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CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE
PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND
CONSULAR MISSIONS AND REPRESENTATIVES

Report of the Secretary-General

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I. INTRODUCTION

1. On 13 November 1981, the General Assembly adopted resolution 36/33 entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". Paragraphs 2 to 12 of that resolution read as follows:

"The General Assembly,

"...

"2. Strongly condemns acts of violence against diplomatic and consular missions and representatives as well as against missions and representatives to international intergovernmental organizations and officials of such organizations;

"3. Urges States to observe and to implement the principles and rules of international law governing diplomatic and consular relations and, in particular, to take all necessary measures in conformity with their international obligations to ensure effectively the protection, security and safety of all diplomatic and consular missions and representatives officially present in territory under their jurisdiction, including practicable measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions and representatives;

"4. Recommends that States co-operate closely, inter alia, through contacts between the diplomatic and consular mission and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

"5. Calls anew upon States which have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives, inter alia, the Vienna Convention on Diplomatic Relations of 1961, 1/* the Vienna Convention on Consular Relations of 1963, 2/ and the respective optional protocols thereto, as well as the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents; 3/

"6. Calls upon States, in cases where a dispute arises in connexion with a violation of the principles and rules of international law concerning the inviolability of diplomatic and consular missions and representatives, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General;

* The notes to sects. I and II of the present report may be found at the end of sect. II. The notes to subsections. A to G of sect. III may be found at the end of each subsection.

"7. Invites all States to report to the Secretary-General serious violations of the protection, security and safety of diplomatic and consular missions and representatives, invites the State in which the violation took place and, where applicable, the State where the alleged offender is present to report also on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and further invites the State in which the violation took place to report also on the measures aimed at preventing a repetition of such violations;

"8. Requests the Secretary-General to circulate to all States upon receipt the reports received by him pursuant to paragraph 7 above, unless requested otherwise by the reporting State;

"9. Requests the Secretary-General to invite States to inform him of their views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

"10. Requests the Secretary-General, when a serious violation has been reported to him pursuant to paragraph 7 above, to draw the attention, when appropriate, of the State where the violation occurred and, when applicable, of the State where the alleged offender is present to the reporting procedures established in resolution 35/168 and reaffirmed in paragraph 7 above;

"11. Requests the Secretary-General to submit to the General Assembly at its thirty-seventh session a report on the state of ratification of, and accessions to, the instruments referred to in paragraph 5 above, as well as the reports received and views expressed pursuant to paragraphs 7 and 9 above, and invites him to submit any views he may wish to express on these matters;

"12. Decides to include in the provisional agenda of its thirty-seventh session the item entitled 'Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General'."

2. By letter dated 19 January 1982, the Secretary-General drew the attention of States to the invitation contained in paragraph 7 of the above resolution, and invited them to submit not later than 31 July 1982 the views which they might wish to submit under paragraph 9 of that same resolution.

3. By 31 August 1982, six reports under the terms of paragraph 7 of Assembly resolution 36/33 had been received, one from Denmark, four from Turkey and one from the Federal Republic of Germany. In accordance with paragraph 8 of resolution 36/33, these reports were circulated upon receipt to all States under cover of a note verbale from the Secretary-General. Under paragraph 10, the Secretary-General was requested to draw the attention, when appropriate, of the State where the violation occurred and, when applicable, of the State where the alleged offender is present to the reporting procedures established in resolution 35/168 and reaffirmed in paragraph 7 of resolution 36/33. The Secretary-General took action accordingly on the six above-mentioned reports.

4. By 31 August 1982, comments and observations under the terms of paragraph 9 of resolution 36/33 had been received from Denmark, Ecuador, Finland, Indonesia, Kiribati, Kuwait, Lebanon, Sweden and the Syrian Arab Republic.

5. In accordance with paragraph 11 of resolution 36/33, the Secretary-General submits herewith the reports received and views expressed pursuant to paragraphs 7 and 9 of resolution 36/33 (sect. II A and B) and a report on the state of ratifications of and accessions to the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963, and the respective optional protocols thereto, as well as the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (sect. III). Additional reports and views that may be forthcoming will be issued in addenda to the present document.

II. REPORTS AND VIEWS RECEIVED FROM STATES

A. Reports received from States pursuant to paragraph 7 of General Assembly resolution 36/33*

1. Note verbale from the Permanent Mission of Denmark to the United Nations addressed to the Secretary-General

[Original: English]

[11 August 1982]

...

Regarding the attack on a Turkish diplomat at Copenhagen mentioned in the note of the Permanent Mission of Denmark of 4 June 1981 (A/36/445, sect. II A), police investigations are still being carried out.

2. Note verbale from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General 4/

[Original: French]

[8 June 1982]

The Permanent Mission of Turkey to the United Nations ... deeply regrets to report to the Secretary-General a specific case of a serious violation of the security of Turkish diplomatic agents which occurred in Italy and France in the circumstances described below:

* The reports reproduced in this section appear in the chronological order of the events reported on.

On 25 October 1981, at 4.30 p.m., the Second Secretary of the Turkish Embassy in Rome, Mr. Gökberk Ergenekon, when leaving his home and about to get into his car, noticed a man waiting at the corner of Via Normanni. Once he had got into his car, Mr. Ergenekon realized that this man, who had a beard and a moustache, was aged about 30 and was carrying a plastic bag, was approaching the car. Mr. Ergenekon took the precaution of taking out his revolver and just then he heard a shot and the unknown man began to fire. The left window of the car shattered, and during the exchange of fire Mr. Ergenekon was injured in the arm and hand by three bullets. His assailant fled after Mr. Ergenekon's counter-attack. Mr. Ergenekon got out of his car and ran after the assailant for some minutes while continuing to fire, and saw him stumble for a moment before getting away. The Italian police arrived at the spot within five minutes and immediately transported Mr. Ergenekon to the hospital.

