

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2014 Nr. 40

A. TITEL

*Verdrag inzake de voorkoming en de bestraffing van genocide;
Parijs, 9 december 1948*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1960, 32.

C. VERTALING

Zie *Trb.* 1960, 32 en voor een correctie *Trb.* 1966, 179.

D. PARLEMENT

Zie *Trb.* 1966, 179.

E. PARTIJGEGEVENS

Zie de rubrieken E en F van 1960, 32.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Afghanistan		22-03-56	T	20-06-56		
Albanië		12-05-55	T	10-08-55		
Algerije		31-10-63	T	29-01-64		
Andorra		22-09-06	T	21-12-06		
Antigua en Barbuda		25-10-88	VG	01-11-81		
Argentinië		05-06-56	T	03-09-56		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Armenië		23-06-93	T	21-09-93		
Australië	11-12-48	08-07-49	R	12-01-51		
Azerbeidzjan		16-08-96	T	14-11-96		
Bahama's		05-08-75	VG	10-07-73		
Bahrein		27-03-90	T	25-06-90		
Bangladesh		05-10-98	T	03-01-99		
Barbados		14-01-80	T	13-04-80		
Belarus	16-12-49	11-08-54	R	09-11-54		
België	12-12-49	05-09-51	R	04-12-51		
Belize		10-03-98	T	08-06-98		
Bolivia	11-12-48	14-06-05	R	12-09-05		
Bosnië en Herzegovina		29-12-92	VG	06-03-92		
Brazilië	11-12-48	15-04-52	R	14-07-52		
Bulgarije		21-07-50	T	12-01-51		
Burkina Faso		14-09-65	T	13-12-65		
Burundi		06-01-97	T	06-04-97		
Cambodja		14-10-50	T	12-01-51		
Canada	28-11-49	03-09-52	R	02-12-52		
Chili	11-12-48	03-06-53	R	01-09-53		
China	20-07-49	18-04-83	R	17-07-83		
Colombia	12-08-49	27-10-59	R	25-01-60		
Comoren		27-09-04	T	26-12-04		
Congo, Democratische Republiek		31-05-62	VG	30-06-60		
Costa Rica		14-10-50	T	12-01-51		
Cuba	28-12-49	04-03-53	R	02-06-53		
Cyprus		29-03-82	T	27-06-82		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Denemarken	28-09-49	15-06-51	R	13-09-51		
Dominicaanse Republiek	11-12-48					
Duitsland		24-11-54	T	22-02-55		
Ecuador	11-12-48	21-12-49	R	12-01-51		
Egypte	12-12-48	08-02-52	R	08-05-52		
El Salvador	27-04-49	28-09-50	R	12-01-51		
Estland		21-10-91	T	19-01-92		
Ethiopië	11-12-48	01-07-49	R	12-01-51		
Fiji		11-01-73	VG	10-10-70		
Filipijnen	11-12-48	07-07-50	R	12-01-51		
Finland		18-12-59	T	17-03-60		
Frankrijk	11-12-48	14-10-50	R	12-01-51		
Gabon		21-01-83	T	21-04-83		
Gambia		29-12-78	T	29-03-79		
Georgië		11-10-93	T	09-01-94		
Ghana		24-12-58	T	24-03-59		
Griekenland	29-12-49	08-12-54	R	08-03-55		
Guatemala	22-06-49	13-01-50	R	12-01-51		
Guinee		07-09-00	T	06-12-00		
Guinee-Bissau		24-09-13	T	23-12-13		
Haïti	11-12-48	14-10-50	R	12-01-51		
Honduras	22-04-49	05-03-52	R	03-06-52		
Hongarije		07-01-52	T	06-04-52		
Ierland		22-06-76	T	20-09-76		
IJsland	14-05-49	29-08-49	R	12-01-51		
India	29-11-49	27-08-59	R	25-11-59		
Irak		20-01-59	T	20-04-59		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Iran	08-12-49	14-08-56	R	12-11-56		
Israël	17-08-49	09-03-50	R	12-01-51		
Italië		04-06-52	T	02-09-52		
Ivoorkust		18-12-95	T	17-03-96		
Jamaica		23-09-68	T	22-12-68		
Jemen		09-02-87	T	10-05-87		
Joegoslavië (< 25-06-1991)	11-12-48	29-08-50	R	12-01-51		
Jordanië		03-04-50	T	12-01-51		
Kaapverdië		10-10-11	T	08-01-12		
Kazachstan		26-08-98	T	24-11-98		
Kirgïstan		05-09-97	T	04-12-97		
Koeweit		07-03-95	T	05-06-95		
Kroatië		12-10-92	VG	08-10-91		
Laos		08-12-50	T	08-03-51		
Lesotho		29-11-74	T	27-02-75		
Letland		14-04-92	T	13-07-92		
Libanon	30-12-49	17-12-53	R	17-03-54		
Liberia	11-12-48	09-06-50	R	12-01-51		
Libië		16-05-89	T	14-08-89		
Liechtenstein		24-03-94	T	22-06-94		
Litouwen		01-02-96	T	01-05-96		
Luxemburg		07-10-81	T	05-01-82		
Macedonië, de voormalige Joegoslavische Republiek		18-01-94	VG	17-11-91		
Malediven		24-04-84	T	23-07-84		
Maleisië		20-12-94	T	20-03-95		
Mali		16-07-74	T	14-10-74		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Marokko		24-01-58	T	24-04-58		
Mexico	14-12-48	22-07-52	R	20-10-52		
Moldavië		26-01-93	T	26-04-93		
Monaco		30-03-50	T	12-01-51		
Mongolië		05-01-67	T	05-04-67		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		18-04-83	T	17-07-83		
Myanmar	30-12-49	14-03-56	R	12-06-56		
Namibië		28-11-94	T	26-02-95		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten		20-06-66 – – – – – –	T	18-09-66 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Nepal		17-01-69	T	17-04-69		
Nicaragua		29-01-52	T	28-04-52		
Nieuw-Zeeland	25-11-49	28-12-78	R	28-03-79		
Nigeria		27-07-09	T	25-10-09		
Noord-Korea		31-01-89	T	01-05-89		
Noorwegen	11-12-48	22-07-49	R	12-01-51		
Oekraïne	16-12-49	15-11-54	R	13-02-55		
Oezbekistan		09-09-99	T	08-12-99		
Oostenrijk		19-03-58	T	17-06-58		
Pakistan	11-12-48	12-10-57	R	10-01-58		
Panama	11-12-48	11-01-50	R	12-01-51		
Papua-Nieuw- Guinea		27-01-82	T	27-04-82		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Paraguay	11-12-48	03-10-01	R	01-01-02		
Peru	11-12-48	24-02-60	R	24-05-60		
Polen		14-11-50	T	12-02-51		
Portugal		09-02-99	T	10-05-99		
Roemenië		02-11-50	T	31-01-51		
Russische Federatie	16-12-49	03-05-54	R	01-08-54		
Rwanda		16-04-75	T	15-07-75		
Saint Vincent en de Grenadines		09-11-81	T	07-02-82		
San Marino		08-11-13	T	06-02-14		
Saudi-Arabië		13-07-50	T	12-01-51		
Senegal		04-08-83	T	02-11-83		
Servië		12-03-01	T	10-06-01		
Seychellen		05-05-92	T	03-08-92		
Singapore		18-08-95	T	16-11-95		
Slovenië		06-07-92	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Spanje		13-09-68	T	12-12-68		
Sri Lanka		12-10-50	T	12-01-51		
Sudan		13-10-03	T	11-01-04		
Syrië		25-06-55	T	23-09-55		
Tanzania		05-04-84	T	04-07-84		
Togo		24-05-84	T	22-08-84		
Tonga		16-02-72	T	16-05-72		
Trinidad en Tobago		13-12-02	T	13-03-03		
Tsjechië		22-02-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)	28-12-49	21-12-50	R	21-03-51		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Tunesië		29-11-56	T	27-02-57		
Turkije		31-07-50	T	12-01-51		
Uganda		14-11-95	T	12-02-96		
Uruguay	11-12-48	11-07-67	R	09-10-67		
Venezuela		12-07-60	T	10-10-60		
Verenigd Koninkrijk		30-01-70	T	30-04-70		
Verenigde Arabische Emiraten		11-11-05	T	09-02-06		
Verenigde Staten van Amerika	11-12-48	25-11-88	R	23-02-89		
Vietnam		09-06-81	T	07-09-81		
Zimbabwe		13-05-91	T	11-08-91		
Zuid-Afrika		10-12-98	T	10-03-99		
Zuid-Korea		14-10-50	T	12-01-51		
Zweden	30-12-49	27-05-52	R	25-08-52		
Zwitserland		07-09-00	T	06-12-00		

