

Treaty Series No. 60 (2002)

# FOURTH SUPPLEMENTARY LIST

OF RATIFICATIONS, ACCESSIONS, WITHDRAWALS, ETC., FOR 2002

[In continuation of Treaty Series No. 59 (2002), Cm 5855]

Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 2003

Cm 5942 £11·00



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# FOURTH SUPPLEMENTARY LIST OF RATIFICATIONS, ACCESSIONS, WITHDRAWALS, ETC. FOR 2002

[In continuation of Treaty Series No. 59 (2002) Cm 5855]

N.B. Unless otherwise stated, the dates herein are the dates of deposit of the ratifications, etc. and are not necessarily effective dates, which must normally be determined from the terms of the treaties concerned.

Declarations, reservations etc. are given only in English, being either the texts of the originals or, alternatively, translations from foreign language texts. In the latter case, the translations given are not in all cases official or authoritative; for an authoritative statement, the foreign language text of the original should be consulted.

This publication contains information received up to 31 December 2002.

accordance with international law.

	Date	Treaty Series and Command Nos.
ANIMALS & CONSERVATION		
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas	New York, 17 Mar., 1992	052/1995 Cm 2916
Extension (United Kingdom)— Bailiwick of Jersey	26 Sept., 2002	
United Nations Convention to Combat Desertification in those Countries experiencing serious Drought and/or Desertification, particularly in Africa	Paris 14 Oct., 1994 -13 Oct., 1995	021/1997 Cm 3584
Accession— Brunei Darussalam	4 Dec., 2002 21 Oct., 2002	
ATOMIC ENERGY		
Convention on the Physical Protection of Nuclear Material	Vienna/ New York, 3 Mar., 1980	061/1995 Cm 2945
Accession—         Ghana	16 Oct., 2002 6 Nov., 2002 2 Oct., 2002	
AVIATION		
<b>Protocol</b> for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971 (ICAO version)	Montreal, 24 Feb., 1988	020/1991 Cm 1470
Accession—     Barbados	12 Sept., 2002 18 July, 2002	
[See also Terrorism]		
BOSNIA AND HERZEGOVINA		
Note— The Third Supplementary list of Ratifications, Accessions, Withdrawals, Etc. for 2000 (Treaty Series No. 135(2000): Cm 5028) published details of an Exchange of Notes dated 1 October 1997 and 4 May 1998 between the Government of the <i>United Kingdom</i> of Great Britain and Northern Ireland and the Government of <i>Bosnia and Herzegovina</i> respectively, whereby it was agreed that the bilateral agreements listed in the latter's Note remain in force between Bosnia and Herzegovina and the United Kingdom of Great Britain and Northern Ireland, without prejudice to the possibility that other bilateral agreements and arrangements may remain in force between the two countries in		

Treaty Series and Command Nos.

#### **BOSNIA AND HERZEGOVINA** (continued)

The list of treaties referred to above was regrettably published in incomplete form, and is therefore re-printed below (footnotes relating to the status of individual treaties were accurate at the time of original publication);

- 1. Treaty between Great Britain and Serbia for the Mutual Surrender of Fugitive Criminals (Belgrade, 6 December 1900)
- 2. Treaty of Commerce and Navigation between His Majesty in respect of Great Britain and Northern Ireland and His Majesty the King of the Serbs, Croats and Slovenes (with Exchange of Notes) (London, 12 May 1927)
- 3. Convention between His Majesty in respect of the United Kingdom and His Majesty the King of Yugoslavia regarding Legal Proceedings in Civil and Commercial Matters (London, 27 February 1936)
- 4. Agreement between His Majesty's Government in the United Kingdom and the Government of Yugoslavia regarding Trade and Payments (London, 27 November 1936)
- 5. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Yugoslavia regarding Compensation for British Property, Rights and Interests affected by Yugoslav Measures of Nationalisation, Expropriation, Dispossession and Liquidation (with Exchanges of Notes) (London, 23 December 1948)
- 6. Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal People's Republic of Yugoslavia (London, 24 May 1958)
- 7. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Federal People's Republic of Yugoslavia concerning Air Services (London, 3 February 1959)
- 8. Arrangement for administering the Convention on Social Security between the Federal People's Republic of Yugoslavia and the United Kingdom of Great Britain and Northern Ireland, signed in London 24 May 1958 (Belgrade, 20 November 1959)
- 9. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal People's Republic of Yugoslavia on the Establishment of a United Kingdom Information Agency in the Federal People's Republic of Yugoslavia (with Exchange of Notes) (Belgrade, 8 June 1961)
- 10. Consular Convention between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and the President of the Socialist Federal Republic of Yugoslavia (with Protocols of Signature) (Belgrade, 21 April 1965)
- 11. Cultural Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia (Belgrade, 27 January 1966)
- 12. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia revising the Annex to the Agreement on Air Services signed at London on 3 February 1959 (Belgrade, 21 February and 4 March, 1968)
- 13. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia for Co-operation in the Fields of Applied Science and Technology with Agreed Minute (Belgrade, 19 April 1968)
- 14. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia on the International Carriage of Goods by Road (London, 3 February 1969)

RATIFICATIONS, ETC	•	
	Date	Treaty Series and Command Nos.
OSNIA AND HERZEGOVINA (continued)		Communa 1vos.
*15. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia concerning the Abolition of Visas (Belgrade, 29 April 1969) *16. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia amending the Agreement of 29 April 1969 concerning the Abolition of Visas (Belgrade, 19 February/4 March 1970) 17. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Socialist Federal Republic of Yugoslavia further revising the Annex to the Agreement on Air Services signed at London on 3 February 1959 (Belgrade, 2 June 1970) 18. Convention between the United Kingdom of Great Britain and Northern Ireland and the Socialist Federal Republic of Yugoslavia for the avoidance of Double Taxation with respect to taxes on Income with Yugoslav Full Powers and Exchange of Notes concerning entry into force (London, 6 November 1981) *19. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Federal Executive Council of the Assembly of the Socialist Federal Republic of Yugoslavia, further amending the Agreement of 29 April 1969 concerning the Abolition of Visas (Belgrade, 3 February and 16 June 1988)		
Note— *These Agreements are currently suspended. They may be brought into effect again on the initiative of either party provided that the suspending Government is satisfied that the reasons for suspension no longer apply.		
USTOMS		
Agreement on the Temporary Importation, Free of Duty, of Medical, Surgical and Laboratory Equipment for Use on Free Loan in Hospitals and other Medical Institutions for Purposes of Diagnosis or Treatment (ETS No. 33]	Strasbourg, 28 Apr., 1960	052/1960 Cmnd 1136
Ratification— Lithuania	18 Sept., 2002	
Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention)	Geneva, 1 Jan. 1976 –31 Dec., 1976	056/1983 Cmnd 9032
Accession—  Mongolia	1 Oct., 2002	
Additional Protocol to the Agreement on the Temporary Importation, Free of Duty, of Medical, Surgical and Laboratory Equipment for the use on Free Loan in Hospitals and other Medical Institutions for Purposes of Diagnosis or Treatment [ETS No. 110]	Adopted Strasbourg, 29 Sept., 1982	010/1986 Cmnd 9726
Ratification— Lithuania	18 Sept., 2002	
EFENCE		
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents	New York 14 Dec., 1973 -31 Dec., 1974	003/1980 Cmnd 7765
Accession—  Lao People's Democratic Republic (with reservation*)  Lithuania (with reservation*)	22 Aug., 2002 23 Oct., 2002 27 Nov., 2002	

	Date	Treaty Series and Command Nos.
DEFENCE (continued)		
Reservation* In accordance with paragraph 2, Article 13 of the Convention		
on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 13 of the present Convention. The Lao People's Democratic Republic declares that to refer to a dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary.		
Reservation*		
Whereas it is provided in paragraph 2 of Article 13 of the said Convention, the Seimas of the Republic of Lithuania declares that the Republic of Lithuania does not consider itself bound by paragraph 1 of Article 13 of the said Convention, providing that any dispute concerning the interpretation or application of this Convention shall be referred to the International Court of Justice.		
<b>Convention</b> on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	Oslo, 18 Sept., 1997	018/1999 Cm 4308
Ratification—         Cameroon	19 Sept., 2002 23 Sept., 2002	
Accession— Central African Republic	8 Nov., 2002 19 Sept., 2002	
DISARMAMENT		
<b>Convention</b> on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction [Washington Version]	Washington 10 Apr., 1972	011/1976 Cmnd 6397
Accession— Holy See (with declaration*)	7 Jan., 2002	
Adherence— Mali	25 Nov., 2002	
Declaration*		
The Holy See, by acceding to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC), which was adopted by the General Assembly of the United Nations on 16 December 1971 and entered into force on 26 March 1975, wishes to encourage the whole International Community resolutely to pursue the paths leading to a system of disarmament of weapons of mass destruction, as part of the process of global and complete disarmament.  The tragic events of 11 September 2001 have led to a clearer and more widespread awareness of the need to build a culture of multilateral dialogue and a climate of trust among all the		
members of the human family. At this particular point in history, instruments of co-operation and prevention constitute one of the most effective safeguards in the face of heinous acts such as the use of biological weapons, capable of indiscriminately striking at innocent civilian populations.  In conformity with its own nature and the specific condition of Vatican City State, the Holy See, by its solemn act of accession, wishes to offer its moral support to the commitment of all States to promote a practical implementation of the Convention in		

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	Date	Treaty Series and Command Nos.
DISARMAMENT (continued)		
question, aware that the establishment of a culture of peace and of life is based upon the values of responsibility, solidarity and dialogue.		
From the Vatican, 4 December 2001		
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction	Paris 13 Jan., 1993	045/1997 Cm 3727
Ratification— Samoa	27 Sept., 2002	
Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, Entitled Protocol on Blinding Laser Weapons)	Adopted New York, 13 Oct., 1995	025/2001 Cm 5135
Consent to be Bound— Slovenia	3 Dec., 2002	
Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as Amended on 3 May 1996 (Protocol II as amended), Annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects	Adopted Geneva, 3 May, 1996	021/2001 Cm 5131
Consent to be Bound—  Latvia (with declaration*)	22 Aug., 2002 3 Dec., 2002	
Declaration*		
According to the sub-paragraph (c) of paragraph 2 of the Technical Annex of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996), the Republic of Latvia declares that it will defer compliance with sub-paragraph (b) for a period of 9 years from the entry into force of the said Protocol.		
DISPUTES		
Convention on the Recognition and Enforcement of Foreign Arbitral Awards	New York 10 June, 1958 -31 Dec., 1958	020/1976 Cmnd 6419
Note—		
On 25 September 2002, the Secretary-General of the United Nations, as depositary, received from the Government of <i>Jamaica</i> a reservation in respect of article 1, paragraph 3 of the above Convention, as follows:  "The Government of Jamaica, on the basis of Reciprocity, will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State, in accordance with article 1(3).  The Government of Jamaica further declares that the Convention will only be applied to differences arising out of legal relationships, whether contractual or not, which are considered to be commercial under the national laws of Jamaica in accordance with article 1(3) of the Convention."		
The International Opium Convention and Subsequent Relative	The Hague	017/1921
Papers	23 Jan., 1912	Cmd 1520
Succession— Yugoslavia, Federal Republic of*	31 July, 2002	

KATHICATIONS, LIC	•	
	Date	Treaty Series and Command Nos
DRUGS (continued)		
*Now (Serbia and Montenegro)		
Protocol amending the Agreements, Conventions and Protocols on Narcotic Drugs concluded at The Hague on 23rd January, 1912 at Geneva on 11th February, 1925, and 19th February, 1925, and 13th July, 1931 at Bangkok on 27th November, 1931, and at Geneva on 26th June, 1936	New York 11 Dec., 1946	035/1947 Cmd 7135
Succession— Yugoslavia, Federal Republic of*	31 July, 2002	
*Now Serbia and Montenegro		
Convention on Psychotropic Substances with revised Schedules	Vienna 21 Feb., 1971 –1 Jan., 1972	051/1993 Cm 2307
Note— On 25 November 2002, the Secretary-General of the United Nations, as depositary, received a declaration from the Government of the <i>United Kingdom of Great Britain and Northern Ireland</i> a declaration in accordance with Article 28 that the Isle of Man and the following territories to which the Convention was extended on 3 June 1993: Anguilla Bermuda British Antarctic Territory		
Cayman Islands Falkland Islands Gibraltar Isle of Man Montserrat South Georgia and South Sandwich Islands Turks and Caicos Islands Are each a separate region for the purpose of the Convention.		
Anti-Doping Convention (ETS No. 135]	Strasbourg 16 Nov., 1989	085/1990 Cm 1330
Signature— Belarus	12 Sept., 2002	
CONOMIC CO-OPERATION AND DEVELOPMENT		
<b>Agreement</b> establishing the Common Fund for Commodities.	New York, 1 October., 1980 -30 Sept., 1981	005/1992 Cm 1797
On 26 November 2002, the Secretary-General of the United Nations, as depositary, received a communication from the Governing Council establishing the terms and conditions for accession by the <i>Lao People's Democratic Republic</i> to the above Agreement, as follows:  The Governing Council,  Considering the request by the Government of Laos that the Governing Council establish terms and conditions for accession		
by Laos to the Agreement Establishing the Common Fund for Commodities,  Recalling the provisions of Article 56 of the Agreement under which any State or intergovernmental organisation specified in		
Article 4 of the Agreement may accede to the Agreement upon such terms and conditions as agreed upon between the Governing Council and the State or intergovernmental organisation concerned,		
1. Decides that the terms and conditions for accession by Laos to the Agreement Establishing the Common Fund for Commodities shall be the rights and obligations of membership in the Common Fund as provided for in the Agreement,		

RATIFICATIONS, ETC	· .	
	Date	Treaty Series and Command Nos
<b>ECONOMIC CO-OPERATION AND DEVELOPMENT</b> (continued)		
including entitlement to the shares of Directly Contributed Capital and votes allocated to Laos under the relevant schedules of the Agreement;  2. Decides further that the payment by Laos of its financial obligations relating to the subscription of shares of Directly Contributed Capital shall be made in the manner specified in Article 11 of the Agreement;  3. Also decides that the above terms and conditions shall remain valid until 31 December 2002.		
EXTRADITION		
<b>European Convention</b> on Extradition [ETS No. 24]	Paris 13 Dec., 1957	097/1991 Cm 1762
Accession— Yugoslavia, FR (with declaration*)	30 Sept., 2002	
Declaration*  1. The Federal Republic of Yugoslavia shall refuse extradition, in accordance with Article 6, paragraph 1(a), of the Convention, and transit of its nationals in accordance with Article 21, paragraph 2, of the Convention.  2. In accordance with Article 21, paragraph 5, of the Convention, the Federal Republic of Yugoslavia shall grant the transit of a person exclusively under the same conditions applicable in case of extradition.		
Note— On 23 September 2002, the Secretary-General of the Council of Europe, as Depositary, received from the government of <i>Denmark</i> a declaration, as follows: The Government of Denmark declares that it withdraws its reservation made in respect to Article 2, paragraph 1 of the Convention*.		
* The Reservation read as follows: "The obligation to grant extradition shall be restricted to offences which, under the Danish penal code, are punishable by a penalty more severe than imprisonment for one year or simple detention."		
FILMS		
<b>European Convention</b> on Cinematographic Co-Production [ETS No. 147]	Strasbourg 2 Oct., 1992	014/1994 Cm 2495
Ratification— Georgia	15 Oct., 2002	
Note— On 9 August 2002, the Secretary-General of the Council of Europe, as depositary, received from the Government of <i>Greece</i> a communication concerning the Competent Authority in accordance with Article 5, paragraph 5, as follows:		
Ministry of Culture Directorate General of Cultural Development Cinematographic Department 5 Metsovou Street 106 82 Athens GREECE		
FOOD		
<b>Food Aid</b> Convention, 1999	Adopted London 13 Apr., 1999	109/2000 Cm 4856

10 RATIFICATIONS, ETC. Date FOOD (continued) Ratification-France<sup>1</sup>.. 17 Oct., 2002 <sup>1</sup> Refer to depositary notification CN 583.1999.TREATIES-26 of 30 June 1999 (France: Provisional Application) **GATT Agreement** on Government Procurement Marrakesh 15 Apr., 1994 Note-Replacement pages 1/6 to 6/6 of Annex 2 of Appendix 1 containing the certified modifications follow: It is hereby certified that the modifications to Appendix 1, Annex 2 of the Agreement on Government Procurement (1994) concerning the United States which were notified to the Committee on Government Procurement (GPA/W/208) pursuant to the procedures of Article XXIV:6 became effective as of 16 October 2002. Pursuant to the Decision of the Committee on Government Procurement adopted on 4 June 1996 regarding the establishment of a loose-leaf system with legal effect to periodically update the Appendixes to the Agreement on Government Procurement (GPA/M/2) and procedures with respect to the modifications to the loose-leaf system (GPA/M/5), these modifications are contained in the attached replacement pages to the loose-leaf system. Accordingly, the attached pages replace pages 1/6 to 6/6 of Annex 2 to Appendix 1 of the United States in the Loose-Leaf System of Appendixes in conformity with the afore-mentioned Decisions. This notification is furnished in accordance with paragraph 14 of Article XXIV of the Agreement. This Certification is deposited with the Director-General of the World Trade Organization, who shall promptly furnish a certified true copy to each party to the Agreement on Government Procurement. It shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations. Done at Geneva this twelfth day of November, two thousand and two. **UNITED STATES** (Authentic in the English language only) ANNEX 2 Sub-Central Government Entities which Procure in Accordance With the Provisions of this Agreement 355, 000 SDRs for supplies and services Threshold: 5 million SDRs for construction List of Entities: Arizona Executive branch agencies Arkansas Exective branch agencies, including universities but excluding the Office of Fish and Game and construction services California Executive branch agencies Colorado

Executive branch agencies

Treaty Series and Command Nos.