In early November 1981, French police at Orly Airport arrested a suspected Armenian activist named Dimitriu Giorgio. It later became apparent that this person might well be the individual who had attacked Mr. Ergenekon. Within a few days the news appeared in the French press. During the police investigation, Mr. Giorgio stated that, after spending 15 days in Rome, he had arrived in France on 29 October. Moreover, he was carrying the following:

- (a) A Paris-Beirut-Paris air ticket for 11 November 1981;
- (b) Copies of two passports, one belonging to a woman;
- (c) An air ticket issued on 5 October by Middle-East Airlines for the route Beirut-Milan-Beirut;
- (d) Three papers of the clandestine Armenian organization ASALA.

A revolver wound on the prisoner's arm intensified suspicions about his being implicated in the attack on Mr. Ergenekon.

After more intensive investigation, the French and Italian authorities decided to bring Mr. Ergenekon face to face with Mr. Giorgio and other suspects. Out of the six people seen by him, Mr. Ergenekon picked out as suspicious Mr. Giorgio and one other person, rejecting the others. Mr. Ergenekon said that each of the two suspects resembled the attacker in different respects, and the French authorities decided that that information was not sufficient to form a definite conclusion concerning the identity of the assailant.

Nevertheless, it was expected that the inquiries concerning Mr. Giorgio would continue since there was substantial evidence. However, the above-mentioned authorities declared that they were holding him solely for the offence of carrying a false passport, a fact that gave rise to press comments in France and elsewhere. In spite of repeated requests from the Turkish and Italian authorities, the French authorities have had nothing to say about the injury to Mr. Giorgio's arm, with particular reference to the date and medical

treatment. In the circumstances just described, the Italian Department of Justice, which wanted to seek the return of Mr. Giorgio's dossier, was unable to do so because no dossier was ever assembled by the French authorities, despite the requests of the Italian authorities. At the end of the proceedings against Mr. Giorgio on 8 December 1981 in Paris, he was sentenced to four months imprisonment; however, his sentence was suspended and he was released and expelled to Lebanon.

The detention, interrogation and, finally, the release of Mr. Giorgio despite a number of links to the crime and the fact that he belonged to the terrorist organization ASALA, were the subject of much comment in the world press, including the Turkish and French press, which expressed doubts about the affair.

The Permanent Mission of Turkey hopes that the Italian Government, on whose territory the incident in question took place, and the French Government, on whose territory the person presumed to be responsible for it, was, will likewise report as soon as possible to the Secretary-General of the United Nations, in accordance with the provisions of paragraph 7 of General Assembly resolutions 35/168 and 36/33.

3. Note verbale from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General 5/

[Original: French]

[7 July 1982]

The Permanent Mission of Turkey to the United Nations ... deeply regrets to inform the Secretary-General of a specific case of a serious violation of the security of Turkish consular officials which took place in the United States of America under the conditions described below:

On 28 January 1982, at 9.30 a.m., the Turkish Consul-General in Los Angeles, Mr. Kemal Arikan, was assassinated on the way from his home to the Consulate-General by car. The two assassins, both about 20 years old, waylaid him at an intersection on the way and fired at Mr. Arikan when his car stopped at a red light. The Consul-General lost his life on the spot as a result of being hit by six bullets from a sub-machine gun. The criminals dropped their weapons and fled by car; witnesses to the incident, however, noted the number of the licence plate and gave it to the police.

The Armenian Commandos of Justice assumed responsibility by telephoning the offices of the Associated Press in Washington and Beirut after the incident. The preliminary investigation carried out by the Los Angeles police revealed that the car in question belonged to an Armenian named Harry Sasunyan, who was arrested and detained. His trial is still in progress. Three other suspects were, however, set free and the second assassin is still being sought by the police.

The Permanent Mission of Turkey hopes that the Government of the United States, on whose territory the incident in question took place, will not fail to make a report at the earliest possible time to the Secretary-General of the United Nations, in accordance with the provisions of paragraph 7 of General Assembly resolutions 35/168 and 36/33, on the measures which it has taken to bring to justice the perpetrators of the aggression and to prevent a repetition of such acts.

4. Note verbale from the Permanent Mission of the Federal Republic of Germany to the United Nations addressed to the Secretary-General 6/

[Original: English]

[6 August 1982]

On 8 February 1982, an assassination attempt was made on the Ambassador of the Federal Republic of Germany in Iran and two members of the Embassy staff.

The Ambassador and two staff members accompanying him were on their way from his residence to the chancery. Suddenly, a group of three or four men stopped the Embassy car and opened fire at point-blank range. Since the car was armoured the Ambassador and the other occupants remained unharmed. The car suffered considerable damage. A splinter terrorist group of the opposition faction "Fedayin Organization Tendency Ahmad Zadeh" claimed responsibility for the attack.

5. Note verbale from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General 7/

[Original: French]

[21 June 1982]

The Permanent Mission of Turkey to the United Nations ... has the profound regret to report to the Secretary-General a specific case of a serious violation of the security of Turkish diplomatic agents that occurred in Canada in the circumstances described below:

On 8 April 1982, at about 9.30 a.m., Mr. Kâni Grüngör, the Commercial Counsellor of the Embassy of Turkey at Ottawa, was the victim of an armed attack in the public garage located in the basement of the building where he resided. This occurred as he came down to take his car. The aggressor, who had been waiting for him, fired four revolver shots, two of which hit Mr. Grüngör, wounding him in the right leg, and two of which hit his car. Mr. Grüngör was found in the garage by his wife, who had not seen his car pass their window, and by neighbours who had heard the revolver shots. Mr. Grüngör was immediately transported to Riverside Hospital by ambulance.

Mr. Grüngör survived the attack, despite his critical condition in the early days. However, he is partially paralysed and is still undergoing treatment at the hospital.

The underground Armenian organization, "ASALA", has claimed responsibility for the attack in telephone calls to press agencies at Beirut and Athens; furthermore, the Canadian authorities were menacingly informed that they must not make any investigations whatsoever into the incident. Following an article which appeared in the daily newspaper The Globe and Mail, an unidentified person called the newspaper to inform it that the "Armenian Liberation Front" claimed responsibility for the incident.

The Permanent Mission of Turkey hopes that the Government of Canada, on whose territory the incident in question occurred, will not fail to report as soon as possible to the Secretary-General of the United Nations concerning the measures it has taken to bring those responsible for the attack to justice and to prevent a repetition of such acts, as required by the provisions of paragraph 7 of General Assembly resolutions 35/168 and 36/33.