* 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	01-07-1997	
Macau SAR	20-12-1999	

Nieuw-Zeeland

Uitgebreid tot	In werking	Buiten werking
Tokelau-eilanden	09-07-2002	

Portugal

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	16-09-1999	20-12-1999

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Bahama's (< 10-07-1973)	30-01-1970	10-07-1973
Bermuda	30-01-1970	
Brits Antarctisch Territorium	30-01-1970	
Britse Maagdeneilanden	30-01-1970	
Dominica (< 03-11-1978)	30-01-1970	03-11-1978
Falklandeilanden	30-01-1970	
Fiji-eilanden (< 10-10-1970)	30-01-1970	10-10-1970
Gibraltar	30-01-1970	
Grenada (< 07-02-1974)	30-01-1970	07-02-1974
Guernsey	30-01-1970	
Hongkong (< 01-07-1997)	30-01-1970	01-07-1997
Jersey	30-01-1970	
Man	30-01-1970	
Pitcairneilanden	30-01-1970	
Saint Lucia (< 22-02-1979)	30-01-1970	22-02-1979
Saint Vincent en de Grenadines (<27-10-1979)	30-01-1970	27-10-1979
Seychelles (< 29-06-1976)	30-01-1970	29-06-1976
Sint-Helena, Ascension en Tristan da Cunha	30-01-1970	
Tonga (< 04-06-1970)	02-06-1970	04-06-1970
Turks- en Caicoseilanden	30-01-1970	
Zuid-Georgië en de Zuidelijke Sandwicheilanden	30-01-1970	

Verklaringen, voorbehouden en bezwaren

Albanië, 12 mei 1955

As regards article XII: The People's Republic of Albania declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by Albania [...].

Algerije, 31 oktober 1963

The Democratic and Popular Republic of Algeria does not consider itself bound by article IX of the Convention, which confers on the International Court of Justice jurisdiction in all disputes relating to the said Convention.

The Democratic and Popular Republic of Algeria declares that no provision of article VI of the said Convention shall be interpreted as depriving its tribunals of jurisdiction in cases of genocide or other acts enumerated in article III which have been committed in its territory or as conferring such jurisdiction on foreign tribunals.

International tribunals may, as an exceptional measure, be recognized as having jurisdiction, in cases in which the Algerian Government has given its express approval.