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#### GATT (continued)

#### Connecticut

Department of Administrative Services

Connecticut Department of Transportation

Connecticut Department of Public Works

Constituent Units of Higher Education

#### Delaware\*

Administrative Services (Central Procurement Agency)

State Universities

State Colleges

#### Florida\*

Executive branch agencies

#### Hawaii

Department of Accounting and General Services (with the exception of procurements of software developed in the state and construction)

#### Idaho

Central Procurement Agency (including all colleges and universities subject to central purchasing oversight)

#### Illinois\*

Department of Central Management Services

## Iowa\*

Department of General Services

Department of Transportation

Board of Regents' Institutions (universities)

# Kansas

Executive branch agencies, excluding construction services, automobiles and aircraft

#### Kentucky

Division of Purchases, Finance and Administration Cabinet, excluding construction projects

# Louisiana

Executive branch agencies

#### Maine\*

Department of Administrative and Financial Services

Bureau of General Services (covering state government agencies and school construction)

Maine Department of Transportation

# Maryland\*

Office of the Treasury

Department of the Environment

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Licensing and Regulation

Department of Natural Resources

Department of Public Safety and Correctional Services

Department of Personnel

Department of Transportation

#### Massachusetts

Executive Office for Administration and Finance

Treaty Series and Command Nos.

#### **GATT** (continued)

Executive Office of Communities and Development

**Executive Office of Consumer Affairs** 

**Executive Office of Economic Affairs** 

**Executive Office of Education** 

Executive Office of Elder Affairs

Executive Office of Environmental Affairs

Executive Office of Health and Human Service

Executive Office of Labor

Executive Office of Public Safety

Executive Office of Transportation and Construction

#### Michigan\*

Department of Management and Budget

#### Minnesota

Executive branch agencies

#### Mississippi

Department of Finance and Administration (does not include services)

#### Missouri

Office of Administration

Division of Purchasing and Materials Management

#### Montana

Executive branch agencies (only for services and construction)

#### New York\*

State agencies

State university system

Public authorities and public benefit corporations, with the exception of those entities with multi-state mandates

In addition to the exceptions noted at the end of this annex, transit cars, buses and related equipment are not covered.

## Nebraska

Central Procurement Agency

#### New Hampshire\*

Central Procurement Agency

#### Oklahoma\*

Office of Public Affairs and all state agencies and departments subject to the Oklahoma Central Purchasing Act, excluding construction services.

#### Oregon

Department of Administrative Services.

#### Pennsylvania\*

Executive branch agencies, including:

#### Governor's Office

Department of the Auditor General

Treasury Department

Department of Agriculture

Department of Banking

Pennsylvania Securities Commission

Department of Health

Department of Transportation

Insurance Department

Department of Aging

Department of Correction

Department of Labor and Industry

Treaty Series and Command Nos.

#### **GATT** (continued)

Department of Military Affairs Office of Attorney General Department of General Services Department of Education Public Utility Commission Department of Revenue Department of State Pennsylvania State Police Department of Public Welfare

Fish Commission

Game Commission

Department of Commerce

Board of Probation and Parole

Liquor Control Board

Milk Marketing Board

Lieutenant Governor's Office

Department of Community Affairs

Pennsylvania Historical and Museum Commission

Pennsylvania Emergency Management Agency

State Civil Service Commission

Pennsylvania Public Television Network

Department of Environmental Resources

State Tax Equalisation Board

Department of Public Welfare

State Employees' Retirement System

Pennsylvania Municipal Retirement Board

Public School Employees' Retirement System

Pennsylvania Crime Commission

**Executive Offices** 

#### Rhode Island

Executive branch agencies, excluding boats, automobiles, buses and related equipment.

#### SouthDakota

Central Procuring Agency (including universities and penal institutions).

In addition to the exceptions noted at the end of this annex, procurements of beef are not covered.

#### Tennessee

Executive branch agencies (excluding services and construction).

#### Texas

Texas Building and Procurement Commission.

# Utah

Executive branch agencies.

#### Vermont

Executive branch agencies.

#### Washington

Washington State executive branch agencies, including:

General Administration

Department of Transportation

State Universities

In addition to the exceptions noted at the end of this annex, procurements of fuel, paper products, boats, ships and vessels are not covered.

#### Wisconsin

Executive branch agencies, including:

Department of Administration

State Correctional Institutions

Department of Development

14 RATIFICATIONS, ETC	· ·	
	Date	Treaty Series and Command Nos.
GATT (continued)		
Educational Communications Board Department of Employment Relations State Historical Society Department of Health and Social Services Insurance Commissioner Department of Justice Lottery Board Department of Natural Resources Administration for Public Instruction Racing Board Department of Revenue State Fair Park Board Department of Transportation State University System		
Wyoming* Procurement Services Division Wyoming Department of Transportation University of Wyoming		
Notes to Annex 2  In addition to the conditions specified in the General Notes, the following conditions apply:		
1. For those states marked by an asterisk with pre-existing restrictions, the Agreement does not apply to procurement of construction-grade steel (including requirements on subcontracts), motor vehicles and coal.		
2. The Agreement shall not apply to preferences or restrictions associated with programmes promoting the development of distressed areas and businesses owned by minorities, disabled veterans and women.		
3. Nothing in this annex shall be construed to prevent any state entity from applying restrictions that promote the general environmental quality in that state, as long as such restrictions are not disguised barriers to international trade.		
4. The Agreement shall not apply to any procurement made by a covered entity on behalf of non-covered entities at a different level of government.		
5. The Agreement shall not apply to restrictions attached to Federal funds for mass transit and highway projects.		
HEALTH		
European Agreement on the Exchanges of Blood-Grouping Reagents	Strasbourg 14 May, 1962	028/1965 Cmnd 2596
Signature— Slovak Republic	4 Sept., 2002	
Additional Protocol to the European Agreement on the Exchanges of Blood Grouping Reagents (Council of Europe No. 111)	Adopted Strasbourg 29 Sept., 1982	012/1986 Cmnd 9725
Signature— Slovak Republic	4 Sept., 2002	
HUMAN RIGHTS		
International Convention on the Elimination of All Forms of Racial Discrimination	New York 7 Mar., 1966	077/1969 Cmnd 4108
Ratification— Turkey (with declarations and reservation*)	16 Sept., 2002	

RATIFICATIONS, ETC	•	
	Date	Treaty Series and Command Nos.
HUMAN RIGHTS (continued)		Communa 1105.
Declaration*		
1. The Republic of Turkey declares that it will implement the provisions of this Convention only to the States Parties with which it has diplomatic relations.		
2. The Republic of Turkey declares that this Convention is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied.		
Reservation*		
The Republic of Turkey does not consider itself bound by Article 22 of this Convention. The explicit consent of the Republic of Turkey is necessary in each individual case before any dispute to which the Republic of Turkey is party concerning the interpretation or application of this Convention may be referred to the International Court of Justice.		
Accession— Equatorial Guinea (with reservation*)	8 Oct., 2002	
Reservation* [Translation:] [original: Spanish] 8 Oct., 2002		
The Republic of Equatorial Guinea does not consider itself bound by the provisions of Article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the Parties to the dispute, to be referred to the International Court of Justice for decision. The Republic of Equatorial Guinea considers that, in each individual case, the consent of all Parties is necessary for referring the dispute to the International Court of Justice.		
International Covenant on Economic, Social and Cultural Rights	New York, 19 Dec., 1966	006/1977 Cmnd 6702
Accession— Djibouti	5 Nov., 2002	
International Covenant on Civil and Political Rights	New York, 19 Dec., 1966	006/1977 Cmnd 6702
Accession— Djibouti	5 Nov., 2002	
Note— On 13 August 2002, the Secretary-General of the United Nations, as depositary, received from the government of <i>Colombia</i> a notification, made under Article 4(3) of the Covenant, transmitting Decree No. 1837 dated 11 August 2002, which declared a state of internal disturbance throughout the national territory, and Decree No. 1838 dated 11 August 2002, which introduced a special tax to meet the necessary expenditure under the country's General Budget to maintain democratic security, as follows;		
[Translation:]		
Republic of Colombia		
Ministry of Foreign Affairs DM.0J. 29608 Bogotá, 12 August 2002		
Sir,  I have the honour to write to you on behalf of the Government of Colombia, in accordance with the Provisions of article 4, paragraph 3, of the International Covenant on Civil and Political Rights, in order to inform the other States Parties to the Covenant, through the intermediary of yourself, of the		

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

declaration of a state of internal disturbance, which was issued by decree yesterday throughout the national territory.

The declaration to which I refer was made in response to events which have changed the normal course of the Country's activities, producing a state of disturbance in all areas of the country, as a result of the increase in the number of attacks against the civilian population and democratic institutions, particularly against local government leaders, carried out by armed groups acting outside the law and largely funded by resources gained through drug trafficking, abduction and extortion.

The number of such illegal armed groups has increased. They are using non-conventional weapons, whose impact is excessive and indiscriminate, and carrying out terrorist attacks which have a detrimental effect on, *inter alia*, the infrastructure of essential services and the lives, freedom and personal integrity of the civilian population, especially among the most vulnerable sectors of the population, including minors.

In order to deal with this situation, the Government of Colombia has deemed it necessary to adopt temporary measures of an exceptional nature, including taxation; expansion and improvement of available forces; and support for government procurators, special prosecutors, officially appointed lawyers, the criminal investigation service and the Office of the People's Advocate, among other measures.

The state of internal disturbance has been decreed in line with the powers provided for in the Political Constitution of Colombia, especially article 213, which applies in cases of serious disruption of public order imminently threatening institutional stability, the security of the State or the peaceful coexistence of the citizenry and which are not amendable to the ordinary powers of the police authorities. In accordance with the Constitution, the Government will submit to the Congress of the Republic a report explaining the reasons for the declaration of a state of internal disturbance.

The powers of the Executive deriving from the declaration of a state of internal disturbance may not exceed a period of 90 days, extendable for two similar periods, the second of which requires the prior approval of the Senate of the Republic.

These powers give the national Government the legal authority to restrict certain public freedoms and to make use of the right described in article 4, paragraph 1, of the International Covenant on Civil and Political Rights. The Government of Colombia hereby exercises that right with the issuance of decrees of a legislative nature directly relating to the reasons that gave rise to the declaration. Such decrees must bear the signature of the President and all his ministers and will be submitted for scrutiny by the Constitutional Court.

The provisions adopted in implementation of the declaration of a state of internal disturbance will not be incompatible with the other obligations borne by the State under international law and will not entail any discrimination on the basis of race, colour, sex, language, religion or social origin. Nor will there be any order to suspend the rights and guarantees contained in article 4, paragraph 2, of the International Covenant on Civil and Political Rights.

In compliance with the State's treaty obligations, I herewith enclose copies of Decree 1837 of 11 August 2002, which declares a state of internal disturbance throughout the national territory, and of Decree 1838 of 11 August 2002, which imposes special taxation measures aimed at meeting the expenditure required under the country's General Budget to maintain democratic security.

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

The Government of Colombia will inform the United nations about legislation issued during the state of internal disturbance and the date on which it will be considered to have ended.

I take this opportunity to convey to you the renewed assurances of my highest consideration.

(Signed) Carolina Barco Minister for Foreign Affairs

#### Republic of Colombia

#### President's Office

Decree 1837 of 11 August 2002 declaring a state of internal disturbance

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA, in exercise of the powers conferred upon him by article 213 of the Constitution.

#### WHEREAS.

The country's state of insecurity is becoming more critical by the day with attacks against defenceless citizens and violations of their human rights and the basic rules of international humanitarian law more frequent, ruthless and deprayed;

The entire nation is being subjected to a regime of terror which strikes at the roots of democratic authority and makes productive activity even more difficult and hazardous, greatly increasing the incidence of unemployment and poverty among millions of our compatriots;

The principal source of these heinous attacks against the people of Colombia is the activities of armed groups, organised and funded with the enormous profits gained by their direct and growing participation in the crimes of drug trafficking, abduction and extortion, which are the principal cause of this collective tragedy and, effectively, the most direct and determining factor in it;

It is essential to take immediate measures to prevent acts of terrorism similar to or worse than those which, to the surprise of the whole world, have occurred over the past weeks in various parts of the country and to confront the threat to which our democracy is being subjected through acts of coercion to which local and national government leaders and their families throughout the country have fallen victim;

The well-nigh inexhaustible financial power of these groups has made them even more dangerous, in view of their growing technical capacity to commit terrorist acts, their contempt for the most basic values of the individual and society and their undoubted connection with the destructive power given them by their association with similar groups in other countries and regions;

This state of insecurity has brought about an additional deterioration in rural areas, especially as regards the conditions and opportunities for employment among the country's poorest people;

Criminal groups have redoubled their activity, both with regard to terrorist attacks on the infrastructure of essential services—energy, drinking water and roads—and with regard to crimes against humanity, such as massacres, disappearances, abductions, forced displacement and the destruction of defenceless communities. We have seen crime reach the highest level ever recorded in the world, in a cumulative process that has now left us on the brink of social dissolution. Moreover, the armed groups have embarked on the terrible course of threatening the legitimate representatives of regional democracy, the governors, the mayors, the town deputies and councillors and those working with them, in a bid to ruin our institutions, spread anarchy and instil in areas around the country a feeling of orphanhood, abandonment and disorientation;

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

The notorious events that have occurred for all to see have painfully shown up the States' inability to counteract these terrorist acts effectively, or to prevent their impact spreading, using only the resources envisaged under the country's ordinary law at times of relative calm. The financial means currently available are inadequate for the additional expenditure required by increased recruitment to the Police and Armed Forces, the expansion of their operations and the modernization of their equipment for the years 2002 and 2003;

It is the duty of the President of the Republic to take the lead in initiating the necessary action on behalf of the public authorities against these savage forms of pressure, which are so detrimental to Colombian society, in order to re-establish public order, ensure that the conditions for a State governed by the rule of law are fulfilled and wage the battle to reaffirm the principles of respect for human rights and international humanitarian law;

The State would be neglecting its obligation to create or strengthen the structural conditions to combat the anarchy, terror and violence threatening it if it did not adopt extraordinary measures which will be temporary but effective in restoring individual and collective security to the Colombian people and in meeting the unprecedented challenge posed by criminal gangs;

It is incumbent on every Colombian to make a real contribution through taxation to put the State into a position of being able to guarantee the safety of its citizens over vast tracts of its territory that are currently defenceless by providing forces, communication equipment, personnel and military and policing resources to supplement the limited and inadequate resources currently available. It will also be essential to adopt measures whereby the enjoyment of rights and public freedoms can be restored throughout the national territory without sacrificing the guarantees enshrined in the Constitution and the relevant international treaties signed and ratified by Colombia;

In view of the country's serious financial situation, Colombia does not currently possess the resources required to finance the security forces and other institutions that will need to take action to deal with the root causes of the disturbance and prevent its effects from spreading. For this reason, it will be necessary to impose and collect new taxes;