6. Note verbale from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General 8/

[Original: French]

[7 July 1982]

The Permanent Mission of Turkey to the United Nations ... deeply regrets to inform the Secretary-General of a specific case of a serious violation of the security of Turkish consular officials which took place in the United States of America under the conditions described below:

On 4 May 1982, at about 7.30 p.m., the Honorary Consul-General of Turkey at Boston, Mr. Ornan Gündüz, was assassinated near the Somerville Police Station when he was returning from the Consulate to his home. The assassin, who had a revolver in each hand, fired 15 times when the Consul-General's car stopped at a red light. Mr. Gündüz lost his life on the spot as a result of being hit by nine shots. The criminal fled the scene; the police revealed that five persons had witnessed the incident. Someone telephoned the UPI press agency to state that the "Armenian Commandos of Justice" assumed responsibility for the assassination.

The Permanent Mission of Turkey hopes that the Government of the United States on whose territory the incident in question took place, will not fail to make a report also at the earliest possible time to the Secretary-General of the United Nations, in accordance with the provisions of paragraph 7 of General Assembly resolutions 35/168 and 36/33 on the measures which it has taken to bring to justice the perpetrators of the aggression and to prevent a repetition of such acts.

B. Views received from States pursuant to paragraph 9 of
General Assembly resolution 36/33

DENMARK

[Original: English]

[11 August 1982]

In compliance with paragraph 7 of resolution 36/33, the Permanent Mission of Denmark takes pleasure in announcing that since its note of 4 June 1981 to the Secretary-General (A/36/445, sect. II A), there have been no violations of the nature described in the said paragraph, neither to diplomatic and consular missions and representatives in Denmark nor to Danish diplomatic and consular missions and representatives abroad.

...

ECUADOR

[Original: Spanish]

[22 April 1982]

1. I have the honour to inform you, Sir, that Ecuador, which has signed and ratified all the international conventions relating to this matter, considers, in the face of the alarming number of acts involving the breach and non-observance of and the inviolability of diplomatic and consular missions and representatives, that the only appropriate way to improve the present dangerous situation is for receiving countries to assume the obligations incumbent on them as such and, consequently, to take such measures of vigilance, control and protection as are necessary to guarantee the status of such persons and offices.

2. The Government of Ecuador likewise considers that such security measures can be increased through the accession by those States which have not already done so to the relevant international instruments, such as the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963 and the respective optional protocols thereto, and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 1973.

3. Lastly, the State of Ecuador is of the view that the measures suggested above should be applicable to the headquarters of international organizations and agencies and to their officials.

/...

FINLAND

[Original: English]

[30 July 1982]

1. The Government of Finland considers that the concerns which prompted the five Nordic countries to propose the inclusion of an item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" in the agenda of the thirty-fifth session of the General Assembly continuously require serious attention by the members of the international community. The resolutions adopted on the item both at the thirty-fifth (35/168) and the thirty-sixth (36/33) sessions of the Assembly bear witness to a global determination to condemn violations against diplomatic and consular representation. Similar concern has been expressed over the security and safety of the officials of international intergovernmental organizations.
2. From a practical point of view, the Government of Finland attaches particular importance to the recommendation in resolution 36/33 referring to the need of close co-operation between the diplomatic and consular missions and the receiving State. It is also the view of the Government of Finland that the reporting procedures established in resolution 35/168 and further elaborated in resolution 36/33 offer a concrete and useful means for the enhancement of the protection, security and safety of diplomatic and consular missions and representatives.
3. As already indicated earlier, Finland is a party to several treaties relevant to the protection of diplomatic and consular missions and representatives. Consideration is also being given to becoming a party to still other treaties in the field.
4. The Government of Finland is pleased to inform the Secretary-General that there have been no violations which would have given cause for the Government of Finland to apply the reporting procedures set out in paragraph 7 of resolution 36/33, either in respect of foreign diplomatic and consular missions or representatives in Finland or Finnish diplomatic and consular representation abroad.
5. The Government of Finland is looking forward with great interest to the forthcoming discussions, during the thirty-seventh session of the General Assembly, of the present item. The experience gained of the reporting procedures adopted by the previous resolutions should be subject to appropriate evaluation. Also possibilities of establishing further measures of protection might be examined, although it would seem to the Government of Finland that at the present stage the main emphasis should be put on the effective implementation of the régime resulting from the work of the past two Assembly sessions.

INDONESIA

[Original: English]

[15 July 1982]

1. Up to now there have been no serious violations of the protection, security and safety of diplomatic and consular missions and representatives in Indonesia, caused by the action of the Government of Indonesia or by radical domestic or external groups.
2. The Government of the Republic of Indonesia is always alert to providing protection in accordance with the applicable regulations because the Indonesian Government is aware of its obligations to protect the security and safety of all embassies, consulates or foreign representatives, including their families, without regard to colour and ideology.
3. By Indonesian Law No. 1/1982, the Indonesian Government has ratified the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963 and the respective optional protocols thereto concerning acquisition of nationality; it has also ratified the 1969 Convention on Special Missions by Indonesian Law No. 2/1982. On 4 July 1982, the Indonesian Government deposited the instruments of accession to the said Conventions with the Secretary-General of the United Nations.
4. One of the ways of enhancing the security and safety of embassies and consulates and of foreign representatives and their families is to designate a certain location for use as offices and domiciles by staff and family without impeding their freedom. This has been implemented in Jakarta by the decision of the governor/head of the special capital area of Jakarta, under local regulation No. D IV-6454/d32/1974 dated 2 December 1974, regarding the arrangements for the buildings/office buildings district and residences of foreign representatives in the special capital area of Jakarta, which is in accordance with city planning.

KIRIBATI

[Original: English]

[30 March 1982]

The Ministry of Foreign Affairs wishes to inform the United Nations that there has been no violations, serious or otherwise, of the protection, security and safety of diplomatic and consular missions and representatives.

KUWAIT

[Original: English]

[15 June 1982]

The competent authorities in Kuwait have no record of any violation since the adoption of resolution 36/33 of 13 November 1981.