The Democratic and Popular Republic of Algeria declares that it does not accept the terms of article XII of the Convention and considers that all the provisions of the said Convention should apply to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door **Nederlanden, het Koninkrijk der**, 20 juni 1966

The Government of the Kingdom of the Netherlands declares that it considers the reservations made by [...], Algeria, [...] in respect of article IX of the Convention on the Prevention and Punishment of the Crime of Genocide, opened for signature at Paris on 9 December 1948, to be incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands therefore does not deem any State which has made or which will make such reservation a party to the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] IX or XII of the Convention made by [...] Algeria, [...].

Argentinië, 5 juni 1956

Ad article IX: The Argentine Government reserves the right not to submit to the procedure laid down in this article any dispute relating directly or indirectly to the territories referred to in its reservation to article XII. Ad article XII: If any other Contracting Party extends the application of the Convention to territories under the sovereignty of the Argentine Republic, this extension shall in no way affect the rights of the Republic.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] IX or XII of the Convention made by [...] Argentina, [...].

Argentinië, 3 oktober 1983

[The Government of Argentina makes a] formal objection to the declaration of territorial extension issued by the United Kingdom with regard to the Malvinas Islands (and dependencies), which that country is illegally occupying and refers to as the "Falkland Islands". The Argentine Republic rejects and considers null and void the [said declaration] of territorial extension.

Bezwaar door Verenigd Koninkrijk, 28 februari 1985

The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their right, by notification to the Depositary under the relevant provisions of the above-mentioned Convention, to extend the application of the Convention in question to the Falkland Islands or to the Falkland Islands Dependencies, as the case may be.

For this reason alone, the Government of the United Kingdom are unable to regard the Argentine [communication] under reference as having any legal effect.

Australië, 8 juli 1949

All territories for the conduct of whose foreign relations Australia is responsible.

Bahrein, 27 maart 1990

With reference to article IX of the Convention the Government of the State of Bahrain declares that, for the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the express consent of all the parties to the dispute is required in each case. Moreover, the accession by the State of Bahrain to the said Convention shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith.

Bezwaar door Israël, 25 juni 1990

The Government of the State of Israel has noted that the instrument of accession of Bahrain to the [said] Convention contains a declaration in respect of Israel.

In the view of the Government of the State of Israel, such declaration, which is explicitly of a political character, is incompatible with the purpose and objectives of this Convention and cannot in any way affect whatever obligations are binding upon Bahrain under general International Law or under particular Conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Bahrain an attitude of complete reciprocity.

Bangladesh, 5 oktober 1998

Article IX: For the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the consent of all parties to the dispute will be required in each case.

Belarus, 11 augustus 1954

The Byelorussian SSR declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories.

Bezwaar door Australië, 15 november 1950

The Australian Government does not accept any of the reservations made at the time of signature of the Convention by the Byelorussian Soviet Socialist Republic, [...].

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by [...] Byelorussian Soviet Socialist Republic, [...].

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] the Byelorussian Soviet Socialist Republic, [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 31 maart 1950

The Government of Ecuador is not in agreement with the reservations made to article [...] and XII of the Convention by the Governments of the Byelorussian Soviet Socialist Republic, [...] and, therefore, they do not apply to Ecuador which accepted without any modifications the integral text of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] the Byelorussian Soviet Socialist Republic, [...].

Bulgarije, 21 juli 1950

As regards article XII: The People's Republic of Bulgaria declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door Australië, 15 november 1950

The Australian Government does not accept any of the reservations contained in the instrument of accession of the People's Republic of Bulgaria [...].

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by Bulgaria [...].

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by Bulgaria, [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 21 augustus 1950

The Government of Ecuador is not in agreement with the reservations made to article [...] and XII of the Convention by the Governments of [...] Bulgaria and, therefore, they do not apply to Ecuador which accepted without any modifications the integral text of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] Bulgaria, [...].

China, 18 april 1983

The ratification to the said Convention by the Taiwan local authorities on 19 July 1951 in the name of China is illegal and therefore null and void.

The People's Republic of China does not consider itself bound by article IX of the said Convention.

Bezwaar door Verenigd Koninkrijk, 26 augustus 1983

[...] The Government of the United Kingdom have however consistently stated that they are unable to accept reservations to this article. [...].

China, 16 september 1999

[...]

The reservation made by the Government of the People's Republic of China to Article 9 of the Convention will also apply to the Macao Special Administrative Region.

[...]

Cyprus, 18 mei 1998

The Government of the Republic of Cyprus has taken note of the reservations made by a number of countries when acceding to the [Convention] and wishes to state that in its view these are not the kind of reservations which intending parties to the Convention have the right to make.

Accordingly, the Government of the Republic of Cyprus does not accept any reservations entered by any Government with regard to any of the Articles of the Convention.

Filipijnen, 7 juli 1950

1. With reference to article IV of the Convention, the Philippine Government cannot sanction any situation which would subject its Head of State, who is not a ruler, to conditions less favorable than those accorded other Heads of State, whether constitutionally responsible rulers or not. The Philippine Government does not consider said article, therefore, as overriding the existing immunities from judicial processes guaranteed certain public officials by the Constitution of the Philippines.

2. With reference to article VII of the Convention, the Philippine Government does not undertake to give effect to said article until the Congress of the Philippines has enacted the necessary legislation defining and punishing the crime of genocide, which legislation, under the Constitution of the Philippines, cannot have any retroactive effect.

3. With reference to articles VI and IX of the Convention, the Philippine Government takes the position that nothing contained in said articles shall be construed as depriving Philippine courts of jurisdiction over all cases of genocide committed within Philippine territory save only in those cases where the Philippine Government consents to have the decision of the Philippine courts reviewed by either of the international tribunals referred to in said articles. With further reference to article IX of the Convention, the Philippine Government does not consider said article to extend the concept of State responsibility beyond that recognized by the generally accepted principles of international law.

