 2, of the Agreement, Ukraine declares that, when acting as an intervening State, it shall accomplish that sort of intervention under the stipulation that persons who are its citizens and were surrendered to the flag State under Article 15 of the Agreement and there convicted of a relevant offence, shall have the possibility to be transferred back to Ukraine to serve the sentence imposed.

In accordance with Article 34, paragraph 3, of the Agreement, Ukraine declares that in respect of any dispute concerning the interpretation or application of this Agreement, it shall recognize the submission of the dispute to arbitration in accordance with the procedure set out in the Appendix to this Agreement as compulsory, without prior agreement, and subject to reciprocity.

In accordance with Article 19, paragraph 3, of the Agreement, Ukraine declares that it shall reserve the right to require that requests, other communications and supporting documents sent to it be made in or accompanied by a translation into Ukrainian or into one of the official languages of the Council of Europe.

In accordance with Article 34, paragraph 5, of the Agreement, Ukraine declares that it shall not undertake to implement the provisions of Article 34, paragraph 4, of the Agreement.

In accordance with Article 17, paragraph 3, of the Agreement, Ukraine declares that:

- the Ministry of Transport and Communications of Ukraine shall be the authority responsible for sending and answering requests under Articles 6 and 7 of this Agreement;
- the General Prosecutor's Office of Ukraine shall be the central authority responsible for the notification of the exercise of preferential jurisdiction under Article 14 and for all other notifications under this Agreement.

Oostenrijk, 14 december 2000

The Republic of Austria declares that it will not apply paragraphs 2 and 3 of Article 3 for the reason provided for in Article 3, paragraph 6.

In accordance with Article 17 of the Agreement, the Republic of Austria designates as the competent authority the Federal Ministry for Transport, Innovation and Technology, Radetzkystrasse 2, A-1030 Vienna, Tel.: +431 / 71162 / 5700, Fax: +431 / 71162 / 5799.

Roemenië, 26 augustus 2002

In accordance with Article 8, paragraph 2, Romania declares that, when acting as an intervening State, it shall be able to subordinate its intervention to the fulfillment of the condition that persons of Romanian nationality who are surrendered to the flag State under Article 15 and are convicted for a relevant offence have the possibility to be transferred in Romania, in order to serve the sentence imposed.

In accordance with Article 19, paragraph 3, Romania reserves its right to require that all the requests, other communications and supporting documents sent to it, be made in or translated into Romanian or English. Romania understands the provisions of Article 23 and Article 24 of the Agreement as establishing for the State to which data are transmitted the obligation to use such data only for the purpose for which they have been transmitted.

In accordance with Article 17, paragraph 1, Romania designates as the competent authority: the General Inspectorate of the Border Police (Str. Razoare nr. 2-4, sector 6, Bucuresti, Romania).

In accordance with Article 17, paragraph 2, Romania designates as the competent authority: the General Prosecutor's Office to the Supreme Court of Justice (Bd. Libertatii nr. 14, sector 5, Bucuresti, Romania).

Slovenië, 15 november 2000

In accordance with Article 17, paragraph 1, of the Agreement on Illicit Traffic by Sea, implementing Article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the competent authority in the Republic of Slovenia is the General Police Directorate:

Postal Address: Stefanova 2, SI – 1000 Ljubljana

Telephone number: + 386 1 472 42 69

Telefax number: + 386 1 472 49 12

Operative and Communications Centre at the General Police Directorate – open 24 hours a day for emergency notices:

Telephone number: + 386 1 230 20 28

Telefax number: + 386 1 426 11 41

In accordance with Article 17, paragraph 2, of the Agreement, the central authority in the Republic of Slovenia is the Ministry of Justice:

Postal Address: Zupanciceva 3; SI – 1000 Ljubljana

Telephone number: + 386 1 478 52 11

Telefax number: + 386 1 251 02 00

Slowakije, 4 september 2002

Pursuant to the provision of Article 34, paragraph 3, of the Agreement, the Slovak Republic declares that, in respect of any dispute concerning the interpretation or application of this Agreement, it recognises as compulsory, without prior agreement, and subject to reciprocity, the submission of the dispute to arbitration in accordance with the procedure set out in the Appendix to this Agreement.