LEBANON

[Original: English/Arabic]

[14 May 1982]

The Permanent Representative of Lebanon to the United Nations has the honour to communicate the text of Decree 5018, issued by the Government of Lebanon on 24 March 1982 (in Arabic), as follows:

Decree No. 5018

Establishment of the Embassy Security Corps 9/

The President of the Republic,

On the basis of the Constitution,

On the basis of Legislative Decree No. 54 of 5 August 1967 (Organization of the Internal Security Forces) and, in particular, articles 6 and 14 thereof,

On the basis of Decree No. 3844 of 21 May 1960 (Organizational Decree of the Internal Security Forces), in particular, article 31 thereof, amended by Decree No. 2350 of 10 December 1981,

On the basis of Decree No. 8577 of 9 August 1974 (Strength and ammunition of the Internal Security Forces),

On the basis of Legislative Decree No. 9 of 21 November 1939 (Determination of the date on which acts and decrees shall enter into force),

On the basis of the proposal of the Minister for the Interior and the information of the Command Council of the Internal Security Forces,

Having consulted the State Council,

Having obtained the approval of the Council of Ministers on 24 March 1982,

Decrees the following:

Article 1

1. In addition to the contingents constituting the Beirut Police Unit in the International Security Forces, there shall be established a contingent called "the Embassy Security Corps", whose commander shall be responsible to the Commander of the above-mentioned Unit.

2. Contrary to the provisions of Decree No. 3844 of 21 May 1960, the powers of this contingent shall extend to the whole of Lebanese territory, and its components shall be responsible in their regular and military law-enforcing functions to the competent offices of the Public Prosecutor.

The Commander of the Corps shall exercise the powers specified for the commander of a company in the Internal Security Forces, in accordance with the provisions in force.

Article 2

Subject to the provisions of article 4 of this Decree, the Embassy Security Corps shall have the following duties:

- (a) Guarding the premises of diplomatic missions in Lebanon and institutions belonging to them;
- (b) Guarding the heads and employees of the above-mentioned missions and the members of their families and their homes;
- (c) Escorting the heads and members of missions during their movements, as necessary;
- (d) Escorting documents belonging to such missions when they are transported;
- (e) Protecting Arab and foreign private institutions.

Article 3

The Embassy Security Corps shall be composed of the following:

- (a) The Corps Command, which shall have an operations centre attached to it;
- (b) Guard troops;
- (c) An investigation troop;
- (d) A general reserve for support and emergency services.

The strength and ammunition of this Corps shall be determined in accordance with the annex appended to this Decree, and this increase shall be inserted in the tables annexed to Decree No. 8577 of 9 August 1973.

Article 4

Guard posts shall be established and abolished, their number shall be determined, and the other services provided for in article 2 of this Decree shall be prescribed by the Director-General of the Internal Security Forces, according to need, on the basis of a request by the head of the diplomatic mission concerned and after consultation of the opinion of the Ministry of Foreign Affairs and Aliens.

Article 5

The details of the implementation of this Decree shall be determined by instructions issued by the Secretary-General of the Internal Security Forces.

Article 7

This decree shall be published and communicated wherever necessary. It shall enter into force as soon as it is posted at the entrance of the office of the Prime Minister.

Ba'abda, 24 March 1982

(Signed) Elias Asrkis

Issued by the President of the Republic

(Signed) Chafic Al-Wazzan
Head of the Council of Ministers

(Signed) Ali Al-Khalil
Minister for Finance

(Signed) Chafic Al-Wazzan
Minister for the Interior

SWEDEN

[Original: English]

[23 July 1982]

1. In regard to resolution 36/33, it should first be recalled that the Swedish Government has already reported, in accordance with its paragraph 7, on one incident which occurred at Stockholm in August 1981 (A/36/445/Add.2, sect. A). Criminal proceedings against the offenders are still pending before the Swedish Supreme Court, and the Swedish Government will in due course report on the final outcome of these proceedings.

2. Regarding this item in general, the Swedish Government continues to believe that the effective protection of diplomatic and consular missions and representatives is an important prerequisite for orderly international relations.

All States should therefore, separately and jointly, do their utmost to ensure that such missions and representatives are adequately protected. This duty may be of special importance in times of international tension or crisis.

3. The Swedish Government also considers that the General Assembly should continue to pay attention to the manner in which this duty is respected by States in practice, so that any deficiencies may be promptly brought to light and remedied as soon as possible.

SYRIAN ARAB REPUBLIC

[Original: English]

[4 May 1982]

No violation of the protection, security and safety of diplomatic and consular missions and representatives occurred in the Syrian Arab Republic during 1981; if any incident were to take place, appropriate action would be taken against the offenders.

Notes

1/ United Nations, Treaty Series, vol. 500, No. 7310, p. 95.

2/ Ibid., vol. 596, No. 8638, p. 261.

3/ General Assembly resolution 3166 (XXVIII), annex.

4/ Transmitted to the Permanent Representatives of France and Italy by a note verbale from the Secretary-General dated 4 August 1982, and circulated to all other States under cover of a note verbale from the Secretary-General dated 10 August 1982.

5/ Transmitted to the Permanent Representative of the United States of America by a note verbale from the Secretary-General dated 14 July 1982, and circulated to all other States under cover of a note verbale from the Secretary-General dated 5 August 1982.

6/ Transmitted to the Permanent Representative of Iran by a note verbale from the Secretary-General dated 16 August 1982, and circulated to all other States under cover of a note verbale from the Secretary-General dated 25 August 1982.

7/ Transmitted to the Permanent Representative of Canada by a note verbale from the Secretary-General dated 12 July 1982, and circulated to all other States under cover of a note verbale from the Secretary-General dated 5 August 1982.

8/ Transmitted to the Permanent Representative of the United States of America by a note verbale from the Secretary-General dated 14 July 1982, and circulated to all other Member States under cover of a note verbale from the Secretary-General dated 5 August 1982.

9/ Translation by the United Nations Secretariat.

III. REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 11 OF GENERAL ASSEMBLY RESOLUTION 36/33 ON THE STATE AS AT 31 AUGUST 1982, OF RATIFICATIONS OF AND ACCESSIONS TO, THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF 1961, THE VIENNA CONVENTION ON CONSULAR RELATIONS OF 1963 AND THE RESPECTIVE OPTIONAL PROTOCOLS THERETO, AS WELL AS THE CONVENTION OF 1973 ON PREVENTION AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS, INCLUDING DIPLOMATIC AGENTS

A. Vienna Convention on Diplomatic Relations of 1961

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Afghanistan	6 Oct 1965 <u>a</u>
Albania	
Algeria	14 Apr 1964 <u>a</u>
Argentina	10 Oct 1963
Australia	26 Jan 1968
Austria	28 Apr 1966
Bahamas	17 Mar 1977 <u>d</u>
Bahrain	2 Nov 1971 <u>a</u>
Bangladesh	13 Jan 1978 <u>d</u>
Barbados	6 May 1968 <u>d</u>
Belgium	2 May 1968
Benin	27 Mar 1967 <u>a</u>
Bhutan	7 Dec 1972 <u>a</u>
Bolivia	28 Dec 1977 <u>a</u>
Botswana	11 Apr 1969 <u>a</u>
Brazil	25 Mar 1965
Bulgaria	17 Jan 1968
Burma	7 Mar 1980 <u>a</u>
Burundi	1 May 1978 <u>a</u>
Byelorussian Soviet Socialist Republic.....	14 May 1964
Canada	26 May 1966
Cape Verde	30 Jul 1979 <u>a</u>
Central African Republic	19 Mar 1973
Chad	3 Nov 1977 <u>a</u>
Chile	9 Jan 1968
China <u>10/</u>	25 Nov 1975 <u>a</u>
Colombia	5 Apr 1973
Congo	11 Mar 1963 <u>a</u>
Costa Rica	9 Nov 1964
Cuba	26 Sep 1963
Cyprus	10 Sep 1968 <u>a</u>
Czechoslovakia	24 May 1963
Democratic Kampuchea	31 Aug 1965 <u>a</u>

Ratification,
accession (a),
notification of
succession (d)

State

Democratic People's Republic of Korea	29 Oct 1980	<u>a</u>
Democratic Yemen	24 Nov 1976	<u>a</u>
Denmark	2 Oct 1968	
Djibouti	2 Nov 1978	<u>a</u>
Dominican Republic	14 Jan 1964	
Ecuador <u>11/</u>	21 Sep 1964	
Egypt	9 Jun 1964	<u>a</u>
El Salvador	9 Dec 1965	<u>a</u>
Equatorial Guinea	30 Aug 1976	<u>a</u>
Ethiopia	22 Mar 1979	<u>a</u>
Fiji	21 Jun 1971	<u>d</u>
Finland	9 Dec 1969	
France	31 Dec 1970	
Gabon	2 Apr 1964	<u>a</u>
German Democratic Republic	2 Feb 1973	<u>a</u>
Germany, Federal Republic of <u>12/</u>	11 Nov 1964	
Ghana	28 Jun 1982	
Greece <u>13/</u>	16 Jul 1970	
Guatemala	1 Oct 1963	
Guinea	10 Jan 1968	<u>a</u>
Guyana	28 Dec 1972	<u>a</u>
Haiti	2 Feb 1978	<u>a</u>
Holy See	17 Apr 1964	
Honduras	13 Feb 1968	<u>a</u>
Hungary	24 Sep 1965	
Iceland	18 May 1971	<u>a</u>
India	15 Oct 1965	<u>a</u>
Indonesia	2 Apr 1982	<u>d</u>
Iran	3 Feb 1965	
Iraq	15 Oct 1963	
Ireland	10 May 1967	
Israel	11 Aug 1970	
Italy	25 Jun 1969	
Ivory Coast	1 Oct 1962	<u>a</u>
Jamaica	5 Jun 1963	<u>a</u>
Japan	8 Jun 1964	
Jordan	29 Jul 1971	<u>a</u>
Kenya	1 Jul 1965	<u>a</u>
Kiribati	4 Jun 1982	<u>a</u>
Kuwait	23 Jul 1969	<u>a</u>
Lao People's Democratic Republic	3 Dec 1962	<u>a</u>
Lebanon	16 Mar 1971	
Lesotho	26 Nov 1969	<u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Liberia	15 May 1962
Libyan Arab Jamahiriya	7 Jun 1977 <u>a</u>
Liechtenstein	8 May 1964
Luxembourg	17 Aug 1966
Madagascar	31 Jul 1963 <u>a</u>
Malawi	19 May 1965 <u>a</u>
Malaysia	9 Nov 1965 <u>a</u>
Mali	28 Mar 1968 <u>a</u>
Malta <u>14/</u>	7 Mar 1967 <u>d</u>
Mauritania	16 Jul 1962 <u>a</u>
Mauritius	18 Jul 1969 <u>d</u>
Mexico	16 Jun 1965
Mongolia	5 Jan 1967 <u>a</u>
Morocco	19 Jun 1968 <u>a</u>
Mozambique	18 Nov 1981 <u>a</u>
Nauro	5 May 1978 <u>d</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	23 Sep 1970
Nicaragua	31 Oct 1975 <u>a</u>
Niger	5 Dec 1962 <u>a</u>
Nigeria	19 Jun 1967
Norway	24 Oct 1967
Oman	31 May 1974 <u>a</u>
Pakistan	29 Mar 1962
Panama	4 Dec 1963
Papua New Guinea	4 Dec 1975 <u>d</u>
Paraguay	23 Dec 1969 <u>a</u>
Peru	18 Dec 1968 <u>d</u>
Philippines	15 Nov 1965
Poland	19 Apr 1965
Portugal	11 Sep 1968 <u>a</u>
Republic of Korea <u>15/</u>	28 Dec 1970
Romania	15 Nov 1968
Rwanda	15 Apr 1964 <u>a</u>
San Marino	8 Sep 1965
Saudi Arabia	18 Feb 1981 <u>a</u>
Senegal	12 Oct 1972
Seychelles	29 May 1979 <u>a</u>
Sierra Leone	13 Aug 1962 <u>a</u>
Somalia	29 Mar 1968 <u>a</u>
South Africa	
Spain	21 Nov 1967 <u>a</u>
Sri Lanka	2 Jun 1978
Sudan	13 Apr 1981 <u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Swaziland	25 Apr 1969 <u>a</u>
Sweden	21 Mar 1967 <u>a</u>
Switzerland	30 Oct 1963
Syrian Arab Republic	4 Aug 1978 <u>a</u>
Thailand	
Togo	27 Nov 1970 <u>a</u>
Tonga	31 Jan 1973 <u>d</u>
Trinidad and Tobago	19 Oct 1965 <u>a</u>
Tunisia	24 Jan 1968 <u>a</u>
Uganda	15 Apr 1965 <u>a</u>
Ukrainian Soviet Socialist Republic	12 Jun 1964
Union of Soviet Socialist Republics	25 Mar 1964
United Arab Emirates	24 Feb 1977 <u>a</u>
United Kingdom of Great Britain and Northern Ireland	1 Sep 1964
United Republic of Cameroon	4 Mar 1977 <u>a</u>
United Republic of Tanzania	5 Nov 1962
United States of America	13 Nov 1972
Uruguay	10 Mar 1970
Venezuela	16 Mar 1965
Viet Nam <u>16/</u>	26 Aug 1980 <u>a</u>
Yugoslavia	1 Apr 1963
Zaire	19 Jul 1965