The resources allocated under the country's General Budget are not adequate to defray the expenditure required by the state of internal disturbance and it is therefore necessary to amend and supplement the allocations legislation for the fiscal year 2002;

It is necessary to expand the forces available to the nation. This expansion will be achieved by recruiting more soldiers and police officers in application of any one of the procedures provided for under the law, for example by extending the length of regular military service;

Procedures must be established to ensure that communications systems operators work effectively with the authorities:

It is essential to increase and improve the technical capacity and equipment required by the Armed Forces and the Police in order to conduct the operations required to counter the attacks on communities and individuals;

The national authorities must develop a national plan to break up the terrorist groups operating in various parts of the country;

The personnel available to the intelligence services, the security forces and the judiciary must be strengthened, with the legal and material resources required to ensure the effectiveness of their operations and to anticipate, prevent and punish terrorist and criminal acts:

The criminal responsibility of the members of terrorist organizations must extend to their leaders and controllers;

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

Greater support must be provided for government procurators, special prosecutors, officially appointed lawyers, the criminal investigation service and the Office of the People's Advocate, in order to guarantee the rights of accused persons and respect for human rights and the norms of international humanitarian law;

It is essential to establish legal mechanisms that will operate effectively against organized crime, by facilitating the apprehension, arrest and detention of those who may be involved, conducting suppression and intercept operations, identifying suspects and assembling evidence that will establish the responsibility of those planning or committing criminal acts. It is also essential to ensure that such legal mechanisms will lead to efficient investigations and prosecutions in respect of terrorist activities or actions arising from organized criminal operations;

It is necessary to strengthen social cooperation procedures and especially to set up networks whereby the National Police or the Armed Forces, according to circumstances, will be able to cooperate actively to prevent crimes and terrorist acts, both in urban and rural areas, in accordance with the constitutional rules governing the obligations of the person and the citizen;

It is essential to strengthen programmes to combat abduction and extortion, by providing the relevant authorities with the mechanisms to prevent crime, arrest and punish criminals and protect law officers, members of the National Police, the Security Forces, the Armed Forces and other authorities. It is also essential to restrict access by criminal organizations to financial assets and resources arising from any unlawful activity or to any mechanism whereby such resources may circulate within the economic system. Equally, it is essential to speed up and make fully effective the procedures for terminating ownership of illegally acquired property;

In the exceptional circumstances currently prevailing in the country, it is necessary for the authorities to adopt measures to restrict the free circulation of persons and vehicles in places and at times designated by the relevant authorities;

The ordinary powers of the police authorities are not adequate to prevent the occurrence of further criminal and terrorist acts or to combat the aforementioned situation of serious disturbance and it is therefore essential to adopt exceptional measures;

#### HEREBY DECREES:

Article 1. A state of internal disturbance is declared throughout the national territory for a period of ninety (90) calendar days starting from the date of entry into force of this decree.

Article 2. Congress shall be provided with a full and detailed explanation of the reasons justifying this declaration.

Article 3. Any legislative decrees issued in virtue of and as a consequence of this declaration shall be submitted to the Constitutional Court for its consideration.

Article 4. This decree shall enter into force on the date of its publication.

TO BE PUBLISHED AND IMPLEMENTED.

DONE at Bogotá DC. 11 August 2002

(Signed) A. Uribe

(Signed) Fernando Londoño Hoyos Minister of the Interior

(Signed) Maria Carolina Barco Isakson Minister for Foreign Affairs

(Signed) Fernando Londoño Hoyos Minister of the Interior, Acting Minister of Justice and Law

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

(Signed) Roberto Jungaito Bonnet Minister of Finance and Public Credit

(Signed) Martha Lucía Ramírez de Rincón Minister of Defence

(Signed) Carlos Gustavo Cano Sanz Minister of Agriculture and Rural Development

(Signed) Jorge Humberto **Botero Angulo**Minister of Foreign Trade,
Acting Minster of Economic Development

(Signed) Luis Ernesto Mejia Castro Minister of Mines and Energy

(Signed) Jorge Humberto **Botero Angulo** Minister of Foreign Trade

(Signed) Cecilia Maria Velez White Minister of Education

(Signed) Cecilia Rodríguez Gonzalez-Rubio Minister of Environment

(Signed) Juan Luis Londoño de la Cuesta Minister of Health

Acting Minister of Labour and Social Security

(Signed) Juan Luis Londoño de la Cuesta Minister of Health

(Signed) Martha Helena Pinto de Hart Minister of Communications

(Signed) Andres Uriel Gallego Henao Minister of Transport

(Signed) Maria Consuelo Araujo Castro Minister of Culture

[Translated from Spanish]

Republic of Colombia

Office of the President of the Republic

Decree No. 1838 of 11 August 2002

creating a special tax to meet the national budget outlays required to preserve democratic security

The President of the Republic of Colombia,

in exercise of his constitutional and legal powers and in particular the powers conferred by article 213 of the Political Constitution and Act No. 137 of 1994 and resulting from the provisions of Decree No. 1837 of 11 August 2002,

Considering

That by Decree No. 1837 of 11 August 2002 a state of internal disturbance was declared throughout the national territory;

That it is necessary to provide resources immediately for the military and police forces and other State agencies that must intervene to put an end to the actions that have disturbed public order and to prevent the spread of their effects;

That it is the duty of natural and juridical persons to contribute to the financing of the outlays and investments necessary to preserve democratic security;

Hereby decrees that:

Article 1. Tax to preserve democratic security

A tax intended to meet the national budget outlays required to preserve democratic security shall be created.

The tax created by the present decree shall be levied one time only.

Article 2. Liable taxpayers

All those who must file income and related tax returns shall be liable to pay the tax referred to in the preceding article.

Article 3. Taxable occurrence

The tax created by this decree shall be levied on the net worth of liable taxpayers as at 31 August 2002.

Treaty Series and Command Nos.

#### **HUMAN RIGHTS** (continued)

Article 4. Tax bases

The basis on which the tax is levied shall be net worth possessed as at 31 August 2002, which shall be presumed to be no less than that declared as at 31 December 2001.

Article 5. Exclusions from the tax basis

From the tax basis referred to in the preceding article shall be deducted the net asset value of stock or shares owned in national companies as at 31 August 2002. Natural persons may in addition deduct mandatory contributions to pension funds.

In no case may the amount deducted exceed the amount that could have been deducted as at 31 December 2001.

Article 6. Tax rate

The rate of the tax referred to in this decree shall be 1.2 per cent, assessed on net worth as at 31 August 2002.

Article 7. Entities not required to pay the tax

The entities referred to in article 19, paragraph 1, and articles 22, 23, 23–1 and 23–2 of the Tax Code shall not be required to pay the tax referred to in article 1 of this decree. Also exempt from payment of the tax are entities which, at the entry into force of this decree, are in liquidation or bankruptcy proceedings or have concluded a reorganization agreement under the provisions of Act No. 550 of 1999.

Article 8. Declaration and payment

The tax shall be declared and paid within the time limits set by the national Government and shall be calculated on the forms indicated for the purpose by the Directorate of National Taxes and Customs.

Article 9. Administration and auditing of the tax to preserve democratic security

The Directorate of National Taxes and Customs (DIAN) shall be responsible for administering the tax created by this decree. To that end it shall have the powers set forth in the Tax Code to investigate, assess, audit, dispute and collect the tax. The Directorate shall also be empowered to apply the penalties specified in the Tax Code that are compatible with the nature of the tax

Late interest and penalties for late filing, correction and inaccuracy shall be as specified in the Tax Code for tax returns. If a return is not filed for this tax, the tax administration may officially determine the amount of tax for which the taxpayer is liable by making an assessment, based on the amount resulting from applying the appropriate rate to the net worth declared on the most recent tax return submitted and calculating in addition a penalty for non-filing equal to one hundred sixty per cent (160 per cent) of the amount of tax thus determined.

The amount of the penalty for non-filing shall be reduced by half if the liable taxpayer declares and pays the full amount of the tax and the reduced penalty within the time limit for filing an appeal.

Article 10. Fraud and tax audit

Taxpayers who, subsequent to the entry into force of this decree, make accounting adjustments that reduce the net worth serving as the basis for the calculation of the tax in a manner that does not reflect real, effective economic operations, by, for example, making asset or reserve values reductions not justified by new, real circumstances, shall be held liable for the offences they commit in accordance with the provisions of criminal law.

The Directorate shall set up programmes as a matter of priority to audit taxpayers who declare a net worth lower than the net worth declared or possessed as at 31 December 2001 in order to verify whether the declarations are accurate and to determine whether economic events giving rise to tax liability have occurred that were not taken into account in calculating the tax.

	Date	Treaty Series and
HII MAN DICUTS (continued)	Duic	Command Nos.
HUMAN RIGHTS (continued)		
Article 11. Non-deductibility from income tax  In no case shall the amount paid for the tax referred to in this		
decree be deductible or excluded for purposes of income tax.		
Article 12. Entry into force		
This decree shall enter into force on the date of its publication.		
This decree is to be published and implemented.  Bogota, D.C., 11 August 2002		
(Signed) Alvaro Uribe Vélez		
(Signed) Fernando Londoño Hoyos Minister of the Interior		
(Signed) María Carolina Barco Isakson Minister for Foreign Affairs		
(Signed) Fernando Londoño Hoyos Minister of the Interior serving as the Minister of Justice and Law		
(Signed) Roberto Junguito Bonnet Minister of Finance and Public Credit		
(Signed) Martha Lucía Ramírez de Rincón Minister of Defence		
(Signed) Carlos Gustavo Cano Sanz Minister of Agriculture and Rural Development		
(Signed) Jorge Humberto Botero Angulo Minister of Foreign Trade serving as the Minister of Economic Development		
(Signed) Luis Ernesto Majía Castro Minister of Mines and Energy		
(Signed) Jorge Humberto Botero Angulo Minister of Foreign Trade		
(Signed) Cecilia María Vélez White Minister of National Education		
(Signed) Cecilia Rodríguez González-Rubio Minister for the Environment		
(Signed) Juan Luis Londoño de la Cuesta Minister of Health serving as the Minister of Labour and Social Security		
(Signed) Juan Luis Londoño de la Cuesta Minister of Health		
(Signed) Martha Helena Pinto de De Hart Minister of Communications		
(Signed) Andres Uriel Gallego Henao Minister of Transport		
(Signed) María Consuelo ArauJo Castro Minister of Culture		
Translator's note: Each page after the first has the following heading:		
"Decree No. 1838 of 2002		Page No.
Decree creating a special tax to meet the national budget outlays required to preserve democratic security (continued)"		
<b>Convention</b> for the Protection of Individuals with regard to Automatic Processing of Personal Data [ETS No. 108]	Strasbourg 28 Jan., 1981	086/1990 Cm 1329
Ratification— Bulgaria	18 Sept., 2002	

	Date	Treaty Series and Command Nos.
IUMAN RIGHTS (continued)		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	New York 4 Feb., 1985	107/1991 Cm 1775
Signature— San Marino	18 Sept., 2002	
Accession— Djibouti	5 Nov., 2002	
Equatorial Guinea (With declaration and reservation*)	8 Oct., 2002	
Declaration*  The Government of Equatorial Guinea hereby declares that, pursuant to article 28 of this Convention, it does not recognize the competence of the Committee provided for in article 20 of the Convention		
Reservation*		
With reference to the provisions of article 30, the Government of Equatorial Guinea does not consider itself bound by paragraph 1 thereof.		
Note—		
On 17 October 2002, the Secretary-General of the United Nations, as depositary, received from the government of <i>Peru</i> a declaration under Articles 21 and 22 <sup>1</sup> , as follows;		
The Republic of Peru recognizes, in accordance with Article 21 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or punishment, the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State party is not fulfilling its obligations under the said Convention.		
Likewise, the Republic of Peru recognizes, in accordance with the provisions of Article 22 of the above-mentioned Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.		
<sup>1</sup> Refer to depositary notification C.N.152.1988.TREATIES-5 of 2 September 1988 (Peru: Ratification)		
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the Abolition of the Death Penalty	Adopted New York 15 Dec., 1989	039/2000 Cm 4676
Accession— Djibouti	5 Nov., 2002	
European Charter for Regional or Minority Languages [ETS No. 148]	Strasbourg 5 Nov., 1992	048/2001 Cm 5269
Ratification—  Cyprus (with declaration*)	26 Aug., 2002	
Declaration*		
The Republic of Cyprus communicates that it considers the Armenian language to be a non-territorial language, in the Republic, as described in Article 1, paragraph c, of the Charter.		
Therefore in view of Article 7, paragraph 5, of the Charter, the Republic of Cyprus shall apply the following paragraphs chosen from Part III of the Charter to the Armenian language:		
Article 8—Education		
Paragraph 1, sub-paragraphs a i., b i., c i. Article 9—Judicial Authorities		
Titlee 7 Judicial Futilionnes		

Z i Kalifications, Ere	· ·	
	Date	Treaty Series and Command Nos.
HUMAN RIGHTS (continued)		
Article 11—Media Paragraph 1, sub-paragraph b ii Article 12—Cultural Activities and Facilities Paragraph 1, sub-paragraphs d, f. Paragraph 3.		
Article 13—Economic and Social life Paragraph 1, sub-paragraph c.		
r aragraph 1, suo-paragraph c.		
INTELLECTUAL PROPERTY		
International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations	Rome 26 Oct., 1961	038/1964 Cmnd 2425
Accession—	31 Oct., 2002 30 Sept., 2002	
Declaration*		
1. Pursuant to Article 5(3) of the Convention, Israel shall not apply the criterion of fixation, as set forth in Article 5(1)(b).		
2. In respect of Article 6(1) and pursuant to Article 6(2) of the Convention, Israel will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.		
3. Pursuant to Article 16(1)(a)(iii) of the Convention, as regards phonograms the producer of which is not a national of another Contracting State, Israel will not apply Article 12 of the Convention.		
4. Pursuant to Article 16(1)(a)(iv) of the Convention, as regards phonograms the producer of which is a national of another Contracting State, Israel will limit the protection provided for by Article 12 of the Convention to the extent to which, and to the term for which, and to the term for which, that other Contracting State grants protection to phonograms first fixed by a national of Israel.		
5. Pursuant to Article (16)(1(b) of the Convention, Israel will not apply Article 13(d) of the Convention.		
<b>International Convention</b> further revising the Paris Convention for the Protection of Industrial Property of 20 March 1883.	Stockholm 14 July, 1967 13 Jan., 1968	061/1970 Cmnd 4431
Accession— Syria	13 Sept., 2002	
PATENT Cooperation Treaty	Washington 19 June 1970 31 December 1970	078/1978 Cmnd 7340
In a communication dated 22 November 2002, the Secretary-General of WIPO, as depositary, transmitted copy of the amendments to the Regulations under the Treaty, adopted by the Assembly of the International Patent Cooperation Union (PCT Union), on 1 October 2002, at its thirty-first (18th extraordinary) session, held in Geneva from 23 September to 1 October 2002, with effect from 1 January 2003, as follows;		
AMENDMENTS TO THE REGULATIONS UNDER THE PATENT COOPERATION TREATY (PCT)		
Adopted by the Assembly of the International Patent Cooperation Union (PCT Union) at its thirty-first (18th extraordinary) session on October 1, 2002, with effect from January 1, 2003		

Treaty Series and Command Nos.

#### **INTELLECTUAL PROPERTY** (continued)

#### Table of Amendments\*

- Rule 12.1
- Rule 12.2
- Rule 12.3
- Rule 12.4
- Rule 22.1
- Rule 26.3
- Rule 29.1
- 1010 25.1
- Rule 48.3
- Rule 49.6
  - \*The Rules as amended will not apply to any international application whose international filing date is before January 1, 2003, provided that:
    - (i) new Rule 49.6(a) to (e) shall, subject to item (iii), apply to any international application whose international filing date is before January 1, 2003, and in respect of which the applicable time limit under Article 22 expires on or after January 1, 2003;
    - (ii) to the extent that new Rule 49.6(a) to (e) is applicable by virtue of Rule 76.5, the latter Rule shall, subject to item (iii), apply to any international application whose international filing date is before January 1, 2003, and in respect of which the applicable time limit under Article 39(1) expires on or after January 1, 2003;
    - (iii) where a designated Office informs the International Bureau under paragraph (f) of Rule 49.6 that paragraphs (a) to (e) of that Rule are not compatible with the national law applied by that Office, items (i) and (ii) of this paragraph shall apply in respect of that Office except that each reference in those items to the date January 1, 2003, shall be read as a reference to the date of entry into force of Rule 49.6(a) to (e) in respect of that Office.