Bezwaar door Australië, 15 november 1950

The Australian Government does not accept any of the reservations contained [...] in the instrument of ratification of the Republic of the Philippines.

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] the Philippines, [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Noorwegen, 10 april 1952

The Norwegian Government does not accept the reservations made to the Convention by the Government of the Philippines at the time of ratification.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles IV, VII, [...], IX or [...] of the Convention made by [...] the Philippines, [...].

Griekenland, 26 januari 1990

We further declare that we have not accepted and do not accept any reservation which has already been made or which may hereafter be made by the countries signatory to this instrument or by countries which have acceded or may hereafter accede thereto.

Hongarije, 7 januari 1952

The Hungarian People's Republic reserves its rights with regard to the provisions of article XII which do not define the obligations of countries having colonies with regard to questions of colonial exploitation and to acts which might be described as genocide.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] Hungary, [...].

India, 27 augustus 1959

With reference to article IX of the Convention, the Government of India declares that, for the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the consent of all the parties to the dispute is required in each case.

Bezwaar door **Nederlanden, het Koninkrijk der**, 20 juni 1966

The Government of the Kingdom of the Netherlands declares that it considers the reservations made by [...], India, [...] in respect of article IX of the Convention on the Prevention and Punishment of the Crime of Genocide, opened for signature at Paris on 9 December 1948, to be incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands therefore does not deem any State which has made or which will make such reservation a party to the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...], IX or [...] of the Convention made by [...] India, [...].

Jemen, 9 februari 1987

In acceding to this Convention, the People's Democratic Republic of Yemen does not consider itself bound by article IX of the Convention, which provides that disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the Convention shall be submitted to the International Court of Justice at the request of any of the parties to the dispute. It declares that the competence of the International Court of Justice with respect to disputes concerning the interpretation, application or fulfilment of the Convention shall in each case be subject to the express consent of all parties to the dispute.

Bezwaar door Verenigd Koninkrijk, 30 december 1987

The Government of the United Kingdom of Great Britain and Northern Ireland have consistently stated that they are unable to accept reservations in respect of article IX of the said Conven-

tion; in their view this is not the kind of reservation which intending parties to the Convention have the right to make. Accordingly the Government of the United Kingdom of Great Britain and Northern Ireland do not accept the reservation entered by the People's Democratic Republic of Yemen against article IX of the Convention.

Maleisië, 20 december 1994

That with reference to article IX of the Convention, before any dispute to which Malaysia is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of Malaysia is required in each case.

That the pledge to grant extradition in accordance with a state's laws and treaties in force found in article VII extends only to acts which are criminal under the law of both the requesting and the requested state.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 februari 1996

The Government of the Kingdom of the Netherlands recalls its declaration made on 20 June 1966 on the occasion of the accession [to the said Convention].

Accordingly, the Government of the Netherlands declares that it considers the reservations made by Malaysia and [...] in respect of article IX of the Convention incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands does not consider Malaysia and [...] Parties to the Convention.

[...]

Bezwaar door Noorwegen, 14 oktober 1996

In [the view of the Government of Norway], reservations in respect of article IX of the Convention are incompatible with the object and purpose of the said Convention. Accordingly, the Government of Norway does not accept the reservations entered by the Governments of [...] and Malaysia to article IX of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 maart 1996

The Government of the United Kingdom of Great Britain and Northern Ireland have consistently stated that they are unable to accept reservations to article IX. In their view, these are not the kind of reservations which intending parties to the Convention have the right to make.

Accordingly, the Government of the United Kingdom do not accept the reservations entered by the Government of [...] Malaysia to article IX of the Convention.

Marokko, 24 januari 1958

With reference to article VI, the Government of His Majesty the King considers that Moroccan courts and tribunals alone have jurisdiction with respect to acts of genocide committed within the territory of the Kingdom of Morocco.

The competence of international courts may be admitted exceptionally in cases with respect to which the Moroccan Government has given its specific agreement.

With reference to article IX, the Moroccan Government states that no dispute relating to the interpretation, application or fulfilment of the present Convention can be brought before the International Court of Justice, without the prior agreement of the parties to the dispute.

Bezwaar door **Nederlanden, het Koninkrijk der**, 20 juni 1966
The Government of the Kingdom of the Netherlands declares that it considers the reservations made by [...] Morocco, [...] in respect of article IX of the Convention on the Prevention and Punishment of the Crime of Genocide, opened for signature at Paris on 9 December 1948, to be incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands therefore does not deem any State which has made or which will make such reservation a party to the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970
The Government of the United Kingdom do not accept the reservations to articles [...], IX or [...] of the Convention made by [...] Morocco, [...].

Mongolië, 5 januari 1967

The Government of the Mongolian People's Republic declares that it is not in a position to agree with article XII of the Convention and considers that the provisions of the said article should be extended to non-self-governing territories, including trust territories.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970
The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] Mongolia, [...].

Montenegro, 23 oktober 2006

[Montenegro] does not consider itself bound by Article IX of the Convention on the Prevention and Punishment of the Crime of Genocide and, therefore, before any dispute to which [Montenegro] is a party may be validly submitted to the jurisdiction of the International Court of Justice under this Article, the specific and explicit consent of the FRY is required in each case.

Myanmar, 14 maart 1956

(1) With reference to article VI, the Union of Burma makes the reservation that nothing contained in the said Article shall be construed as depriving the Courts and Tribunals of the Union of jurisdiction or as giving foreign Courts and tribunals jurisdiction over any cases of genocide or any of the other acts enumerated in article III committed within the Union territory.