Declarations and reservations

(For objections by certain States to some of these declarations and reservations, see hereafter.)

BAHRAIN 17/

"1. With respect to paragraph 3 of article 27, relating to the "Diplomatic Bag", the Government of the State of Bahrain reserves the right to open the diplomatic bag if there are serious grounds for presuming that it contains articles the import or export of which is prohibited by law.

"2. The approval of this Convention does not constitute a recognition of Israel, or amount to entering with it into any transaction required by the aforesaid Convention."

BOTSWANA

"Subject to the reservation that article 37 of the Convention should be applicable on the basis of reciprocity.

BULGARIA

Reservation concerning article 11, paragraph 1:

In accordance with the principle of the equality of States, the People's Republic of Bulgaria considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration concerning articles 48 ad 50:

The People's Republic of Bulgaria considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The provisions of these articles are inconsistent with the very nature of the Convention, which is universal in character and should be open for accession by all States. In accordance with the principle of equality, no State has the right to bar other States from accession to a convention of this kind.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Reservation concerning article 11, paragraph 1:

In accordance with the principle of the equality of rights of States, the Byelorussian Soviet Socialist Republic considers that any difference of opinion

regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration concerning articles 48 and 50:

The Byelorussian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality no State has the right to bar other States from accession to a convention of this nature.

CHINA

The Government of the People's Republic of China holds reservations on the provisions about nuncios and the representative of the Holy See in articles 14 and 16 and on the provisions of paragraphs 2, 3, and 4 of article 37. 18/

CUBA

The Revolutionary Government of Cuba makes an explicit reservation in respect of the provisions of articles 48 and 50 of the Convention, because it considers that, in view of the nature of the contents of the Convention and the subject it governs, all free and sovereign States have the right to participate in it; for that reason, the Revolutionary Government of Cuba favours facilitating the admission of all countries of the international community, without any distinction based on the extent of a State's territory, the number of its inhabitants or its social, economic or political system.

DEMOCRATIC KAMPUCHEA

The diplomatic immunities and privileges provided for in article 37, paragraph 2, of the aforementioned Convention, recognized and admitted in customary law and in the practice of States in favour of heads of missions and members of diplomatic staff of the mission, cannot be granted by the Royal Government of Cambodia for the benefit of other categories of mission staff, including administrative and technical staff.

DEMOCRATIC YEMEN 17/

Reservation concerning article 11, paragraph 1:

In conformity with the principle of equality among States, the People's Democratic Republic of Yemen holds that any difference of opinion regarding the size of the diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration:

The People's Democratic Republic of Yemen states that its acceptance of the provisions of the Convention does not, in any way whatsoever, imply recognition of, or entering into contractual relations with, Israel.

EGYPT 17/ 19/

"1. Paragraph 2 of article 37 shall not apply. ...

FRANCE

The Government of the French Republic considers that article 38, paragraph 1, is to be interpreted as granting to a diplomatic agent who is a national of or permanently resident in the receiving State only immunity from jurisdiction, and inviolability, both being confined to official acts performed by the said diplomatic agent in the exercise of his functions.

The Government of the French Republic declares that the provisions of the bilateral agreements in force between France and foreign States are not affected by the provisions of the Convention.

GERMAN DEMOCRATIC REPUBLIC

Reservation concerning article 11, paragraph 1:

"In accordance with the principle of the equality of rights of States, the German Democratic Republic considers that any difference of opinion regarding the number of personnel of a diplomatic mission shall be settled by agreement between the sending State and the receiving State."

Declaration concerning articles 48 and 50:

"The German Democratic Republic considers it necessary to draw attention to the fact that articles 48 and 50 of the Convention preclude a number of States from becoming members of this Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to such a convention."

HUNGARY

"The Hungarian People's Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States were precluded from signing and are precluded from acceding to the Convention. The Convention deals with matters which affect the

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interests of all States and therefore, in accordance with the principle of sovereign equality of States, no State should be barred from participation in a convention of this nature."

IRAQ

"With reservation that paragraph 2 of article 37 shall be applied on the basis of reciprocity."

JAPAN

"I have the honour to notify, under the instructions of my Government, that the Government of Japan, upon signing the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, wishes to make the following declaration with regard to article 34 (a) of the said Convention:

"It is understood that the taxes referred to in article 34 (a) include those collected by special collectors under the laws and regulations of Japan provided that they are normally incorporated in the price of goods or services. For example, in the case of the travelling tax, railway, shipping and airline companies are made special collectors of the tax by the Travelling Tax Law. Passengers of railroad trains, vessels and airplanes who are legally liable to pay the tax for their travels within Japan are required to purchase travel tickets normally at a price incorporating the tax without being specifically informed of its amount. Accordingly, taxes collected by special collectors such as the travelling tax have to be considered as the indirect taxes normally incorporated in the price of goods or services referred to in article 34 (a)."

KUWAIT 17/

If the State of Kuwait has reason to believe that the diplomatic pouch contains something which may not be sent by pouch under paragraph 4 of article 27 of the Convention, it considers that it has the right to request that the pouch be opened in the presence of the representative of the diplomatic mission (concerned). If this request is refused by the authorities of the sending State, the diplomatic pouch shall be returned to its place of origin.