#### AMENDMENTS1

#### Rule 12

#### Language of the International Application and Translation for the Purposes of International Search and International Publication

- **12.1** Languages Accepted for the Filing of International Applications
  - (a) and (b) [No change]
- (c) Notwithstanding paragraph (a), the request shall be filed in any language of publication which the receiving Office accepts for the purposes of this paragraph.
  - (d) [No change]
- <sup>1</sup> The following reproduces the text as amended of each Rule that was amended. Where a paragraph or item of any such Rule has not been amended, the indication "[No change]" appears.
  - 12.2 Language of Changes in the International Application
  - (a) [No change]
- (b) Any rectification under Rule 91.1 of an obvious error in the international application shall be in the language in which the application is filed, provided that:

Treaty Series and Command Nos.

#### **INTELLECTUAL PROPERTY** (continued)

- (i) where a translation of the international application is required under Rule 12.3(a), 12.4(a) or 55.2(a), rectifications referred to in Rule 91.1(e)(ii) and (iii) shall be filed in both the language of the application and the language of that translation;
  - (ii) [No change]
- (c) [No change]
- 12.3 Translation for the Purposes of International Search
- (a) to (d) [No change]
- (e) The furnishing of a translation after the expiration of the time limit under paragraph (a) may be subjected by the receiving Office to the payment to it, for its own benefit, of a late furnishing fee equal to 50% of the basic fee referred to in item 1(a) of the Schedule of Fees.
  - 12.4 Translation for the Purposes of International Publication
- (a) Where the language in which the international application is filed is not a language of publication and no translation is required under Rule 12.3(a), the applicant shall, within 14 months from the priority date, furnish to the receiving Office a translation of the international application into any language of publication which the receiving Office accepts for the purposes of this paragraph.
- (b) Paragraph (a) shall not apply to the request nor to any sequence listing part of the description.
- (c) Where the applicant has not, within the time limit referred to in paragraph (a), furnished a translation required under that paragraph, the receiving Office shall invite the applicant to furnish the required translation, and to pay, where applicable, the late furnishing fee required under paragraph (e), within 16 months from the priority date. Any translation received by the receiving Office before that Office sends the invitation under the previous sentence shall be considered to have been received before the expiration of the time limit under paragraph (a).
- (d) Where the applicant has not, within the time limit under paragraph (c), furnished the required translation and paid any required late furnishing fee, the international application shall be considered withdrawn and the receiving office shall so declare. Any translation and any payment received by the receiving Office before that Office makes the declaration under the previous sentence and before the expiration of 17 months from the priority date shall be considered to have been received before the expiration of that time limit.
- (e) The furnishing of a translation after the expiration of the time limit under paragraph (a) may be subjected by the receiving Office to the payment to it, for its own benefit, of a late furnishing fee equal to 50% of the basic fee referred to in item 1(a) of the Schedule of Fees.

#### Rule 22 Transmittal of the Record Copy and Translation

- 22.1 Procedure
- (a) to (g) [No change]
- (h) Where the international application is to be published in the language of a translation furnished under Rule 12.3 or 12.4, that translation shall be transmitted by the receiving Office to the International Bureau together with the record copy under paragraph (a) or, if the receiving Office has already transmitted the record copy to the International Bureau under that paragraph, promptly after receipt of the translation.
- 22.2. [Remains deleted]
- 22.3 [No change]

Treaty Series and Command Nos.

#### **INTELLECTUAL PROPERTY** (continued)

#### Rule 26

## Checking by, and Correcting Before, the Receiving Office of Certain Elements of the International Application

26.1 and 26.2 [No change]

26.3 Checking of Physical Requirements Under Article 14(1)(a)(v)

- (a) [No change]
- (b) Where the international application is filed in a language which is not a language of publication, the receiving Office shall check:
  - (i) [No change]
  - (ii) any translation furnished under Rule 12.3 or 12.4 and the drawings for compliance with the physical requirements referred to in Rule 11 to the extent that compliance therewith is necessary for the purpose of reasonably uniform international publication.

26.3bis to 26.6 [No change]

#### Rule 29

#### International Applications or Designations Considered Withdrawn

29.1 Finding by Receiving Office

- (a) If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d) or 12.4(d) (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:
  - (i) to (iv) [No change]
- (b) [No change]
- 29.2 [Remains deleted]
- 29.3 and 29.4 [No change]

# Rule 48 International Publication

48.1 and 48.2 [No change]

48.3 Languages of Publication

- (a) [No change]
- (b) If the international application is not filed in a language of publication and a translation into a language of publication has been furnished under Rule 12.3 or 12.4, that application shall be published in the language of that translation.
  - (c) [No change]

48.4 to 48.6 [No change]

#### Rule 49

## Copy, Translation and Fee Under Article 22

49.1 to 49.5 [No change]

- 49.6 Reinstatement of Rights After Failure to Perform the Acts referred to in Article 22
- (a) Where the effect of the international application provided for in Article 11(3) has ceased because the applicant failed to perform the acts referred to in Article 22 within the applicable time limit, the designated Office shall, upon request of the applicant, and subject to paragraphs (b) to (e) of this Rule, reinstate the rights of the applicant with respect to that international application if it finds that any delay in meeting that time limit was unintentional or, at the option of the designated Office, that the failure to meet that time limit occurred in spite of due care required by the circumstances having been taken.

Treaty Series

Date and Command Nos. **INTELLECTUAL PROPERTY** (continued) (b) The request under paragraph (a) shall be submitted to the designated Office, and the acts referred to in Article 22 shall be performed, within whichever of the following periods expires first: (i) two months from the date of removal of the cause of the failure to meet the applicable time limit under Article 22; or (ii) 12 months from the date of the expiration of the applicable time limit under Article 22; provided that the applicant may submit the request at any later time if so permitted by the national law applicable by the designated Office. (c) The request under paragraph (a) shall state the reasons for the failure to comply with the applicable time limit under Article 22 (d) The national law applicable by the designated Office may require: (i) that a fee be paid in respect of a request under paragraph (a); (ii) that a declaration or other evidence in support of the reasons referred to in paragraph (c) be filed. (e) The designated Office shall not refuse a request under paragraph (a) without giving the applicant the opportunity to make observations on the intended refusal within a time limit which shall be reasonable under the circumstances. (f) If, on October 1, 2002, paragraphs (a) to (e) are not compatible with the national law applied by the designated Office, those paragraphs shall not apply in respect of that designated Office for as long as they continue not to be compatible with that law, provided that the said Office informs the International Bureau accordingly by January 1, 2003. The information received shall be promptly published by the International Bureau in the Gazette. I hereby certify that the foregoing is a true copy of the original text in English of the amendments of the Regulations under the Patent Cooperation Treaty (PCT), adopted by the Assembly of the International Patent Cooperation Union (PCT Union) at its thirty-first (18th extraordinary) session on October 1, 2002, with effect from January 1, 2003. Kamil Idris Director General World Intellectual Property Organization November 22, 2002 Convention for the Protection of Producers of Phonograms 041/1973 Geneva against Unauthorized Duplication of their Phonograms 29 Oct., 1971 Cmnd 5275 -30 Apr., 1972 Accession-Armenia 31 Oct., 2002 005/1981 **Budapest Treaty** on the International Recognition of the Deposit Budapest 28 Apr., 1977 of Microorganisms for the purposes of patent procedure (with Cmnd 8136 regulations) .. .. .. .. .. .. .. .. .. .. .. .. -31 Dec., 1977 Note-On 6 August 2002, the Director-General of WIPO, as depositary, received a communication from the government of *India* dated 31 July 2002, relating to the acquisition of the status of International Depositary Authority by the Microbial Type Culture Centre and Gene Bank (MTCC), which states that this

KATHICATIONS, LTC.		
	Date	Treaty Series and Command Nos.
INTELLECTUAL PROPERTY (continued)		
Depositary Institution is located on the territory of India and includes a declaration of Assurances to the effect that the Institution complies and will continue to comply with the requirements concerning the acquisition of the status of International Depositary Authority specified in Article 6(2) of the above treaty.		
Pursuant to Article 7(1)(b), the Microbial Type Culture Centre and Gene Bank (MTCC) shall acquire the status of International Depositary Authority under the above treaty on 4 October 2002, that is, on the sixtieth day succeeding the date of receipt of the communication by the Director-General.		
Trademark Law Treaty and Regulations Ac	Geneva 27 Oct., 1994	076/1996 Cm 3348
Accession—	7 Oct., 2002 25 Nov., 2002	
NTERNATIONAL CRIMINAL COURT		
	lopted ome 17 July, 1998	035/2002 Cm 5590
Ratification—         Djibouti </td <td>5 Nov., 2002 13 Nov., 2002 13 Nov., 2002</td> <td></td>	5 Nov., 2002 13 Nov., 2002 13 Nov., 2002	
Accession— St Vincent And the Grenadines	3 Dec., 2002 6 Sept., 2002	
LAW OF THE SEA		
	ontego Bay, maica 10 Dec., 1982 9 Dec., 1984	081/1999 Cm 4524
Ratification—         Qatar	9 Dec., 2002 9 Dec., 2002	
Accession— Armenia	9 Dec., 2002	
Note— On 8 April 2002, the Secretary-General of the United Nations, as depositary, received from the government of <i>Sri Lanka</i> notification that Mr C.W. Pinto, Secretary-General of the Iran-US Tribunal in the Hague, has been nominated Conciliator under article 2 of Annex V of the Convention in place of Mr S Sivarasa.		
Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, together with GA Resolution 48/263	ew York 28 July, 1994	082/1999 Cm 4525
Accession—     Armenia	9 Dec., 2002 17 Oct, 2002	
Consent to be Bound—  Qatar	9 Dec., 2002 9 Dec., 2002	

		Treaty Series
	Date	and Command Nos.
LAW OF TREATIES		Communa 110s.
Vienna Convention on the Law of Treaties	Vienna 23 May, 1969 30 Nov., 1969	058/1980 Cmnd 7964
Note—		
On 24 October 2002, the Secretary-General of the United Nations, as depositary, received from the government of <i>Bulgaria</i> a communication as follows;		
" upon signature of the Convention by the Republic of Korea, in 1971, the Government of the People's Republic of Bulgaria in communication addressed to the Secretary-General with reference to the above-mentioned signature, the Permanent Mission of Bulgaria to the United Nations stated that the said signature was illegal inasmuch as the South Korean authorities could not under any circumstances speak on behalf of Korea.		
Now therefore, I, Solomon Passy, Minister for Foreign Affairs, declare that the Government of the Republic of Bulgaria, having reviewed the said declaration, hereby withdraws the same."		
MARITIME LAW		
Convention on Limitation of Liability for Maritime Claims, 1976	London 1 Feb., 1977 -31 Dec., 1977	013/1990 Cm 955
Accession— India	20 Aug., 2002	
MINERALS		
Terms of Reference of the International Copper Study Group	Adopted New York 24 Feb., 1989	067/2000 Cm 4738
Withdrawal— Japan <sup>1</sup>	31 Oct., 2002	
<sup>1</sup> With effect 30 December 2002		
NATIONALITY AND PASSPORTS		
<b>Protocol</b> amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality [ETS No. 95]	Strasbourg 24 Nov., 1977	108/1979 Cmnd 7756
Ratification— Sweden	5 Sept., 2002	
PLANTS AND PESTS		
International Convention for the Protection of New Varieties of Plants	Paris 2 Dec., 1961 -2 Dec., 1962	074/1969 Cmnd 4081
Accession—  Czech Republic	24 Oct., 2002 30 July, 2002	
<b>1991</b> Act amending the International Convention for the Protection of New Varieties of Plants, 1961	Geneva 19 Mar., 1991	012/2001 Cm 5045
Accession— Czech Republic	24 Oct., 2002	
POLLUTION		
Protocol to the International Convention on Civil Liability for Oil Pollution Damage 1969	London 19 Nov., 1976	026/1981 Cmnd 8238

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	Date	Treaty Series and Command Nos.
POLLUTION (continued)		
Denunciation— China <sup>1</sup>	22 Aug., 2002	
<sup>1</sup> The denunciation is also effective for the Hong Kong Special Administrative Region. The denunciation will take effect for China and the Hong Kong SAR on 22 August 2003.		
Vienna Convention for the Protection of the Ozone Layer	Vienna/ New York 22 Mar., 1985 –21 Mar., 1986	001/1990 Cm 910
Accession— Guinea Bissau	12 Nov., 2002	
Montreal Protocol on Substances that Deplete the Ozone Layer	Montreal 16 Sept., 1987	019/1990 Cm 977
Accession—		
Guinea Bissau	12 Nov., 2002	
<b>Basel Convention</b> on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	Berne/New York 23 Mar., 1989 –22 Mar., 1990	100/1995 Cm 3108
Note—		
On 27 November 2002, the Secretary-General of the United Nations, as depositary, received from the Government of the <i>United Kingdom</i> notification of the territorial application of the above Convention to the <i>Bailiwick of Guernsey</i> , effective on the date of receipt.		
Note—		
On 27 November 2002, the Secretary-General of the United Nations, as depositary, received from the Government of the <i>United Kingdom</i> notification of Designation of Authorities under Article 5, Paragraph 1 of the Convention in respect of the <i>Bailiwick of Guernsey</i> , as follows:		
Board of Health David Hughes Chief Executive States of Guernsey Board of Health John Henry House Le Vauquiedor St Martin's Guernsey GY4 6UU		
Note—		
On 27 November 2002, the Secretary-General of the United Nations, as depositary, received from the Government of the <i>United Kingdom</i> notification of Designation of Authorities under Article 5, Paragraph 1 of the Convention in respect of the <i>Isle of Man</i> , as follows:		
Department of Local Government and the Environment Murray House Mount Havelock Douglas Isle of Man		
IM1 2SF		
Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal on 16 September 1987	Adopted London 29 June, 1990	004/1993 Cm 2132
Accession— Guinea Bissau	12 Nov., 2002	

	Date	Treaty Series and Command Nos.
POLLUTION (continued)		
United Nations Framework Convention on Climate Change	Rio de Janeiro 4 June, 1992 –14 June, 1992	028/1995 Cm 2833
Ratification— Liberia	5 Nov., 2002	
Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal 16 September 1987, adopted at the Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer	Copenhagen 23 Nov., 1992 –25 Nov, 1992	048/1995 Cm 2899
Accession—	2 Dec., 2002 12 Nov., 2002	
Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted at the ninth Meeting of the Parties held at Montreal 15–17 September 1997	Adopted Montreal 17 Sept., 1997	036/2002 Cm 5593
Ratification— Burkina Faso	11 Nov., 2002	
Accession—	2 Dec., 2002 12 Nov., 2002	
Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	Adopted Beijing 3 Dec., 1999	055/2002 Cm 5725
Accession— Comoros	2 Dec., 2002	
PRIVATE INTERNATIONAL LAW		
Statute of The Hague Conference on Private International Law	The Hague 31 Oct., 1951	065/1955 Cmd 9582
Acceptance— Malaysia	2 Oct., 2002	
<b>Convention</b> abolishing the Requirement of Legalisation for Foreign Public Documents	The Hague 5 Oct., 1961	032/1965 Cmnd 2617
Accession— Monaco <sup>1</sup>	24 Apr., 2002	
<sup>1</sup> Entry into force in accordance with Article 12, Paragraph 3 between the Contracting States and Monaco on 31 December 2002		
Succession— Dominica (with communication*)	22 Oct., 2002	
Communication*		
It may be recalled that in accordance with Article 13, paragraph 2, the United Kingdom of Great Britain and Northern Ireland stated in a declaration made on 24 February 1965, that the Convention would apply among other territories to Dominica.		
Under Article 13, paragraph 3, and Article 11, paragraph 2, the Convention entered into force for Dominica on 25 April 1965.		
Dominica achieved its independence on 3 November 1978 and became the Commonwealth of Dominica. Should any of the Contracting States wish to apply the time provisions contained in Article 12 of the Convention, the period from 11 November 2002 to 11 May 2003 should be regarded as the six-months period referred to in Article 12, paragraph 2.		

Treaty Series and Command Nos.

#### PRIVATE INTERNATIONAL LAW (continued)

In the absence of any objection the Convention will remain in force between the Contracting States and the Commonwealth of Dominica.

#### Note-

In a communication dated 22 October 2002, the Responsible Authorities for *Dominica* are:

The Attorney General, the Solicitor General, the Registrar, and the Deputy Registrar, Roseau, Commonwealth of Dominica.