(2) With reference to article VIII, the Union of Burma makes the reservation that the said article shall not apply to the Union.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] VIII, [...] of the Convention made by [...] Burma, [...].

Oekraïne, 15 november 1954

The Ukrainian SSR declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door Australië, 15 november 1950

The Australian Government does not accept any of the reservations made at the time of signature of the Convention by [...] the Ukrainian Soviet Socialist Republic [...].

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by [...] the Ukrainian Soviet Socialist Republic [...].

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] the Ukrainian Soviet Socialist Republic [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention. The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 31 maart 1950

The Government of Ecuador is not in agreement with the reservations made to article [...] and XII of the Convention by the

Governments of the [...] the Ukrainian Soviet Socialist Republic [...] and, therefore, they do not apply to Ecuador which accepted without any modifications the integral text of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] the Ukrainian Soviet Socialist Republic, [...].

Polen, 14 november 1950

As regards article XII: Poland does not accept the provisions of this article, considering that the Convention should apply to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door Australië, 19 januari 1951

The Australian Government does not accept the reservations contained in the instruments of accession of the Governments of Poland [...].

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by [...] Poland, [...].

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] Poland, [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 9 januari 1951

The Government of Ecuador does not accept the reservations made by the Governments of Poland [...] to articles [...] and XII of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] Poland, [...].

Portugal, 9 februari 1999

The Portuguese Republic declares that it will interpret article VII of the Convention on the Prevention and Punishment of the Crime of Genocide as recognizing the obligation to grant extradition established therein in cases where such extradition is not prohibited by the Constitution and other domestic legislation of the Portuguese Republic.

Roemenië, 2 november 1950

As regards article XII: The People's Republic of Romania declares that it is not in agreement with article XII of the Convention, and considers that all the provisions of the Convention should apply to the Non-Self-Governing Territories, including the Trust Territories.

Bezwaar door Australië, 19 januari 1951

The Australian Government does not accept the reservations contained in the instruments of accession of the Governments of [...] and Romania.

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by [...] Romania, [...].

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] Romania, [...]. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 9 januari 1951

The Government of Ecuador does not accept the reservations made by the Governments [...] and Romania to articles [...] and XII of the Convention.

Bezwaar door Sri Lanka, 6 februari 1951

The Government of Ceylon does not accept the reservations made by Romania to the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] Romania, [...].

Russische Federatie, 3 mei 1954

The Union of Soviet Socialist Republics declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to Non-Self-Governing Territories, including Trust Territories.

Bezwaar door Australië, 15 november 1950

The Australian Government does not accept any of the reservations made at the time of signature of the Convention by [...] the Union of Soviet Socialist Republics.

Bezwaar door België, 5 september 1951

The Government of Belgium does not accept the reservations made by [...] and the Union of Soviet Socialist Republics.

Bezwaar door Brazilië, 15 april 1952

The Government of Brazil objects to the reservations made to the Convention by [...] and the Union of Soviet Socialist Republics. The Brazilian Government considers the said reservations as incompatible with the object and purpose of the Convention.

The position taken by the Government of Brazil is founded on the Advisory Opinion of the International Court of Justice of 28 May 1951 and on the resolution adopted by the sixth session of the General Assembly on 12 January 1952, on reservations to multilateral conventions.

The Brazilian Government reserves the right to draw any such legal consequences as it may deem fit from its formal objection to the above-mentioned reservations.

Bezwaar door Ecuador, 31 maart 1950

The Government of Ecuador is not in agreement with the reservations made to article [...] and XII of the Convention by the Governments of [...] and the Union of Soviet Socialist Republics and, therefore, they do not apply to Ecuador which accepted without any modifications the integral text of the Convention.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...] XII of the Convention made by [...] the Union of Soviet Socialist Republics [...].

Rwanda, 15 december 2008

I, [...], Minister of Foreign Affairs and Cooperation, hereby declare that the Government of the Republic of Rwanda, after having examined Rwanda's reservation to article IX of the Convention on the Prevention and Punishment of the Crime of Genocide adopted at New York on 9 December 1948, and, in accordance with Act No. 65/2007 of 31 December 2007 which provides for the withdrawal of the said reservation, has withdrawn the reservation.

Servië, 15 juni 1993

Considering the fact that the replacement of sovereignty on the part of the territory of the Socialist Federal Republic of Yugoslavia previously comprising the Republic of Bosnia and Herzegovina was carried out contrary to the rules of international law, the Government of the Federal Republic of Yugoslavia herewith states that it does not consider the so-called Republic of Bosnia and Herzegovina a party to the Convention on the Prevention and Punishment of the Crime of Genocide, but does consider that the so-called Republic of Bosnia and Herzegovina is bound by the obligation to respect the norms on preventing and punishing the crime of genocide in accordance with general international law irrespective of the Convention on the Prevention and Punishment of the Crime of Genocide.

Servië, 12 maart 2001

The Federal Republic of Yugoslavia does not consider itself bound by Article IX of the Convention on the Prevention and Punishment of the Crime of Genocide and, therefore, before any dispute to which the Federal Republic of Yugoslavia is a party may be validly submitted to the jurisdiction of the International Court of Justice under this Article, the specific and explicit consent of the FRY is required in each case.