The Government of Kuwait declares that its accession to the Convention does not imply recognition of "Israel" or entering with it into relations governed by the Convention thereto acceded.

LIBYAN ARAB JAMAHIRIYA 17/

(1) The accession of the Socialist People's Libyan Arab Jamahiriya to the said Convention cannot be interpreted as signifying in any form whatsoever any recognition of Israel nor does accession to the said Convention imply the entertaining of any relations or obligations with Israel.

(2) The Socialist People's Libyan Arab Jamahiriya will not be bound by paragraph 3 of article 37 of the Convention except on the basis of reciprocity.

(3) In the event that the authorities of the Socialist People's Libyan Arab Jamahiriya entertain strong doubts that the contents of a diplomatic pouch include items which may not be sent by diplomatic pouch in accordance with paragraph 4 of article 27 of the said Convention, the Socialist People's Libyan Arab Jamahiriya reserves its right to request the opening of such pouch in the presence of an official representative of the diplomatic mission concerned. If such a request is denied by the authorities of the sending State, the diplomatic pouch shall be returned to its place of origin.

MALTA

"The Government of Malta wishes to declare that paragraph 2 of article 37 shall be applied on the basis of reciprocity."

MONGOLIA

In respect of article 11, paragraph 1, the Government of the Mongolian People's Republic maintains that any difference of opinion with regard to the size of a diplomatic mission should be settled by agreement between the sending and receiving States.

Referring to articles 48 and 50, the Government of the Mongolian People's Republic deems it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Vienna Convention and declares that, as the Convention deals with matters affecting the interests of all States, it should be open for accession by all States.

MOZAMBIQUE

"The People's Republic of Mozambique takes this opportunity to draw the attention to the discriminatory nature of the articles 48 and 50 of the present Convention which preclude a number of States from acceding to it. In view of its broad scope which affects the interest of all States in the world the present Convention should therefore be open for participation of all States."

"The People's Republic of Mozambique considers that the joint participation of States in a convention does not represent their official recognition."

MOROCCO

The Kingdom of Morocco accedes to the Convention subject to the reservation that paragraph 2 of article 37 is not applicable.

NEPAL

"Subject to the reservation with regard to article 8, paragraph 3, of the Convention, that the prior consent of His Majesty's Government of Nepal shall be required for the appointment to the diplomatic staff of any mission in Nepal of any national of a third State who is not also a national of the sending State."

OMAN

"... The accession to this Convention does not mean in any way recognition of Israel by the Government of the Sultanate of Oman. Furthermore, no treaty relations will arise between the Sultanate of Oman and Israel."

PORTUGAL 20/

ROMANIA

The Council of State of the Socialist Republic of Romania considers that the provisions of articles 48 and 50 of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, are at variance with the principle that all States have the right to become parties to multilateral treaties governing matters of general interest.

SAUDI ARABIA 17/

Reservations:

1. If the authorities of the Kingdom of Saudi Arabia suspect that the diplomatic pouch or any parcel therein contains matters which may not be sent through the diplomatic pouch, such authorities may request the opening of the parcel in their presence and in the presence of a representative appointed by the diplomatic mission concerned. If such request is rejected, the pouch or parcel shall be returned.

2. Accession to this Convention shall not constitute a recognition of Israel or lead to any kind of intercourse with it or the establishment of any relations with Israel under the Convention.

SUDAN 17/

Reservations:

"The diplomatic immunities and privileges provided for in article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations of 1961, recognized and admitted in customary law and in the practice of States in favour of heads of

missions and members of diplomatic staff of the mission cannot be granted by the Government of the Democratic Republic of the Sudan for other categories of mission staff except on the basis of reciprocity.

"The Government of the Democratic Republic of the Sudan reserves the right to interpret article 38 as not granting to a diplomatic agent who is a national of or permanent resident in the Sudan any immunity from jurisdiction and inviolability, even though the acts complained of are official acts performed by the said diplomatic agent in the exercise of his functions."

Understanding:

"The Government of the Democratic Republic of the Sudan understands that its ratification of the Vienna Convention on Diplomatic Relations of 1961 does not imply whatsoever recognition of Israel or entering with it into relations governed by the said Convention."

SYRIAN ARAB REPUBLIC 17/

15 March 1979 21/

1. The Syrian Arab Republic does not recognize Israel and will not enter into dealings with it.
2. The Optional Protocol Concerning the Compulsory Settlement of Disputes does not enter into force for the Syrian Arab Republic. 22/
3. The exemption provided for in article 36, paragraph 1, shall not apply to the administrative and technical staff of the mission except during the first six months following their arrival in the receiving State.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

Reservation concerning article 11, paragraph 1:

In accordance with the principle of the equality of rights of States, the Ukrainian Soviet Socialist Republic considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration concerning articles 48 and 50:

The Ukrainian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a convention of this nature.

UNION OF SOVIET SOCIALIST REPUBLICS

Reservation concerning article 11, paragraph 1:

In accordance with the principle of the equality of rights of States, the Union of Soviet Socialist Republics considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration concerning articles 48 and 50:

The Union of Soviet Socialist Republics considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a convention of this nature.

UNITED ARAB EMIRATES 17/

"The accession of the United Arab Emirates to this Convention shall in no way amount to recognition of nor the establishment of any treaty relation with Israel."

VENEZUELA 23/

...

3. Under the Constitution of Venezuela, all Venezuelan nationals are equal before the law and none may enjoy special privileges; for that reason I make a formal reservation to article 38 of the Convention.

VIET NAM

1. The degrees of privileges and immunities accorded the administrative and technical staff and the members of their families as stipulated in paragraph 2, article 37, of the Convention should be agreed upon in detail by the concerned States.

2. The provisions of articles 48 and 50 of the Convention are of a discriminatory character, which is not in accordance with the principle of equality of the sovereignty among States and limits the universality of the Convention. The Government of the Socialist Republic of Viet Nam, therefore, holds the view that all States have the right to adhere to the said Convention.