#### Note-

In a communication dated 8 October 2002, the Responsible Authorities for *Andorra* are:

- 1. Ministre/a d'Afers Exteriors (Minister of Foreign
- 2. Ministre/a de Presidencia i Turisme (Minister of the Presidency and Tourism)
- 3. Ministre/a de Justícia Interior (Minister of Justice and Interior)
- 4. Secretari/aria d'Estat de Justicia i Interior (Secretary of State of Justice and Interior)
- 5. Secretari/aria de política exterior, afers bilaterals i Unió Europea (Director of Foreign Policy, Bilateral Affairs and European Union)
- 6. Director/a d'afers multilaterals i cooperació al desenvolupament (Director of Multilateral Affairs and Cooperation for Development).

#### Note-

In a communication dated 30 May 2002, the Responsible Authorities for the *Slovak Republic* are:

- 1) The Ministry of Justice of the Slovak Republic ("Ministerstvo spravodlivosti Slovenskej republiky") for:
- a) public documents issued or certified by courts, notaries, hussiers de justice or other judicial officers;
- b) translations executed by official (court appointed) translators.
- 2) The Ministry of Interior of the Slovak Republic ("Ministerstvo vmútra Slovenskej republiky") for public documents emanating from authorities within its jurisdiction with the exception of documents specified in paragraph 6 lit. a below.
- 3) The Ministry of Education of the Slovak Republic ("Ministerstvo śkolstva Slovenskej republiky") for public documents emanating from authorities within its jurisdiction.
- 4) The Ministry of Health of the Slovak Republic ("Ministerstvo zdravotnictva Slovenskej republiky") for public documents emanating from authorities within its jurisdiction with the exceptions of documents specified in paragraph 6 lit. b below.
- 5) The Ministry of Defence of the Slovak Republic ("Ministerstvo obrany Slovenskej republiky") for public documents emanating from authorities within its jurisdiction.
- 6) Office of the Regional Administration ("krajský úrad") for:
- a) documents from the Register of Births, Deaths and Marriages ("matrika") with the exception of decisions on civil status:
- b) documents issued by health facilities established by the Office of Regional Administration;

	Date	Treaty Series and Command Nos.
PRIVATE INTERNATIONAL LAW (continued)		
c) documents issued by the authorities of local self-government.		
7) The Ministry of Foreign Affairs of the Slovak Republic ("Ministerstvo zahraničných veci") for any other public document issued in the Slovak Republic not specified above.		
<b>Convention</b> on the Liability of Hotel-Keepers concerning the Property of their Guests [ETS No. 41]	Paris 17 Dec., 1962	009/1967 Cmnd 3205
Signature— Lithuania	18 Sept., 2002	
<b>Convention</b> on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters	The Hague 15 Nov., 1965	050/1969 Cmnd 3986
Note—		
Following the deposit of an instrument of accession on 15 April 2002, in accordance with Article 28, paragraph 3, the above Convention entered into force for <i>San Marino</i> on 1 November 2002.		
Note—		
Following the deposit of an instrument of accession on 8 May 2002, in accordance with Article 28, paragraph 3, the above Convention entered into force for <i>Kuwait</i> on 1 December 2002.		
<b>European Convention</b> on Information on Foreign Law [ETS No. 62]	London 7 June, 1968	117/1969 Cmnd 4229
Note—		
In a communication received by the Secretary-General of the Council of Europe, as depositary, on 12 August 2002, the Designated Authority for <i>the Netherlands</i> is;		
The Crown Prosecutor to the Court of the District of the Hague, Juliana van Stolberglaan 2-4 The Hague The Netherlands		
Note—		
In a communication received by the Secretary-General of the Council of Europe, as depositary, on 18 September 2002, the Designated Authority for <i>Norway</i> is;		
The Ministry of Justice and the Police Department of Civil Affairs P.O. Box 8005 Dep.rglaan 2-4 N-0030 Oslo Norway		
Note—		
In a communication received by the Secretary-General of the Council of Europe, as depositary, on 6 November 2002, the Designated Authority for the <i>United Kingdom</i> is;		
Legal Advisers Foreign and Commonwealth Office King Charles Street LONDON SW1A 2AH United Kingdom		
Convention on the Taking of Evidence Abroad in Civil or Commercial Matters	The Hague 18 Mar., 1970	020/1977 Cmnd 6727
Article 42		
The following State has declared its acceptance of the accession of <i>Belarus</i> , the <i>Russian Federation</i> , and <i>Ukraine</i> Argentina	29 Aug., 2002	
1 ngonuna	27 Aug., 2002	

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	Date	Treaty Series and Command Nos.
PRIVATE INTERNATIONAL LAW (continued)		
In accordance with Article 39, the Convention will enter into force between <i>Argentina</i> and Belarus	28 Oct., 2002 28 Oct., 2002 28 Oct., 2002	
<b>European Convention</b> on the Legal Status of Children born out of Wedlock [ETS No. 85]	Strasbourg 15 Oct., 1975	043/1981 Cmnd 8287
Note—		
On 23 September 2002 the Secretary-General of the Council of Europe, as depositary, received a letter from the government of the <i>United Kingdom</i> , as follows:		
[With reference to]the European Convention on the Legal Status of Children born out of Wedlock [ETS No.85], which was ratified by the United Kingdom on 24 February 1981 and entered into force on 25 May 1981. The United Kingdom made certain reservations when depositing the instrument of ratification, which were last renewed in 1996 for a period of five years, until 20 May 2001, as provided by Article 14, paragraph 2 of the Convention. Due to an administrative oversight, those reservations were not renewed before the expiration of the five years period.		
The Government of the United Kingdom nevertheless wishes, in accordance with the procedure of belated renewal precedented in 1994 (Notification JJ3173C, Tr.85-9 of 10 June 1994 to renew, as from 20 May 2001 for a period of five years, two of its three reservations, with the following wording:		
"In accordance with Article 13, paragraph 2 of the Convention, it is hereby declared that the Convention shall extend to Guernsey, Herm and Jethou, with the reservation, made in accordance with Article 14, paragraph 1 of the Convention, that Article 9 should apply to Guernsey, Herm and Jethou only in relation to testate succession in the estate of a father or mother of a child born out of wedlock.		
The Government of the United Kingdom also wishes to confirm its understanding that neither Article 9 nor Article 10 of the Convention is to be interpreted as conferring upon a child born out of wedlock any right of succession to the Crown or a title of honour or any right of inheritance to an entailed interest."		
The Government of the United Kingdom does not, however, wish to renew the first of its reservations, with the following wording:		
"In accordance with Article 14, paragraph 1 of the said Convention, the Government of the United Kingdom reserves the right, in relation to England and Wales, to apply Article 9 only in relation to the estates of the father and mother of a child born out of wedlock."		
That reservation is accordingly no longer maintained.		
Note— In a Note dated 29 October 2002, the Government of <i>Poland</i> informed the Secretary-General of the Council of Europe, as Depositary of the renewal of a reservation to Article 4 made on ratification of the Convention on 21 June 1996 (which entered into force on 22 September 1996), as follows;		
"Due to an administrative oversight, this reservation was not renewed before the expiration of the five years period as required by Article 14, paragraph 2 of the Convention.		
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The Government of Poland nevertheless wishes, in accordance with the procedure of belated renewal, to renew, as from 23 September 2001 for a period of five years, the reservation with the following wording:

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	Date	Treaty Series and Command Nos.
PRIVATE INTERNATIONAL LAW (continued)		
"The Republic of Poland reserves the right not to apply Article 4 of the Convention, as its internal legislation submits the recognition of the child to the consent expressed by his mother, or by his legal representative, or by the child himself if he has attained the age of majority. The internal legislation allows, furthermore, the invalidation of the recognition of the child at the request of the man who has recognised him, or at the request of persons who have expressed their consent to the recognition, but only when the consent of the man or the persons was not valid and nor as regards the paternity of the child.""		
European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children [ETS No. 105]	Luxembourg 20 May, 1980	035/1987 Cm 191
Signature—		
Bulgaria Hungary Lithuania	18 Sept., 2002 14 Nov., 2002 5 Sept., 2002	
Note—		
On 25 September 2002, the Secretary-General of the Council of Europe, as depositary, received from the government of the <i>Federal Republic of Germany</i> a communication concerning the address of the new Central Authority in accordance with Article 2, as follows;		
Der Generalbundesanwalt beim Bundesgerichtshof (The Public Prosecutor General of the Federal Court of Justice		
-Zentrale Behörde- D-53094 Bonn Tel.: +49-228/410-40 Fax.: +49-228/410-5050		
Convention on the Transfer of Sentenced Persons [ETS No. 112]	Strasbourg 21 Mar., 1983	051/1985 Cmnd 9617
Accession—		
Australia	5 Sept., 2002	
Note— On 10 September 2002, the Secretary-General of the Council of Europe, as Depositary, received a communication from the government of the <i>United Kingdom</i> , as follows;		
The Government of the United Kingdom of Great Britain and Northern Ireland wish the United Kingdom's ratification of the Convention to be extended to the following territory for whose international relations the United Kingdom is responsible: Bermuda.		
In accordance with Article 3, paragraph 4, of the Convention and for the purposes of the Convention, the term "national" means, in relation to Bermuda, a person who is a British Citizen or a British Overseas Territories Citizen by virtue of a connection with Bermuda or any other person whose transfer to Bermuda appears to the Officer for the time being administering the Government of Bermuda to be appropriate having regard to any close ties which that person has with Bermuda.		
Convention On the Civil Aspects of International Child Abduction	The Hague 25 Oct., 1980	066/1986 Cm 33
Article 45		
The accession to the above-mentioned Convention of <i>Estonia</i> , <i>Nicaragua</i> , <i>Peru</i> , <i>Slovakia</i> and <i>Uruguay</i> has been accepted by Greece	10 Oct., 2002	
The accession to the above-mentioned Convention of <i>Guatemala</i> and <i>Sri Lanka</i> has been accepted by Germany	7 Oct., 2002	
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	Date	Treaty Series and Command Nos.
PRIVATE INTERNATIONAL LAW (continued)		l
The accession to the above-mentioned Convention of <i>Peru</i> has been accepted by  Spain	23 Sept., 2002	
The accession to the above-mentioned Convention of <i>South</i>	23 Sept., 2002	l
Africa has been accepted by United States of America	15 Nov., 2002	
The accession to the above-mentioned Convention of <i>Thailand</i> has been accepted by		
Luxembourg	23 Sept., 2002 16 Sept., 2002	l
In accordance with Article 38, paragraph 5, the Convention	10 Sept., 2002	l
will enter into force between <i>Greece</i> and  Estonia	01 Jan., 2003	1
Nicaragua	01 Jan., 2003	l
Peru	01 Jan., 2003	l
Slovakia	01 Jan., 2003 01 Jan., 2003	l
In accordance with Article 38, paragraph 5, the Convention	01 3411., 2003	l
will enter into force between <i>Germany</i> and		l
Guatemala	01 Jan., 2003 01 Jan., 2003	
In accordance with Article 38, paragraph 5, the Convention will enter into force between <i>Luxembourg</i> and		
Thailand	01 Dec., 2002	l
In accordance with Article 38, paragraph 5, the Convention will enter into force between <i>the Netherlands</i> and Thailand	01 Dec., 2002	
In accordance with Article 38, paragraph 5, the Convention	01 Dcc., 2002	l
will enter into force between South Africa and United States of America	01 Feb., 2003	
In accordance with Article 38, paragraph 5, the Convention will enter into force between <i>Spain</i> and	·	
Peru	01 Dec., 2002	l
<b>Convention</b> on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime [ETS No. 141]	Strasbourg 8 Nov., 1990	059/1993 Cm 2337
Ratification— Romania (with reservations and declaration*)	6 Aug., 2002	l
Reservation*		l
Article 14		ı
In accordance with Article 14, paragraph 3, of the Convention, Romania declares that Article 14, paragraph 2, shall apply only subject to the constitutional principles and the basic concepts of the Romanian legal system.		
Article 21		l
In accordance with Article 21, paragraph 2, of the Convention, Romania declares that the service of judicial documents shall be effected only through the central authority, which is the Ministry of Justice. For the requests of assistance formulated in pre-trial investigation, the service shall be effected through the General		
Prosecutor's Office to the Supreme Court of Justice.		ı
Article 25		ı
In accordance with Article 25, paragraph 3, of the Convention, Romania declares that the requests forwarded to the Romanian authorities and the documents supporting such requests shall be accompanied by a translation in Romanian or into one of the official languages of the Council of Europe.		
Article 32		ı
In accordance with Article 32, paragraph 2, of the Convention, Romania declares that the information or the evidence provided by Romania under Chapter III of the Convention may not be		

Treaty Series and Command Nos.

### PRIVATE INTERNATIONAL LAW (continued)

used or transmitted by the authorities or the requesting Party in investigations or proceedings other than those specified in the request without its prior consent.

Declaration\*

In accordance with Article 23, paragraph 2, of the Convention, the Romanian central authorities designated to apply the provisions of Chapter III of the Convention are:

Ministerul Justitiei (Ministry of Justice)

Str. Apollodor nr. 17, sectorul 5

Bucuresti, Romania.

Oficiul National de Prevenire si Combatere

a Spalarii Banilor (National Office for Prevention and Fighting Against Money Laundering)

Str. Splaiul Independentei nr. 202 A, sectorul 6 Bucuresti,

Ministerul de Interne (Ministry of Interior)

Inspectoratul General al Politiei

Sos. Setefan cel Mare nr. 13-15, sectorul 2

Bucuresti, Romania.

Ministerul Finantelor Publice (Ministry of Public Finance)

Str. Apollodor nr. 17, sectorul 5

Bucuresti, Romania.

Parhetul General de pe langa Curtea Suprema de Justitie (General Prosecutor's Office to the Supreme Court of

Bd. Libertatii nr. 14, sectorul 5

Bucuresti, Romania.

### Note-

On 24 September 2002, the Secretary General of the Council of Europe, as Depositary, received from the Government of the United Kingdom notification of the following Declarations and Reservation:

- (1) In accordance with the provisions of Article 38 of the Convention, the Government of the United Kingdom declares that the Convention shall extend to the Bailiwick of Guernsey, subject to the following reservations and declaration;
- (2) In accordance with Article 14, paragraph 3 of the Convention, the United Kingdom declares that Article 14, paragraph 2, of the Convention shall apply to the Bailiwick of Guernsey subject to the constitutional principles and the basic concepts of its legal system.
- (3) In accordance with Article 21, paragraph 2, of the Convention, the United Kingdom declares that judicial documents for the Bailiwick of Guernsey should be served only through its central authority. The central authority for the Bailiwick of Guernsey is: HM Attorney General, St. James Chambers, St. Peter Port, Guernsey, GY1 2PA.
- (4) The central authority of the United Kingdom designated in pursuance of Article 23, Paragraph 1, of the Convention for the Bailiwick of Guernsey is: HM Attorney General, St James Chambers, St Peter Port, Guernsey, GY1 2PA.

### Reservation

In accordance with Article 25, paragraph 3, of the Convention, the United Kingdom declares that it reserves the right to require that requests made to the central authority of the Bailiwick of Guernsey and documents supporting such requests be accompanied by a translation into English.

European Convention on Mutual Assistance in Criminal Matters [ETS No. 30] .. .. .. .. .. .. .. .. .. ..

Strasbourg, 20 Apr., 1959

024/1992 Cm 1928

Treaty Series and Command Nos.

### PRIVATE INTERNATIONAL LAW (continued)

#### Note-

On 30 September 2002, the Secretary-General of the Council of Europe, as depositary, received from the government of *Norway* notification of an amendment of a declaration made in respect of Article 26, paragraph 4, of the Convention<sup>1</sup>, with the following wording: "The Agreement of 26 April 1974 between Norway, Denmark, Iceland, Finland and Sweden on mutual assistance shall apply".

<sup>1</sup> The initial declaration was made at the time of signature on 21 April 1961 and confirmed at the time of deposit of the instrument of ratification on 14 March 1962 read as follows: "The Protocol of 26 June 1957 between Norway, Denmark and Sweden on reciprocal assistance in legal matters shall remain in force".

### Note-

On 27 September 2002, the Secretary-General of the Council of Europe, as depositary, received from the government of the *United Kingdom* a notification as follows:

The Government of the United Kingdom wishes, in accordance with Article 25, paragraph 5, to extend the application of the Convention to the *Isle of Man*, for whose international relations the United Kingdom is responsible. For this to happen, the agreement of the other States is required.