Bezwaar door Bosnië en Herzegovina, 27 december 2001

On 29 June 2001, Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia, the Republic of Slovenia and the Federal Republic of Yugoslavia signed an "Agreement on Succession Issues" in which these States, among other things, declare that they are "in sovereign equality the five successor States to the former Socialist Federal Republic of Yugoslavia". A copy of the Agreement is enclosed. [Copy not reproduced herein.] For this reason, there can be no question of "accession", but rather there is an issue of succession. This, in itself, implies that the Federal Republic of Yugoslavia has effectively succeeded the former Socialist Federal Republic of Yugoslavia as of 27 April 1992 (the date of the proclamation of the FRY) as a Party to the Genocide Convention.

Apart from that the Federal Republic of Yugoslavia upon its proclamation on 27 April 1992 declared – and communicated this

to the Secretary-General that it would “strictly abide by all the commitments that the Socialist Federal Republic of Yugoslavia assumed internationally”(UN Doc. A/46/915).

For these two reasons it is not possible for the FRY to effectively lay down a reservation with regards to part of the Genocide Convention (i.e. Article IX of the Convention) several years after 27 April 1992, the day on which FRY became bound to the Genocide Convention in its entirety. Bosnia and Herzegovina refers to Articles 2 (1) (d) and 19 of the 1969 Vienna Convention on the Law of Treaties, which explicitly states that a reservation may only be formulated “when signing, ratifying, accepting, approving or acceding to a treaty”.

The Presidency of Bosnia and Herzegovina therefore deems the so-called “Notification of Accession to the Convention on the Prevention and Punishment of the Crime of Genocide (1948)” submitted by the Government of the Federal Republic of Yugoslavia to be null and void. Moreover, the International Court of Justice declared in its Judgement of 11 July 1996, “Yugoslavia was bound by the provisions of the Convention” at least at the date of the filing of the Application in the case introduced by Bosnia and Herzegovina on 20 March 1993/ICJ Rep. 1996, p.610, para. 17). The Federal Republic of Yugoslavia continues to be bound under the same conditions, that is without any reservation.

Bezwaar door Kroatië, 18 mei 2001

The Government of the Republic of Croatia objects to the deposition of the instrument of accession of the Federal Republic of Yugoslavia to the Convention on the Prevention and Punishment of the Crime of Genocide, due to the fact that the Federal Republic of Yugoslavia is already bound by the Convention since its emergence as one of the five equal successor states to the former Socialist Federal Republic of Yugoslavia.

This fact was confirmed by the Federal Republic of Yugoslavia in its Declaration of 27 April 1992, as communicated to the Secretary-General (UN doc. A/46/915). Notwithstanding the political reasoning behind it, in its 1992 Declaration the Federal Republic of Yugoslavia stated that it “shall strictly abide by all the commitments that the former Socialist Federal Republic of Yugoslavia assumed internationally.

In this regard the Republic of Croatia notes in particular the decision of the International Court of Justice in its Judgement of 11 July 1996 that the Federal Republic of Yugoslavia “was bound by provisions of the [Genocide] Convention on the date of the filing of [the Application by Bosnia and Herzegovina], namely on 20 March 1993” (ICJ Reports 1996, p. 595, at para. 17).

The Government of the Republic of Croatia further objects to the reservation made by the Federal Republic of Yugoslavia in respect of Article IX of the Convention on the Prevention and Punishment of the Crime of Genocide, and considers it to be incompatible with the object and purpose of the Convention. The Government of the Republic of Croatia considers the Convention on the Prevention and Punishment of the Crime of Genocide to be fully in force and applicable between the Republic of Croatia and the Federal Republic of Yugoslavia, including Article IX. The Government of the Republic of Croatia deems that neither the purported way of becoming a party to the Genocide Convention *ex nunc* by the Federal Republic of Yugoslavia, nor its purported reservation, have any legal effect regarding the jurisdiction of the International Court of Justice with respect to the pending proceedings initiated before the International Court of Justice by the Republic of Croatia against the Federal Republic of Yugoslavia pursuant to the Genocide Convention.

Bezwaar door Zweden, 2 april 2002

The Government of Sweden has taken note of the Secretary-General's circular notification 164.2001.Treaties.1 of 15 March 2001, stating the intent of the Federal Republic of Yugoslavia to accede, with a reservation, to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. The Government of Sweden regards the Federal Republic of Yugoslavia as one successor state to the Socialist Federal Republic of Yugoslavia and, as such, a Party to the Convention from the date of the entering into force of the Convention for the Socialist Federal Republic of Yugoslavia. The Government of Sweden hereby communicates that it considers the said reservation as having been made too late, according to article 19 of the 1969 Vienna Convention on the Law of Treaties, and thus null and void.

Singapore, 18 augustus 1995

That with reference to article IX of the Convention, before any dispute to which the Republic of Singapore is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the Republic of Singapore is required in each case.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 februari 1996

The Government of the Kingdom of the Netherlands recalls its declaration made on 20 June 1966 on the occasion of the accession [to the said Convention].

Accordingly, the Government of the Netherlands declares that it considers the reservations made by [...] and Singapore in respect of article IX of the Convention incompatible with the object and

purpose of the Convention. The Government of the Kingdom of the Netherlands does not consider [...] and Singapore Parties to the Convention.

[...]

Bezwaar door Noorwegen, 14 oktober 1996

In [the view of the Government of Norway], reservations in respect of article IX of the Convention are incompatible with the object and purpose of the said Convention. Accordingly, the Government of Norway does not accept the reservations entered by the Governments of Singapore and [...] to article IX of the Convention.

Bezwaar door Verenigd Koninkrijk, 20 maart 1996

The Government of the United Kingdom of Great Britain and Northern Ireland have consistently stated that they are unable to accept reservations to article IX. In their view, these are not the kind of reservations which intending parties to the Convention have the right to make.