With reference to the provisions of Article 31, paragraph 1, of the Agreement, the Slovak Republic declares that it shall not apply Article 3, paragraphs 2 and 3.

With reference to the provisions of Article 31, paragraph 1, of the Agreement, the Slovak Republic declares that it shall not apply Article 3, paragraphs 2 and 3.

Tsjechië, 12 januari 2005

In compliance with Article 8, paragraph 2, of the Agreement, the Czech Republic declares that when acting as an intervening State, it may subject its intervention to the condition that persons having its nationality who are surrendered to the flag State under Article 15 and there convicted of a relevant offence, shall have the possibility to be transferred to the Czech Republic to serve the sentence imposed.

The Czech Republic declares that for the reason referred to in Article 3, paragraph 6, of the Agreement, it shall not apply paragraphs 2 and 3 of this article.

Pursuant to Article 19, paragraph 3, of the Agreement, the Czech Republic reserves the right to require that the requests, other communications and supporting documents sent to it, be made in the Czech language or in the English language or that they be accompanied into one of these two languages.

Pursuant to Article 17, paragraph 3, of the Agreement, the Czech Republic declares that the authority competent for drawing and responding to requests under Articles 6 and 7 of the Agreement shall be:

Policie České republiky, národní protidrogová centrála služby kriminální policie a vyšetřování

(Czech Republic Police National Drug Headquarters of the Criminal Police and Investigation Service)

Policejní prezidium České republiky

(Czech Republic Police Presidium)

POB 62/NPC

17089 Praha 7

Tel. + 420 974836532

+ 420 974836514

Cell phone: + 420 603191373

Fax: + 420 974836519

e-mail: npdc@mvr.cz

The Czech Republic communicates, pursuant to Article 17, paragraph 3, of the Agreement, that the authority competent for the notification of the exercise of preferential jurisdiction, under Article 14 of the Agreement, and for all other notifications or communications under the Agreement shall be:

Ministerstvo spravedlnosti České republiky

mezinárodní odbor

oddelení mezinárodních smluv a právní pomoci trestní

(Ministry of Justice of the Czech Republic)

Vysehradská 16
12810 Praha 2
Tel. + 420 221997925
Fax: + 420 221997919
e-mail: om@msp.justice.cz

Turkije, 26 februari 2013

In accordance with Article 8, paragraph 2, of the Agreement, the Republic of Turkey declares that when acting as an intervening State, it may subject its intervention to the condition that persons having its nationality who are surrendered to the flag State under Article 15 of the Agreement and are convicted of a relevant offence, shall have the possibility to be transferred to the Republic of Turkey to serve the sentence imposed.

In accordance with Article 17, paragraphs 1 and 2, of the Agreement, the Republic of Turkey declares that the relevant authorities in Turkey are the Coast Guard Command of the Ministry of Interior and the Ministry of Justice respectively.

In accordance with Article 19, paragraph 3, of the Agreement, the Republic of Turkey reserves the right to require that requests, other communications and supporting documents sent to it, be made in or accompanied by a translation into Turkish, English or French.

In accordance with Article 34, paragraph 5, of the Agreement, the Republic of Turkey declares that it shall not consider itself bound by paragraph 4 of Article 34 of the Agreement.

G. INWERKINGTREDING

Zie *Trb.* 2010, 165.

De bepalingen van het Verdrag, met aanhangsel, zullen ingevolge artikel 27, vierde lid, voor het Koninkrijk der Nederlanden op 1 juli 2013 in werking treden.

Wat betreft het Koninkrijk der Nederlanden, zal het Verdrag, met aanhangsel, alleen voor Nederland (het Europese en het Caribische deel) gelden.

J. VERWIJZINGEN

Zie *Trb.* 2010, 165.

Uitgegeven de *tweëntwintigste* maart 2013.

De Minister van Buitenlandse Zaken,

F.C.G.M. TIMMERMANS