The consent of the *Portuguese* Government has been secured by exchange of Letters. Accordingly, as concerns the Governments of the United Kingdom and Portugal, the Convention now applies to the Isle of Man. This extension of the Convention came into force on 25th July 2002.

### Note-

On 27 September 2002, the Secretary-General of the Council of Europe, as depositary, received from the government of the *United Kingdom* a notification that the Government of the United Kingdom wishes to extend the United Kingdom's ratification of the Convention to the Bailiwick of Guernsey (This extension would not apply to the Additional Protocol of 1978.)

For the purposes of Chapter V of the Convention, the judicial authority for the Bailiwick of Guernsey should be:

Address: HM Attorney-General, St James' Chambers St Peter Port, Guernsey GY1 2PA

Tel: 44 (0) 1481.723355; Fax: 22(0) 1481.725439; E-mail: law@gov.gg Website: www.gov/gg/law

In the absence of any objection from the Governments of Contracting Parties within 90 days of 21 October 2002 (the date of the Secretary-General's notification) this territorial extension would be considered to be tacitly accepted, and will take effect between [State] and the United Kingdom as of 20 January 2003.

### European Charter of Local Self-Government [ETS No. 122]

On 31 July 2002, the Secretary-General of the Council of Europe, as depositary, received from the Government of the *Slovak Republic* a declaration as follows:

Referring to the European Charter of Local Self-Government ratified by Slovakia on 1 February 2000, the Slovak Republic declares that it considers itself to be bound by Article 6, paragraph 2, of the said Charter. **Period covered: 1 November 2002**.

Strasbourg 15 Oct., 1985 106/2000 Cm 4845

PRIVATE INTERNATIONAL LAW (continued)	Date	Treaty Series and Command Nos.
Convention on the Privileges and Immunities of the Specialised Agencies of the United Nations adopted by the General Assembly of the United Nations on 21 November 1947 [With Annexes]	Adopted New York 21 Nov., 1947	069/1959 Cmnd 855
Accession— South Africa (with declaration and reservations*)	30 Aug., 2002	
Declaration*  The Government of South Africa, in accordance with article		

International Labour Oranisation

Food and Agriculture Organisation of the United Nations (Second revised text of annex II)

XI, section 43 of the Convention, has undertaken to apply the provisions of the said Convention to the following specialised

**International Civil Aviation Organisation** 

United Nations Educational, Scientific and Cultural Organisation;

International Monetary Fund

International Bank for Reconstruction and Development World Health Organisation (Third Revised Text of Annex

Universal Postal Union

International Telecommunication Union

World Meteorological Organisation

International Maritime Organisation (Revised text of annex XII)

**International Finance Corporation** 

International Development Association

World Intellectual Property Organisation

International Fund for Agricultural Development

United Nations Industrial Development Organisation

### Reservations\*

agencies:

1. The Government of the Republic of South Africa does not consider itself bound by the provisions of Article III, Section 7 in so far as it relates to the buying, selling and holding of gold as certain limitations exist in the Republic regarding the buying, selling and holding of gold.

Explanatory note: the buying, selling and holding of gold in the Republic is regulated. In terms of Exchange Control Regulation 2 no person other than an Authorised Dealer may buy or borrow any gold from, or sell, to any person not being an Authorised Dealer, unless exemption from Exchange Control Regulation 5 has been authorised (Mining Houses and Mining Producers may elect to sell their total gold holdings to the approved counter parties, including foreign counter parties, provided that the Exchange Control Department of the South African Reserve Bank has given the necessary exemption from the aforementioned regulation).

2. Pending a decision by the Government of the Republic of South Africa on the compulsory jurisdiction of the International Court of Justice, the Government of the Republic of South Africa does not consider itself bound by the terms of Article IX, Section 32 of the Convention which provides for the compulsory jurisdiction of the International Court of Justice in differences arising out of the interpretation or application of the Convention. The Republic will adhere to the position that, for the submission of a particular dispute for settlement by the International Court, the consent of all the parties to the dispute is required in every individual case. This reservation is equally applicable to the provisions contained in the said section, which stipulate that the advisory opinion of the International Court is to be accepted as decisive."

· · · · · · · · · · · · · · · · · · ·		
	Date	Treaty Series and Command Nos.
RED CROSS		
<b>Convention</b> for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field	Geneva 12 Aug., 1949	039/1958 Cmnd 550
Succession— Cook Islands <sup>1</sup>	7 Feb., 2002	
<sup>1</sup> With effect 11 June 2001, the date of signature of the Agreement "Joint Centenary Declaration", concluded with New Zealand.		
Note—		
On 24 June 2002, the Swiss Federal Department of Foreign Affairs, as depositary, received from the Government of <i>Romania</i> notice of withdrawal of the reservation made upon signature and confirmed on 1 June 1954 upon ratification in respect of Article 10 of the above Convention.		
<b>Convention</b> for the Amelioration of the Condition of Wounded, Sick and Shipwrecked members of Armed Forces at Sea	Geneva 12 Aug., 1949	039/1958 Cmnd 550
Succession— Cook Islands <sup>1</sup>	7 Feb., 2002	
<sup>1</sup> With effect 11 June 2001, the date of signature of the Agreement "Joint Centenary Declaration", concluded with New Zealand.		
Note—		
On 24 June 2002, the Swiss Federal Department of Foreign Affairs, as depositary, received from the Government of Romania notice of withdrawal of the reservation made upon signature and confirmed on 1 June 1954 upon ratification in respect of Article 10 of the above Convention.		
Geneva Convention Relative to the Treatment of Prisoners of War	Geneva 12 Aug., 1949	039/1958 Cmnd 550
Succession— Cook Islands <sup>1</sup>	7 Feb., 2002	
<sup>1</sup> With effect 11 June 2001, the date of signature of the Agreement "Joint Centenary Declaration", concluded with New Zealand.		
Note—		
On 24 June 2002, the Swiss Federal Department of Foreign Affairs, as depositary, received from the Government of <i>Romania</i> notice of withdrawal of the reservation made upon signature and confirmed on 1 June 1954 upon ratification in respect of Articles 10, 12 and 85 of the above Convention.		
<b>Convention</b> relative to the Protection of Civilians in Time of War	Geneva 12 Aug., 1949	039/1958 Cmd 550
Succession—  Cook Islands <sup>1</sup>	7 Feb., 2002	
<sup>1</sup> With effect 11 June 2001, the date of signature of the Agreement "Joint Centenery Declaration", concluded with New Zealand.		
Note—		
On 24 June 2002, the Swiss Federal Department of Foreign Affairs, as depositary, received from the Government of <i>Romania</i> notice of withdrawal of the reservation made upon signature and confirmed on 1 June 1954 upon ratification in respect of Articles 11 and 45 of the above Convention.		
<b>Protocol Additional</b> to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I)	Geneva 8 June 1977	029/1999 Cm 4338

Treaty Series and Command Nos.

### **RED CROSS** (continued)

Accession-

Cook Islands (with declaration\*) .. .. .. .. ..

7 May, 2002

Date

#### Declaration\*

"The Government of the Cook Islands declares that it recognises ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorised by Article 90 of Protocol I."

#### Note—

On 14 October 2002, the Swiss Federal Department of Foreign Affairs, as a depositary, received a declaration from the Government of *Cyprus*, as follows:

"The Government of the Republic of Cyprus declares that it recognises ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorised by Article 90 of Protocol I Additional to the Geneva Conventions of 12 August, 1949, adopted in Geneva on 8 June 1977, relating to the Protection of Victims of International Armed Conflicts".

#### Note-

On 2 July 2002, the Swiss Federal Department of Foreign Affairs, as a depositary, received declarations from the Government of the *United Kingdom*, as follows:

On 2 July 2002, the United Kingdom of Great Britain and Northern Ireland deposited with the Swiss Federal Council the following declarations (original version) concerning the applicability of the Protocols I and II Additional to the Geneva Conventions of 12 August 1949, adopted at Geneva on 8 June 1977.

"Her Britannic Majesty's Embassy has the honour to declare, on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland ("the UK Government"), that its ratification of the Additional Protocols shall be extended to the following territories for whose international relations it is responsible:

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
British Virgin Islands
Cayman Islands
Falkland Islands
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena and Dependencies
South Georgia and the South Sandwich Islands
Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands.

The Embassy also have the honour to lodge with the Government of Swiss Confederation, as the depository of the Additional Protocols, the following statements in respect of the extension of the UK Government's ratification of the 1977 Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts to the above territories:

Treaty Series and Command Nos.

### **RED CROSS** (continued)

- "(a) it continues to be the understanding of the United Kingdom that the rules introduced by the Protocol apply exclusively to conventional weapons without prejudice to any other rules of international law applicable to other types of weapons. In particular, the rules so introduced do not have any effect on and do not regulate or prohibit the use of nuclear weapons.
- (b) The United Kingdom understands the term "feasible" as used in the Protocol to mean that which is practicable or practically possible, taking into account all circumstances ruling at the time, including humanitarian and military considerations.
- (c) Military commanders and others responsible for planning, deciding upon, or executing attacks necessarily have to reach decisions on the basis of their assessment of the information from all sources which is reasonably available to them at the relevant time.
- (d) Article 1, paragraph 4 and Article 96, paragraph 3

It is the understanding of the United Kingdom that the term "armed conflict" of itself and in its context denotes a situation of a kind which is not constituted by the commission of ordinary crimes including acts of terrorism whether concerted or in isolation.

The United Kingdom will not, in relation to any situation in which it is itself involved, consider itself bound in consequence of any declaration purporting to be made under paragraph 3 of Article 96 unless the United Kingdom shall have expressly recognised that it has been made by a body which is genuinely an authority representing a people engaged in an armed conflict of the type to which Article 1, paragraph 4, applies.

### (e) Article 28, paragraph 2

Given the practical need to make use of non-dedicated aircraft for medical evacuation purposes, the United Kingdom does not interpret this paragraph as precluding the presence on board of communications equipment and encryption materials or the use thereof solely to facilitate navigation, identification or communication in support of medical transportation as defined in Article 8(f).

### (f) Article 35, paragraph 3 and Article 55

The United Kingdom understands both of these provisions to cover the employment of methods and means of warfare and that the risk of environmental damage falling within the scope of these provisions arising from such methods and means of warfare is to be assessed objectively on the basis of the information available at the time.

### (g) Article 44, paragraph 3

It is the understanding of the United Kingdom that:

- the situation in the second sentence of paragraph 3 can only exist in occupied territory or in armed conflicts covered by paragraph 4 of Article 1;
- "deployment" in paragraph 3(b) means any movement towards a place from which an attack is to be launched.

Treaty Series and Command Nos.

### **RED CROSS** (continued)

### (h) Article 50

In the view of the United Kingdom the rule in the second sentence of paragraph 1 applies only in cases of substantial doubt still remaining after the assessment referred to at paragraph (c) above has been made, and not as overriding a commander's duty to protect the safety of troops under his command or to preserve his military situation, in conformity with other provisions of the Protocol.

### (i) Article 51 and Article 57

In the view of the United Kingdom, the military advantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack.

### (i) Article 52

It is the understanding of the United Kingdom that:

- a specific area of land may be a military objective if, because of its location or other reasons specified in this Article, its total or partial destruction, capture or neutralisation in the circumstances ruling at the time offers definite military advantage;
- the first sentence of paragraph 2 prohibits only such attacks as may be directed against non-military objectives; it does not deal with the question of collateral damage resulting from attacks directed against military objectives.

### (k) Article 53

The United Kingdom declares that if the objects protected by this Article are unlawfully used for military purposes they will thereby lose protection from attacks directed against such unlawful military uses.

### (l) Article 54, paragraph 2

The United Kingdom understands that paragraph 2 has no application to attacks that are carried out for a specific purpose other than denying sustenance to the civilian population or the adverse party.

### (m) Articles 51–55

The obligations of Articles 51 and 55 are accepted on the basis that any adverse party against which the United Kingdom might be engaged will itself scrupulously observe those obligations. If an adverse party makes serious and deliberate attacks, in violation of Article 51 or Article 52 against the civilian population or civilians or against civilian objects, or, in violation of Articles 53, 54 and 55, on objects or items protected by those Articles, the United Kingdom will regard itself as entitled to take measures otherwise prohibited by the Articles in question to the extent that it considers such measures necessary for the sole purpose of compelling the adverse party to cease committing violations under those Articles, but only after formal warning to the adverse party requiring cessation of the violations has been disregarded and then only after a decision taken at the highest level of government. Any measures thus taken by the United Kingdom will not be disproportionate to the violations giving rise thereto and will not involve any action prohibited by the Geneva Conventions of 1949 nor will such measures be continued after the violations have ceased. The United Kingdom will notify the Protecting Powers of any such formal warning given to an adverse party, and if that warning has been disregarded, of any measures taken as a

RATIFICATIONS, ETC. Treaty Series Date and Command Nos. **RED CROSS** (continued) (n) Articles 56 and 85, paragraph 3c The United Kingdom cannot undertake to grant absolute protection to installations which may contribute to the opposing Party's war effort, or to the defenders of such installations, but will take all due precautions in military operations at or near the installations referred to in paragraph 1 of Article 56 in the light of the known facts, including any special marking which the installation may carry, to avoid severe collateral losses among the civilian populations; direct attacks on such installations will be launched only on authorisation at a high level of command. (o) Articles 57, paragraph 2 The United Kingdom understands that the obligation to comply with paragraph 2(b) only extends to those who have the authority and practical possibility to cancel or suspend (p) Article 70 It is the understanding of the United Kingdom that this Article does not affect the existing rules of naval warfare regarding naval blockade, submarine warfare or mine warfare. In addition, the UK Government hereby extends the following declaration made on 17 May 1999 in respect of the recognition of competence of the International Fact-Finding Commission to the above listed territories for whose international relations it is responsible: "The Government of the United Kingdom of Great Britain and Northern Ireland declares that it recognises ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to inquire into allegations by such other Party, as authorised by Article 90 of Protocol I Additional to the Geneva Conventions of 1949." The UK Government reserves the right to extend its ratification of the Additional Protocols and/or its declaration in respect of the recognition of competence of the International Fact-Finding Commission at a later date to any other territories for whose international relations the UK Government is responsible.' Pursuant to an analogous application of their final provisions, the Protocols will become applicable to the concerned territories six months after the deposit of the declaration of extension, ie on 2 January 2003. The United Kingdom of Great Britain and Northern Ireland ratified the Protocol I on 28 January 1998. 030/1999 **Protocol** Additional to the Geneva Conventions of 12 August Geneva 1949, and relating to the Protection of Victims of Non-8 June, 1977 Cm 4339

Accession-

Cook Islands (with declaration\*) .. .. .. .. ..

7 May, 2002

International Armed Conflicts (Protocol II) .. .. ..

Declaration\*

"The Government of the Cook Islands declares that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same

·	Date	Treaty Series and Command Nos.
RED CROSS (continued)		
obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorized by Article 90 of Protocol I."		
Note—		
On 2 July 2002, the Swiss Federal Department of Foreign Affairs, as depositary, received declarations from the Government of the <i>United Kingdom</i> : [See preceding Declarations in respect of Protocol I]		
ROAD TRANSPORT		
Agreement concerning the adoption of uniform technical prescriptions for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the conditions for reciprocal recognitions of approvals granted on the basis of these prescriptions	Geneva, 20 Mar., 1958	007/1965 Cmnd 2535
<b>Regulation No. 59</b> Uniform Provisions concerning the approval of replacement silencing systems		
Confirmation of Application— Yugoslavia, F R <sup>1</sup> 1 With effect from 18 May, 1993, following State succession	31 July, 2002	
(effective 27 April 1992).		
<b>Regulation No. 94</b> Uniform Provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a frontal collision		
Application— Spain	29 Nov., 2002	
<b>Regulation No. 95</b> Uniform Provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a lateral collision		
Application— Spain	29 Nov., 2002	
<b>Agreement</b> concerning the establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles	Geneva 25 June, 1998	127/2000 Cm 4925
Accession— Sweden	3 Dec., 2002	
SHIPPING		
<b>International Convention</b> for the Unification of certain Rules of Law relating to Bills of Lading, (the "Hague Rules")	Brussels 25 Aug., 1924	017/1931 Cmd 3806
Denunciation— St Vincent and the Grenadines <sup>2</sup>	22 July, 2002	
<sup>2</sup> With effect 22 July 2003		
Convention on Facilitation of International Maritime Traffic	London 9 Apr., 1965	046/1967 Cmnd 3299
Accession— Indonesia	4 Nov., 2002 24 Sept., 2002	
Reservations*		
"Standard 2.6.3—a crew list has to be submitted by every ship calling in a local port after an international voyage"; and		
"Standard 2.22—ships calling in a port to disembark a sick or injured person has to submit all the applicable documents to the relative public authority, but this will not delay clearance".		