Accordingly, the Government of the United Kingdom do not accept the reservations entered by the Government of Singapore and [...] to article IX of the Convention.

Venezuela, 12 juli 1960

With reference to article VI, notice is given that any proceedings to which Venezuela may be a party before an international penal tribunal would be invalid without Venezuela's prior express acceptance of the jurisdiction of such international tribunal.

With reference to article VII, notice is given that the laws in force in Venezuela do not permit the extradition of Venezuelan nationals.

With reference to article IX, the reservation is made that the submission of a dispute to the International Court of Justice shall be regarded as valid only when it takes place with Venezuela's approval, signified by the express conclusion of a prior agreement in each case.

Bezwaar door Verenigd Koninkrijk, 30 januari 1970

The Government of the United Kingdom do not accept the reservations to articles [...], VII, [...], IX or [...] of the Convention made by [...] Venezuela.

Verenigde Arabische Emiraten, 11 november 2005

The Government of the State of the United Arab Emirates, having considered the aforementioned Convention and approved the contents thereof, formally declares its accession to the Convention and makes a reservation with respect to article 9 thereof concerning the submission of disputes arising between the Contracting Parties relating to the interpre-

tation, application or fulfilment of this Convention, to the International Court of Justice, at the request of any of the parties to the dispute.

Verenigde Staten van Amerika, 25 november 1988

Reservations

(1) That with reference to article IX of the Convention, before any dispute to which the United States is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the United States is required in each case.

(2) That nothing in the Convention requires or authorizes legislation or other action by the United States of America prohibited by the Constitution of the United States as interpreted by the United States.

Understandings

(1) That the term 'intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such' appearing in article II means the specific intent to destroy, in whole or in substantial part, a national, ethnical, racial or religious group as such by the acts specified in article II.

(2) That the term "mental harm" in article II (b) means permanent impairment of mental faculties through drugs, torture or similar techniques.

(3) That the pledge to grant extradition in accordance with a state's laws and treaties in force found in article VII extends only to acts which are criminal under the laws of both the requesting and the requested state and nothing in article VI affects the right of any state to bring to trial before its own tribunals any of its nationals for acts committed outside a state.

(4) That acts in the course of armed conflicts committed without the specific intent required by article II are not sufficient to constitute genocide as defined by this Convention.

(5) That with regard to the reference to an international penal tribunal in article VI of the Convention, the United States declares that it reserves the right to effect its participation in any such tribunal only by a treaty entered into specifically for that purpose with the advice and consent of the Senate.

Bezwaar door Denemarken, 27 december 1989

With regard to reservation (2); In the view of the Government of Denmark this reservation is subject to general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Duitsland, 11 januari 1990

The Government of the Federal Republic of Germany has taken note of the declarations made under the heading "Reservations" by the Government of the United States of America upon ratification of the Convention on the Prevention and Punishment of

the Crime of Genocide adopted by the General Assembly of the United Nations on 9 December 1948. The Government of the Federal Republic of Germany interprets paragraph (2) of the said declarations as a reference to article V of the Convention and therefore as not in any way affecting the obligations of the United States of America as a State Party to the Convention.

Bezwaar door Estland, 21 oktober 1991

With regard to reservation (2); the Estonian Government objects to this reservation on the grounds that it creates uncertainty, as to the extent of the obligations the Government of the United States of America is prepared to assume with regard to the Convention. According to article 27 of the Vienna Convention on the Law of Treaties, no party may invoke the provisions of its domestic law as justification for failure to perform a treaty.

Bezwaar door Finland, 22 december 1989

With respect to reservation (2); In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Griekenland, 26 januari 1990

The Government of the Hellenic Republic cannot accept the first reservation entered by the United States of America upon ratifying the Agreement on the Prevention and Punishment of the Crime of Genocide, for it considers such a reservation to be incompatible with the Convention.

In respect of the second reservation; In view of the Government of the Hellenic Republic this reservation is subject to general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Ierland, 22 december 1989

The Government of Ireland is unable to accept the second reservation made by the United States of America on the occasion of its ratification of the [said] Convention on the grounds that as a generally accepted rule of international law a party to an international agreement may not, by invoking the terms of its internal law, purport to override the provisions of the Agreement.

Bezwaar door Italië, 29 december 1989

The Government of the Republic of Italy objects to the second reservation entered by the United States of America. It creates uncertainty as to the extent of the obligations which the Govern-

ment of the United States of America is prepared to assume with regard to the Convention.

Bezwaar door Mexico, 4 juni 1990

The Government of Mexico believes that the reservation made by the United States Government to article IX of the aforesaid Convention should be considered invalid because it is not in keeping with the object and purpose of the Convention, nor with the principle governing the interpretation of treaties whereby no State can invoke provisions of its domestic law as a reason for not complying with a treaty.

If the aforementioned reservation were applied, it would give rise to a situation of uncertainty as to the scope of the obligations which the United States Government would assume with respect to the Convention.

Mexico's objection to the reservation in question should not be interpreted as preventing the entry into force of the 1948 Convention between the [Mexican] Government and the United States Government.