RATIFICATIONS, ETC	RATIFICATIONS, ETC.	
SHIPPING (continued)	Date	Treaty Series and Command Nos.
Note—  In a Notification dated 22 November 2002, the Secretary-General of the International Maritime Organization, as Depositary, transmitted Decision No. 143/133 from the Minister of Transport, Algeria, concerning the introduction of the IMO FAL Forms relating to the arrival, stay and departure of ships, crew, passengers and cargo in Algerian ports, as follows;		

# GENERAL DECLARATION

(Name of company, agent, etc.)

	Апті	val Departure	
1. Name and description of	ship	2. Port of arrival/departure	3. Date - time of arrival/departure
4. Nationality of ship	5. Name of master	6. Port arrived from/Port of	destination
7. Certificate of registry (P	ort; date; number)	8. Name and address of ship	o's agent
9. Gross tonnage	10. Net tonnage		
11. Position of the ship in t	he port (berth or station)		
12. Particulars of voyage (	previous and subsequent por	rts of call; ports of discharge o	of cargo on board)
13. Brief description of the	cargo		
14. Crew (including master)	15. Number of passengers	16. Remarks	
Attached documents (indicate number of copies)	1		
17. Cargo Declaration	18. Ship's Stores Declaration		
19. Crew List	20. Passenger List	21. Signature by master, a	uthorized agent or officer and date
22. Crew's Effects Declaration	23. Maritime Declaration of Health		

For official use

# SHIPPING (continued)

# SHIP'S STORES DECLARATION

(name of company, agent, etc.)

		Arrival	Departure	Page No.
1. Name of ship		2. Port of	arrival/departure	3. Date of arrival/departure
4. Nationality of ship			ived from/Port of o	destination
6. Number of persons on board	7. Period of stay			
9. Name of article	10. Quantity	11. For off	ficial use	

12. Signature by master, authorized agent or officer and date

SHIPPING (continued)

# PASSENGER LIST

Arrival

Departure

Page No.

(Name of company, agent, etc.)

pa		-		
1. Name of ship		2. Port of arrival/departure	3. Date of arrival/departure	
4. Nationality of ship				
5. Family name, given	6. Nationality	7. Date and place of birth	8. Port of	9. Port of
names	,		embarkation	disembarkation
		,		
	1			
* .				
	ľ			
·				
10. Signature by ma	ster, authorized a	gent or officer and date		

SHIPPING (continued)

DANGEROUS GOODS MANIFEST

(As required by SOLAS 74, chapter VII, regulation 5.3; MARPOL 73/78; Annex III, regulation 4.3; and section 9 of the General Introduction to the IMDG Code)

STOWAGE POSITION ON BOARD MASTER'S NAME SHIPPING AGENT EmS MASS (kg) Gross/Net MARINE POLLUTANT PORT OF DISCHARGE FLASH POINT (IN °C, c.c.) FLAG STATE SUBSIDIARY RJSK(S) PACKING GROUP <u>z</u> ż PORT OF LOADING IMO No. CLASS PROPER SHIPPING NAME NUMBER AND KIND OF PACKAGES SHIP'S NAME VOYAGE No. MARKS & NUMBERS CONTAINER 1.D. No. VEHICLE REGISTRA-TION No. BOOKING/ REFERENCE No.

Agent's signature

Master's signature

Place and date

Place and date

	Date	Treaty Series and Command Nos.
SHIPPING (continued)		
<b>Protocol of 1978</b> relating to the International Convention for the Safety of Life at Sea, 1974	London (IMCO) 1 June, 1978 –1 Mar., 1979	040/1981 Cmnd 8277
Accession— Guinea	2 Oct., 2002	
International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978	London 1 Dec., 1978 –30 Nov., 1979	050/1984 Cmnd 9266
Accession—     Congo	7 Aug., 2002 17 Sept., 2002	
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	Rome/IMO HQ 10 Mar., 1988 –9 Mar., 1989	064/1995 Cm 2947
Accession— Libya	8 Aug., 2002	
<b>Protocol</b> for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf	Rome/IMO HQ 10 Mar., 1988 Mar., 1989	064/1995 Cm 2947
Accession— Libya	8 Aug., 2002	
<b>European Convention</b> on Transfrontier Television [Council of Europe No. 132]	Strasbourg 5 May, 1989	022/1993 Cm 2178
Note— On 6 November 2002, the Secretary-General of the Council of Europe, as depositary, received a communication from the government of Poland, as follows; With reference to Article 19, paragraph 2, of the Convention, the Government of the Republic of Poland declares that the Committee for Radio and Television designated as the competent authority for Poland in 1992 has been replaced by the following body:		
The National Broadcasting Council Skwer Kardynala Wysznskiego 9 01-015 Warszawa		
Tel: (48 22) 838 50 21 Fax: (48 22) 838 81 97		
ERRORISM		
<b>European Convention</b> on the Suppression of Terrorism [ETS No. 90]	Strasbourg 27 Jan., 1977	093/1978 Cmnd 7390
Note—		
On 23 September 2002, the Secretary-General of the Council of Europe, as depositary, received from the government of <i>Denmark</i> notice of the withdrawal of its reservation made in accordance with Article 13, paragraph 1, of the Convention. The declaration, made at the time of ratification of the Convention, concerning the non-application of the Convention to the Faroe Islands and Greenland is still valid.		
The reservation read as follows:		
"The Danish Government, in accordance with the provisions of Article 13 of this Convention and subject to the undertaking contained in that article, reserves the right to refuse extradition in respect of any offence mentioned in Article 1 which it considers to be a political offence."		

RATIFICATIONS, ETC	2.	
TERRORISM (continued)	Date	Treaty Series and Command Nos.
1 Entropies (Continued)		
International Convention Against the Taking of Hostages	New York 18 Dec., 1979 -31 Dec., 1980	081/1983 Cmnd 9100
Accession— Lao People's Democratic Republic (with reservation*) Latvia	22 Aug., 2002 14 Dec., 2002 10 Oct., 2002	
Reservation*		
"In accordance with paragraph 2, Article 16 of the International Convention Against the taking of Hostages, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 16 of the present Convention. The Lao People's Democratic Republic declares that to refer a dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary."		
Reservation <sup>+</sup>		
"Pursuant to article 16, paragraph 2 of the International Convention against the Taking of Hostages, the Republic of Moldova declares that it does not consider itself bound by the provisions of article 16, paragraph 1 of the Convention".		
<b>European Convention</b> on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches [ETS No. 120]	Strasbourg 19 Aug., 1985	057/1985 Cmnd 9649
Signature— Liechtenstein	8 Nov., 2002	
International Convention for the Suppression of Terrorist Bombings	New York 15 Dec., 1997	057/2001 Cm 5347
Ratification— Brazil (with reservation and declaration*)	23 Aug., 2002	
Accession— Barbados	18 Sept., 2002 6 Nov., 2002 22 Aug., 2002 26 Nov., 2002 10 Oct., 2002 4 Nov., 2002	
Acceptance— Micronesia	23 Sept., 2002	
Reservation*		
"the Federative Republic of Brazil declares, pursuant to article 20, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings, adopted in New York on the 15 December 1997, that it does not consider itself bound by the provisions of article 20, paragraph 1, of the said Convention."		
Reservation <sup>+</sup>		
"In accordance with paragraph 2, Article 20 of the International Convention for the Suppression of Terrorist Bombings, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 20 of the present Convention. The Lao People's Democratic Republic declares that to refer a dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary."		
Declaration*		
" In addition, the federative Republic of Brazil declares that, in accordance with the provisions of article 6, paragraph 3,		

Treaty Series and Command Nos.

### TERRORISM (continued)

of the said Convention, it will exercise jurisdiction over the offences within the meaning of article 2, in the cases set forth in article 6, paragraph 2, subparagraphs (a), (b) and (e) of the Convention."

### Declaration†

- 1. Pursuant to article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova establishes its jurisdiction over the offences set forth in article 2 in cases provided for in article 6, paragraphs 1 and 2.
- 2. The Republic of Moldova declares its understanding that the provisions of article 12 of the International Convention for the Suppression of Terrorist Bombings should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offenses falling within the scope of the Convention, without prejudice to the effectiveness of the international cooperation on the questions of extradition and legal assitance.
- 3. Pursuant to article 20, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova declares that it does not consider itself bound by the provisions of article 20, paragraph 1 of the convention.

### Communication\*\*

"... consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self government for Tokelau through an act of self-determination under the Charter of the United Nations, this accession shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultations with that territory."

### Note-

On 18 October 2002, the Secretary General of the United Nations, as depositary, received from the government of *Australia* a Notification under Article 6(3), as follows:

"... in accordance with article 6(3) of the Convention, Australia has chosen to establish jurisdiction in all the circumstances provided for by Article 6(2), and has provided for such jurisdiction in domestic legislation which took effect on 8 September 2002".

### Note-

On 5 November 2002, the Secretary-General of the United Nations, as depositary, received from the government of *Sweden* a Notification under Article 6(3), as follows:

### (Original: English)

"Pursuant to article 6(3) of the International Convention for the Suppression of Terrorist Bombings, Sweden provides the following information on Swedish criminal jurisdiction. Rules on Swedish criminal jurisdiction are laid down in Chapter 2 Section 1-5 in the Swedish Penal Code. The provisions have the following wording:

### Section 1

Crimes committed in this Realm shall be adjudged in accordance with Swedish law and by a Swedish court. The same applies when it is uncertain where the crime was committed but grounds exist for assuming that it was committed within the Realm.

Treaty Series and Command Nos.

### TERRORISM (continued)

#### Section 2

Crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court when the crime has been committed:

- 1. By a Swedish citizen or an alien domiciled in Sweden,
- 2. By an alien not domiciled in Sweden who, after having committed the crime, has become a Swedish citizen or has acquired domicile in the Realm or who is a Danish, Finnish, Icelandic or Norwegian citizen and is present in the Realm, or
- 3. By any other alien, who is present in the Realm, and the crime under Swedish law can result in imprisonment for more than six months.

The first paragraph shall not apply if the act is not subject to criminal responsibility under the law of the place where it was committed or if it was committed within an area not belonging to any state and, under Swedish law, the punishment for the act cannot be more severe than a fine.

In cases mentioned in this Section, a sanction may not be imposed which is more severe than the most severe punishment provided for the crime under the law in the place where it was committed.

### Section 3

Even in cases other than those listed in Section 2, crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court:

- 1. if the crime was committed on board a Swedish vessel or aircraft, or was committed in the course of duty by the officer in charge or by a member of its crew,
- 2. If the crime was committed by a member of the armed force in an area in which a detachment of the armed forces was present, or if it was committed by some other person in such an area and the detachment was present for a purpose other than exercise,
- 3. if the crime was committed in the course of duty outside the Realm by a person employed in a foreign contingent of the Swedish armed forces,
- 3a. if the crime was committed in the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,
- 4. if the crime committed was a crime against the Swedish nation, a Swedish municipal authority or other assembly, or against a Swedish public institution,
- 5. If the crime was committed in an area not belonging to any state and was directed against a Swedish citizen, a Swedish association or private institution, or against an alien domiciled in Sweden.
- 6. if the crime is hijacking, maritime or aircraft sabotage, airport sabotage, counterfeiting currency, an attempt to commit such crimes, a crime against international law, unlawful dealings with chemical wepons, unlawful dealing with mines or false or careless statement before an international court, or
- 7. if the least severe punishment prescribed for the crime in Swedish law is imprisonment for four years or more.

### Section 3a

Besides the cases described in Sections 1-3, crimes shall be adjudged according to Swedish law by a Swedish court in accordance with the provisions of the Act on International Collaboration concerning Proceedings in Criminal matters.

### Treaty Series Date and Command Nos. TERRORISM (continued) Section 4 A crime is deemed to have been committed where the criminal act was perpetrated and also where the crime was completed or in the case of an attempt, where the intended crime would have been completed. Section 5 Prosecution for a crime committed with the Realm on a foreign vessel or aircraft by an alien, who was the officer in charge or member of its crew or otherwise travelled in it, against another alien or a foreign interest shall not be instituted without the authority of the Government or a person designated by the Government. Prosecution for a crime committed outside the Realm may be instituted only following the authorisation referred to in the first paragraph. However, prosecution may be instituted without such an order if the crime consists of a false of careless statement before an international court or if the crime was committed: 1. on a Swedish vessel or aircraft or by the officer in charge or some member of its crew in the course of duty. 2. by a member of the armed forces in an area in which a detachment of the armed forces was present, 3. in the course of duty outside the Realm by a person employed by a foreign contingent of the Swedish armed forces, 4. In the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified, 5. In Denmark, Finland, Iceland or Norway or on a vessel or aircraft in regular commerce between places situated in Sweden or one of the said stated, or 6. By a Swedish, Danish, Finnish, Icelandic or Norwegian citizen against a Swedish interest." New York 028/2002 **International Convention** for the Suppression of the Financing of 10 Jan., 2000 Cm 5550 Terrorism .. .. .. .. .. .. .. .. .. .. -31 Dec., 2001 Ratification-Australia .. .. .. .. .. .. 26 Sept., 2002 Barbados .. .. .. .. .. .. 18 Sept., 2002 Denmark (with declarations\*) .. 27 Aug., 2002 27 Sept., 2002 14 Oct., 2002 Latvia (with declarations\*\*) .. .. .. .. 14 Nov., 0214 Micronesia .. .. .. 23 Sept., 2002 Moldova Republic Of (with declaration and reservation + +) 10 Oct., 2002 New Zealand (with declaration††) .. .. .. .. .. 4 Nov., 2002 Nicaragua (with declaration\*\*\*) .. .. .. .. 14 Nov., 2002 18 Oct., 2002 27 Sept., 2002 Slovak Republic (with declaration + + +) .. .. .. 13 Sept., 2002 Yugoslavia, F R .. .. .. .. .. .. .. .. .. 10 Oct., 2002 Brunei Darussalam .. .. 4 Dec., 2002 Vietnam (with reservation and Declaration\*\*\*) .. 25 Sept., 2002 Declarations\* (1) "Pursuant to article 7, paragraph 3, of the International Convention for the Suppression of the Financing of Terrorism Denmark declares that section 6-12 of the Danish Criminal Code provide for Danish jurisdiction in respect of offences set forth in article 2 of the Convention in all the circumstances laid down in article 7, paragraph 2, of the Convention."

Treaty Series and Command Nos.

### TERRORISM (continued)

(2) The ratification of Denmark effected on 27 August 2002 was in respect of the Faroe Islands and Greenland.

#### Declaration +

"In accordance with article 2.2, Georgia declares, that while applying this Convention, treaties to which Georgia is not a contracting party shall not be considered as included in the annex to this Convention."

#### Declaration†

"The Republic of Hungary declares that it establishes its jurisdiction in all the cases provided for in Article 7, Paragraph 2 of the Convention."

#### Declaration\*\*

"In accordance with Article 2, paragraph 2 of the International Convention for the Suppression of the Financing of Terrorism, adopted at New York on the 9th day of December 1999, the Republic of Latvia declares that in the application of the Convention to the Republic of Latvia the following treaties shall be deemed not to be incuded in the annex referred to in Article 2 paragraph 1, subparagraph (a) of the Convention:

- 1. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979.
- 2. Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980.
- 3. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988.
- 4. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988.
- 5. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997."

"In accordance with Article 7, paragraph 3 of the International Convention for the Suppression of the Financing of Terrorism, adopted at New York on the 9th day of December 1999, the Republic of Latvia declares that it has established jurisdiction in all cases listed in Article 7, paragraph 2."

### Declaration + +

- 1. Pursuant to article 2, paragraph 2 (a) of the International Convention for the Suppression of the Financing of Terrorism, the Republic of Moldova declares that in the application of the Convention the treaties (that) the Republic of Moldova is not a party to shall be deemed not to be included in the Annex of the Convention.
- 2. Pursuant to article 24, paragraph 2 of the International Convention for the Suppression of the Financing of Terrorism, the Republic of Moldova declares that it does not consider itself bound by the provisions of article 24, paragraph 1 of the Convention.

## Declaration††

1.

"...in accordance with Article 2, paragraph 2(a), of the Convention, ...in the application of the Convention to New Zealand, the Convention for the Physical Protection of Nuclear Materials adopted at Vienna on [3 March 1979] shall be deemed not to be included in the annex referred to in Article 2, paragraph 1(a), as New Zealand is not yet a party to it;

Treaty Series and Command Nos.

### TERRORISM (continued)

2.

"...consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory."

### Declaration\*\*\*

In accordance with the provisions of article 2, paragraph 2, subparagraph (a), of the International Convention for the Suppression of the Financing of Terrorism, the Government of Nicaragua declares:

That, in the application of this Convention, the treaties listed in the annex referred to in article 2, paragraph 1, subparagraph (a), shall be deemed not to be included, given that Nicaragua is not yet a party to the following conventions:

- 1. International Convention against the Taking of Hostages, adopted by the United Nations General Assembly on 17 December 1979.
- 2. Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980.
- 3. Convention on the Suppression of Unlawful Acts against the Safety of Martime Navigation, done at Rome on 10 March 1988
- 4. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988.

### Declaration + + +

"Pursuant to article 7, paragraph 3, of the International Convention for the Suppression of the Financing of Terrorism, the Slovak Republic declares that it shall exercise its jurisdiction as provided for under article 7, paragraph 2, subparagraphs a) to e) of the Convention."

### Declaration

"The Socialist Republic of Vietnam...declares that the provisions of the Convention shall not be applied with regard to the offences set forth in the following treaties to which the Socialist Republic of Vietnam is not a party:

International Convention against the taking of Hostages adopted by the General Assembly of the United Nations on 17 December 1979;

Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 26 October 1979;

International Convention for [the] Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997."

# Reservation\*\*\*\*

"Acceeding to this Convention, the Socialist Republic of Vietnam makes its reservation to paragraph 1 of Article 24 of the Convention".

### Note-

On 24 October 2002, the Secretary-General of the United Nations, as depositary, received a notification from the government of *Australia* as follows;

"The Australian Permanent Mission to the United Nations hereby notifies the Secretary-General of the United Nations,

Treaty Series

and Command Nos.

# RATIFICATIONS, ETC. Date TERRORISM (continued) pursuant to article 7, paragraph 3 of the Convention, that Australia has established jurisdiction in relation to all the circumstances referred to in article 7, paragraph 2 of the Convention. Note-On 5 November 2002, the Secretary-General of the United Nations, as depositary, received a notification from the government of Sweden as follows; 5 Nov., 2002 (Original: English) "Pursuant to article 7 (3) of the International Convention for the Suppression of the Financing of Terrorism, Sweden provides the following information on Swedish criminal jurisdiction. Rules on Swedish criminal jurisdiction are laid down in Chapter 2 Section 1–5 in the Swedish Penal Code. The provisions have the following wording: Section 1 Crimes committed in this Realm shall be adjudged in accordance with Swedish law and by a Swedish court. The same applies when it is uncertain where the crime was committed but grounds exist for assuming that it was committed within the Realm. Section 2 Crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court when the crime has been committed: 1. by a Swedish citizen or an alien domiciled in Sweden, 2. by an alien not domiciled in Sweden who, after having committed the crime, has become a Swedish citizen or has acquired domicile in the Realm or who is a Danish, Finnish, Icelandic or Norwegian citizen and is present in the Realm, or 3. by any other alien who is present in the Realm, and the crime under Swedish Law can result in imprisonment for more than six months. The first paragraph shall not apply if the act is not subject to criminal responsibility under the law of the place where it was committed or if it was committed within an area not belonging to any state and, under Swedish law, the punishment for the act cannot be more severe than a fine. In cases mentioned in this Section, a sanction may not be imposed which is more severe than the most severe punishment provided for the crime under the law in the place where it was committed. Section 3

Even in cases other than those listed in Section 2, crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court:

- 1. if the crime was committed on board a Swedish vessel or aircraft, or was committed in the course of duty by the officer in charge or by a member of its crew,
- 2. if the crime was committed by a member of the armed forces in an area in which a detachment of the armed forces was present, or if it was committed by some other person in such an area and the detachment was present for a purpose other than exercise,
- 3. if the crime was committed in the course of duty outside the Realm by a person employed in a foreign contingent of the Swedish armed forces,

Treaty Series and Command Nos.

### TERRORISM (continued)

3a. if the crime was committed in the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,

- 4. if the crime committed was a crime against the Swedish nation, a Swedish municipal authority or other assembly, or against a Swedish public institution,
- 5. if the crime was committed in an area not belonging to any state and was directed against a Swedish citizen, a Swedish association or private institution, or against an alien domiciled in Sweden.
- 6. if the crime is hijacking, maritime or aircraft sabotage, airport sabotage, counterfeiting currency, an attempt to commit such crimes, a crime against international law, unlawful dealings with chemical weapons, unlawful dealings with mines or false or careless statement before an international court, or
- 7. if the least severe punishment prescribed for the crime in Swedish law is imprisonment for four years or more.

### Section 3 a

Besides the cases described in Sections 1-3, crimes shall be adjudged according to Swedish law by a Swedish court in accordance with the provisions of the Act on International Collaboration concerning Proceedings in Criminal matters.

### Section 4

A crime is deemed to have been committed where the criminal act was perpertrated and also where the crime was completed or in the case of an attempt, where the intended crime would have been completed.

### Section 5

Prosecution for a crime committed within the Realm on a foreign vessel or aircraft by an alien, who was the officer in charge or member of its crew or otherwise travelled in it, against another alien or a foreign interest shall not be instituted without the authority of the Government or a person designated by the Government.

instituted only following the authorisation referred to in the first paragraph. However, prosecution may be instituted without such an order if the crime consists of a false or careless statement

- 2. by a member of the armed forces in an area in which a detachment of the armed forces was present,
- 3. in the course of duty outside the Realm by a person employed by a foreign contingent of the Swedish armed forces.
- 4. in the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,
- 5. in Denmark, Finland, Iceland or Norway or on a vessel or aircraft in regular commerce between places situated in Sweden or one of the said states, or
- 6. By a Swedish, Danish, Finnish, Icelandic or Norwegian citizen against a Swedish interest."

Charter of the United Nations and Statute of the International Court of Justice

Adopted San Francisco 26 June, 1945

067/1946 Cmd 7015

Prosecution for a crime committed outside the Realm may be before an international court or if the crime was committed: 1. on a Swedish vessel or aircraft or by the officer in charge or some member of its crew in the course of duty,

Treaty Series and Command Nos.

### TERRORISM (continued)

#### Note-

On 3 September 2002, the Secretary-General of the United Nations, as depositary, received from the government of *Cyprus* a notification of termination of its declaration of 28 June 1988<sup>1</sup>. On the same date, the government of *Cyprus* made a further declaration recognizing as compulsory the jurisdiction of the International Court of Justice, in conformity with Article 36, paragraph 2 of the Statute of the Court, as follows;

"I have the honour on behalf of the Government of the Republic of Cyprus to declare, in conformity with paragraph 2 of Article 36 of the Statute of the International Court of Justice, that the Republic of Cyprus accepts as compulsory *ipso facto* and without special agreement, on condition of reciprocity, the jurisdiction of the Court, in relation to any other State accepting the same obligation, over all legal disputes concerning:

- (a) the interpretation of any treaty
- I. to which the Republic of Cyprus became a party on or after 16 August 1960 or
- II. which the Republic of Cyprus recognizes as binding on it by succession;
  - (b) any question of international law;
- (c) the existence of any fact which, if established, would constitute a breach of an international obligation.
- (d) the nature or extent of the reparation to be made for the breach of an international obligation.

Provided that this declaration shall not apply:

- i. To disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purpose of the dispute; or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court
- ii. To disputes relating to questions which fall within the domestic jurisdiction of the Republic of Cyprus.
- 2. The Government of Cyprus also reserves the right at any time, by means of a notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to add to, amend or withdraw this Declaration or any of the foregoing reservations or any that may hereafter be added."

(Signed) Ioannis Kasoulides Minister of Foreign Affairs Nicosia, 3rd September, 2002

<sup>1</sup> Refer to depositary notification C.N.109.1988.TREATIES-2 of 28 June 1988 (Cyprus: Declaration)

### Note—

The Secretary-General of the United Nations, as depositary, communicates the following:

The Security Council, by resolution 1426(2002) adopted on 24 July 2002 at its 4585th meeting, recommended that *Switzerland* be admitted to membership of the United Nations.<sup>1</sup>

 $^1\mathrm{Refer}$  to depositary notifications C.N.109.1988.TREATIES-2 of 28 June 1988 (Cyprus: Declaration).

By resolution S/RES/57/1, adopted by the General Assembly on 10 September 2002 at its Fifty-seventh session, *Switzerland* was admitted to membership of the United Nations.

The declaration, which was formally deposited on 10 September 2002 with the Secretary-General, reads as follows:

## TERRORISM (continued)

[Translation: Original: French]

We have the honour to submit the request of the Swiss Confederation for admission to the United Nations. By a vote on 3 March 2002, the people and the cantons of Switzerland authorized the Federal Council to make this request. We should be grateful if you would submit it to the Security Council and to the General Assembly.

Pursuant to the Federal Constitution, the duty of the Swiss Confederation is to protect the liberty and the rights of the people, to ensure the independence and security of the country and to promote a just and peaceful international order. The Federal Parliament and the Federal Council are responsible for taking the necessary measures to safeguard the neutrality of the country. Switzerland is a neutral State whose status is enshrined in international law. The United Nations recognizes that the neutrality of the Member State does not affect the fulfilment of its obligations under the Charter and contributes to the achievment of the purposes of the United Nations.

As a member of the United Nations, Switzerland will remain neutral.

Note-

The Secretary-General of the United Nations, as depositary, communicates the following:

The Security Council, by resolution 1414(2002) adopted on 23 May 2002 at its 4542nd meeting, recommended that *Timor-Leste* be admitted to membership of the United Nations.

By resolution A/RES/57/3, adopted by the General Assembly on 27 September 2002 at its fifty-seventh session, *Timor-Leste* was admitted to membership of the United Nations.

The declaration, which was formally deposited on 27 September 2002 with the Secretary-General, reads as follows:

[Original: English]

In connection with the application by the Democratic Republic of Timor-Leste for membership in the United Nations, we have the honour, on behalf of the Democratic Republic of Timor-Leste and in our capacities as the President of the Republic and the Prime Minister, to declare that the Democratic Republic of Timor-Leste accepts the obligations contained in the Charter of the United Nations and solemnly undertakes to fulfil them.

(Signed) Mari Alkatiri Prime Minister of the Democratic Republic of Timor-Leste

(Signed) Jose Alexandre Xanana Gusmão President of the Democratic Republic of Timor-Leste

Accession—

Lao People's Democratic Republic (with Reservation)

Reservation\*

"In accordance with paragraph 2, Article 22 of the Convention on the Safety of United Nations and Associated Personnel, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 22 of the present Convention. The Lao People's Democratic Republic declares that to refer dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary."

Date

Treaty Series and Command Nos.

New York (UN) 9 Dec., 1994

22 Aug., 2002

092/2000 Cm 4803

RATIFICATIONS, ETC	·	
	Date	Treaty Series and Command Nos.
WHALING		
International Convention for the Regulation of Whaling (with Annexes)	Washington 2 Dec., 1946	005/1949 Cmd 7604
Adherence— Iceland (with reservation)	10 Oct., 2002	
Reservation*		
"adheres to the aforesaid Convention and Protocol with a reservation with respect to paragraph 10(e) of the Schedule attached to the Convention.		
"Notwithstanding this, the Government of Iceland will not authorize whaling for commercial purposes by Icelandic vessels before 2006 and, thereafter, will not authorize such whaling while progress is being made in negotiations within the International Whaling Commission on the Revised Management Scheme. This does not apply, however, in case of the so-called moratorium on whaling for commercial purposes, contained in paragraph 10(e) of the Schedule, not being lifted within reasonable time after the completion of the Revised Management Scheme.		
"Under no circumstances will whaling for commercial purposes be authorized in Iceland without a sound scientific basis and an effective management and enforcement scheme.  "The reservation forms an integral part of this instrument of		
adherence".		
Note— The Adherence of <i>Iceland</i> was accompanied by a Diplomatic Note, as follows:		
Ref: UTN01060017/47.B.006; 01.D.004; 47.H.017		
The Ministry for Foreign Affairs of Iceland presents its compliments to the Department of State of the United States of America and has the honour to convey the following:		
Through an instrument of 6 June 2001 Iceland adhered to the International Convention for the Regulation of Whaling which was done at Washington on 2 December 1946, and the Protocol to the Convention which was done at Washington on 19 November 1956, with a reservation with respect to paragraph 10(e) of the Schedule attached to the Convention. Through an instrument of 10 May Iceland made an addition to its reservation, containing certain commitments.		
Following the 53rd and 54th Annual Meetings of the International Whaling Commission, there is disagreement among the Contracting Governments of the International Convention for the Regulation of Whaling regarding the status of Iceland. The United States of America is among those		

States that regard Iceland as not being a Contracting Government of the Convention.

Following consultations with a number of Contracting Governments of the International Convention for the Regulation of Whaling the Government of Iceland has decided to make a further addition to the reservation.

It is clear that a depositary government will not accept a document with an addition to a reservation that forms an integral part of an instrument of adherence that it considers not to be in effect. As the Depositary Government of the International Convention for the Regulation of Whaling considers Iceland to be a non-party to that Convention, it is necessary to use the form of an instrument of adherence that includes the reservation with the addition.

Enclosed is an instrument of adherence by Iceland to the International Convention for the Regulation of Whaling and the Protocol to the Convention. The Government of Iceland deposits the instrument of adherence for the abovementioned

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	Date	Treaty Series and Command Nos.
WHALING (continued)		
reasons and without prejudice to its position regarding Iceland's status as a Contracting Government of the Convention.		
The Ministry for Foreign Affairs of Iceland respectfully requests that this Note be disseminated to the Contracting Governments of the International Convention for the Regulation of Whaling and to the Secretariat of the International Whaling Commission, along with information on Iceland's instrument of adherence.		
The Ministry for Foreign Affairs of Iceland avails itself of this opportunity to renew to the Department of State of the United States of America the assurances of its highest consideration.		
Ministry for Foreign Affairs Reykjavík, 9 October 2002		
<b>Protocol</b> to the International Convention for the Regulation of Whaling signed at Washington on December 2, 1946	Washington 19 Nov., 1956	068/1959 Cmnd 849
Adherence-		
Iceland (with reservation*) $^1$	10 Oct., 2002	
<sup>1</sup> See reservation made above in respect of the Convention of 2 December 1946		
Note-		
On 26 November 2002, the Secretary of State of the United States of America, as depositary, received from the government of <i>Sweden</i> an objection to the reservation contained in the instrument of accession of Iceland to the above Convention, as follows;		
The Embassy of Sweden presents its compliments to the United States Department of State, and has the honour to inform the US Government of the following.		
Without prejudice to any future decision by the International Whaling Commission (IWC) on Iceland's status with regard to the IWC, and without prejudice to any Swedish position in such decision-making, Sweden submits the following objection.		
The Government of Sweden has examined the reservation made on October 10 2002 by the Government of the Republic		
of Iceland at the time of its deposit of an instrument of adherence to the International Convention for the Regulation of Whaling, done at Washington on December 2, 1946. The Government of Sweden is of the view that the reservation to paragraph 10(e) of the Schedule attached to the Convention may raise serious doubts as to the commitment of the Republic		
of Iceland to the object and purpose of the Convention.  It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose by all parties. According to customary law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted.		
The Government of Sweden therefore objects to the aforesaid reservation by the Government of the Republic of Iceland. This objection shall not preclude the entry into force of the Convention between Iceland and Sweden. The Convention enters into force in its entirety without Iceland benefiting from its reservation.		
The Embassy of Sweden avails itself of this opportunity to renew to the United States Department of State the assurances of its highest consideration.		
Washington, D.C., November 26, 2002		

Washington, D.C., November 26, 2002

WHALING (continued)	Date	Treaty Series and Command Nos.
Constitution of the World Health Organization	New York 22 July, 1946	043/1948 Cmd 7458
Timor-Leste (East Timor)	27 Sept., 2002	





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