Bezwaar door **Nederlanden, het Koninkrijk der**, 27 december 1989

As concerns the first reservation, the Government of the Kingdom of the Netherlands recalls its declaration, made on 20 June 1966 on the occasion of the accession of the Kingdom of the Netherlands to the Convention [...] stating that in its opinion the reservations in respect of article IX of the Convention, made at that time by a number of states, were incompatible with the object and purpose of the Convention, and that the Government of the Kingdom of the Netherlands did not consider states making such reservations parties to the Convention. Accordingly, the Government of the Kingdom of the Netherlands does not consider the United States of America a party to the Convention. [...]. As the Convention may come into force between the Kingdom of the Netherlands and the United States of America as a result of the latter withdrawing its reservation in respect of article IX, the Government of the Kingdom of the Netherlands deems it useful to express the following position on the second reservation of the United States of America:

The Government of the Kingdom of the Netherlands objects to this reservation on the ground that it creates uncertainty as to the extent of the obligations the Government of the United States of America is prepared to assume with regard to the Convention. Moreover, any failure by the United States of America to act upon the obligations contained in the Convention on the ground that such action would be prohibited by the constitution of the United States would be contrary to the generally accepted rule of

international law, as laid down in article 27 of the Vienna Convention on the law of treaties (Vienna, 23 May 1969).

Bezwaar door Noorwegen, 22 december 1989

With regard to reservation (2); In the view of the Government of Norway this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Spanje, 29 december 1989

With regard to reservation (2); Spain interprets the reservation entered by the United States of America to the Convention on the Prevention and Punishment of the Crime of Genocide adopted by the General Assembly of the United Nations on 9 December 1948 [...] to mean that legislation or other action by the United States of America will continue to be in accordance with the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

Bezwaar door Verenigd Koninkrijk, 22 december 1989

The Government of the United Kingdom have consistently stated that they are unable to accept reservations to article IX. Accordingly, in conformity with the attitude adopted by them in previous cases, the Government of the United Kingdom do not accept the first reservation entered by the United States of America.

The Government of the United Kingdom object to the second reservation entered by the United States of America. It creates uncertainty as to the extent of the obligations which the Government of the United States of America is prepared to assume with regard to the Convention.

Bezwaar door Zweden, 22 december 1989

With regard to reservation (2); The Government of Sweden is of the view that a State party to the Convention may not invoke the provisions of its national legislation, including the Constitution, to justify that it does not fulfil its obligations under the Convention and therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and the United States of America.

Vietnam, 9 juni 1981

1. The Socialist Republic of Viet Nam does not consider itself bound by article IX of the Convention which provides the jurisdiction of the International Court of Justice in solving disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the Con-

vention at the request of any of the parties to disputes. The Socialist Republic of Viet Nam is of the view that, regarding the jurisdiction of the International Court of Justice in solving disputes referred to in article IX of the Convention, the consent of the parties to the disputes except the criminals is diametrically necessary for the submission of a given dispute to the International Court of Justice for decision.

2. The Socialist Republic of Viet Nam does not accept article XII of the Convention and considers that all provisions of the Convention should also extend to Non-Self-Governing Territories, including Trust Territories.

3. The Socialist Republic of Viet Nam considers that article XI is of a discriminatory nature, depriving a number of States of the opportunity to become parties to the Convention, and holds that the Convention should be open for accession by all States.

Bezwaar door Cambodja, 9 november 1981

The Government of Democratic Kampuchea, as a party to the Convention on the Prevention and Punishment of the Crime of Genocide, considers that the signing of that Convention by the Government of the Socialist Republic of Viet Nam has no legal force, because it is no more than a cynical, macabre charade intended to camouflage the foul crimes of genocide committed by the 250,000 soldiers of the Vietnamese invasion army in Kampuchea. It is an odious insult to the memory of the more than 2,500,000 Kampucheans who have been massacred by these same Vietnamese armed forces using conventional weapons, chemical weapons and the weapon of famine, created deliberately by them for the purpose of eliminating all national resistance at its source.

It is also a gross insult to hundreds of thousands of Laotians who have been massacred or compelled to take refuge abroad since the occupation of Laos by the Socialist Republic of Viet Nam, to the Hmong national minority in Laos, exterminated by Vietnamese conventional and chemical weapons and, finally, to over a million Vietnamese "boat people" who died at sea or sought refuge abroad in their flight to escape the repression carried out in Viet Nam by the Government of the Socialist Republic of Viet Nam.

This shameless accession by the Socialist Republic of Viet Nam violates and discredits the noble principles and ideals of the United Nations and jeopardizes the prestige and moral authority of our world Organization. It represents an arrogant challenge to the international community, which is well aware of these crimes of genocide committed by the Vietnamese army in Kampuchea, has constantly denounced and condemned them since 25 December 1978, the date on which the Vietnamese invasion of Kampuchea began, and demands that these Vietnamese crimes of geno-

cide be brought to an end by the total withdrawal of the Vietnamese forces from Kampuchea and the restoration of the inalienable right of the people of Kampuchea to decide its own destiny without any foreign interference, as provided in United Nations resolutions 34/22, 35/6 and 36/5.

Bezwaar door Verenigd Koninkrijk, 26 augustus 1983
With regard to statements made by Viet Nam concerning articles IX and XII and [...]: The Government of the United Kingdom have [...] consistently stated that they are unable to accept reservations to [article IX]. Likewise, in conformity with the attitude adopted by them in previous cases, the Government of the United Kingdom do not accept the reservation entered by Viet Nam relating to article XII.

G. INWERKINGTREDING

Zie *Trb.* 1966, 179.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, dat vanaf 1 januari 1986 voor Nederland (het Europese deel), de Nederlandse Antillen en Aruba gold, vanaf 10 oktober 2010 voor Nederland (het Europese deel en het Caribische deel), Aruba, Curaçao en Sint Maarten.

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens, zie *Trb.* 1960, 32, *Trb.* 1966, 179, *Trb.* 1970, 190 en *Trb.* 1994, 254.

Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2012, 200

Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2012, 128

Uitgegeven de *achttiende* februari 2014.

De Minister van Buitenlandse Zaken,

F.C.G.M. TIMMERMANS