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Objections

(The dates of receipt by the Secretary-General of the communications notifying the objections, other than those formulated at the time of ratification or accession, are shown above their texts.)

AUSTRALIA

14 March 1968

"The Government of the Commonwealth of Australia does not regard the statements concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the Mongolian People's Republic as modifying any rights or obligations under that paragraph.

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to paragraph 2, article 37, of the Convention made by the United Arab Republic and by Cambodia."

20 November 1970

"The Government of the Commonwealth of Australia declares that it does not recognize as valid the reservations to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Morocco and Portugal."

6 September 1973

"The Government of Australia does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the German Democratic Republic, in a letter accompanying the instrument of accession, as modifying any rights and obligations under that paragraph."

25 January 1977

"The Government of Australia does not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3, and 4 of article 37 of that Convention."

21 June 1978

"The Government of Australia does not regard the reservation made by the Government of the People's Democratic Republic of Yemen to paragraph (1) of article 11 as modifying any rights or obligations under that paragraph."

BAHAMAS 24/

BELGIUM

The Belgian Government considers the statement made by the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics concerning paragraph 1 of article 11 to be incompatible with the letter and spirit of the Convention and does not regard it as modifying any rights or obligations under that paragraph.

The Belgian Government also considers the reservation made by the United Arab Republic and the Kingdom of Cambodia to paragraph 2 of article 37 to be incompatible with the letter and spirit of the Convention.

28 January 1975

The Government of the Kingdom of Belgium objects to the reservations made with respect to article 27, paragraph 3, by Bahrain and with respect to article 37, paragraph 2, by the United Arab Republic (now the Arab Republic of Egypt), Cambodia (now the Khmer Republic) and Morocco. The Government nevertheless considers that the Convention remains in force as between it and the aforementioned States, respectively, except in respect of the provisions which in each case are the subject of the said reservations.

BULGARIA

22 September 1972

The Government of the People's Republic of Bulgaria cannot regard the reservation made by the Bahraini Government with respect to article 27, paragraph 3, of the Vienna Convention on Diplomatic Relations as valid.

18 August 1977

"The Bulgarian Government does not consider itself to be bound by the reservation made by the Libyan Arab Jamahiriya concerning the application of article 27, paragraph 3, of the Vienna Convention on Diplomatic Relations."

23 June 1981

"The Government of the People's Republic of Bulgaria does not consider itself bound by the reservation made by the Government of the Kingdom of Saudi Arabia on its accession to the Vienna Convention on Diplomatic Relations regarding the immunity of the diplomatic bag and the right of the competent authorities of the Kingdom of Saudi Arabia to demand the opening of the diplomatic bag and in case of refusal on the part of the diplomatic mission concerned, its return.

/...

It is the understanding of the Government of the People's Republic of Bulgaria that the reservation thus made is in violation of article 27, paragraph 4, of the 1961 Convention on Diplomatic Relations."

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

2 November 1977

The Government of the Byelorussian Soviet Socialist Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3, and 4 of article 37 of the 1961 Vienna Convention on Diplomatic Relations.

CANADA

"The Government of Canada does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under this paragraph."

16 March 1978

"The Government of Canada does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China. Similarly the Government of Canada does not regard as valid the reservations to paragraph 2 of article 37 of the Convention which have been made by the Government of the United Arab Republic (now the Arab Republic of Egypt), the Government of Cambodia (now Kampuchea) and the Government of the Kingdom of Morocco.

"The Government of Canada does not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic, the Government of Bulgaria, the Government of the German Democratic Republic and the People's Democratic Republic of Yemen as modifying any rights and obligations under that paragraph.

"The Government of Canada also desires to place on record that it does not regard as valid the reservations to paragraph 3 of article 27 of the Convention made by the Government of Bahrain and the reservations to paragraph 4 of article 27 made by the State of Kuwait and the Government of the Libyan Arab Jamahiriya."

CZECHOSLOVAKIA

19 January 1972

"... The Czechoslovak Socialist Republic raises objections against the above-mentioned reservation and does not recognize that reservation submitted by the Government of the State of Bahrain.

/...

"The inviolability of diplomatic mail, mostly transported by diplomatic couriers, is absolute and unexceptional. It is the obligation of all States to ensure its inviolability and to abstain from its opening or detention.

"The reservation is not compatible with the object and purpose of the Convention in the sense of the advisory opinion of the International Court of Justice, and it cannot be considered admissible since it is contrary to a valid norm of general international law and a fundamental provision of the Convention."

28 October 1977

"The instruments of accession of the Libyan Arab Jamahiriya to the Vienna Convention on Diplomatic Relations contain a reservation, made by the Libyan Government in respect of paragraph 4, article 27, of the said Convention, covering the legal régime of diplomatic mail.

"In this connexion, the Permanent Mission of the Czechoslovak Socialist Republic to the United Nations wishes to inform the Secretary-General that the Czechoslovak Socialist Republic does not consider itself to be bound by the above-mentioned reservation.

"The principle of the inviolability of diplomatic mail, as stated in paragraphs 3 and 4 of article 27 of the Vienna Convention, is generally recognized in international law and is absolute and without exception in the sphere of its applicability."

12 December 1977

The Government of the Czechoslovak Socialist Republic does not recognize the validity of the reservations expressed by the People's Republic of China concerning paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations.

DENMARK

"The Government of Denmark does not regard the statement concerning paragraph 1 of article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph. Further, the Government of Denmark does not regard as valid the reservation to paragraph 2 of article 37 made by the United Arab Republic, Cambodia and Morocco. This statement shall not be regarded as precluding the entry into force of the Convention between Denmark and the above-mentioned countries."

5 August 1970

"The Government of Denmark does not regard the reservation to article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations made by Portugal on 11 September 1968 as valid.

/...

"This statement shall not be regarded as precluding the entry into force of the said Convention between Denmark and Portugal."

29 March 1977

"The Government of Denmark does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This statement is not to be regarded as preventing the Convention's entry into force as between Denmark and the People's Republic of China."

FRANCE

The Government of the French Republic does not regard the statements concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the People's Republic of Bulgaria, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights or obligations under that paragraph.

The Government of the French Republic does not regard as valid the reservation to article 27, paragraph 4, made by the State of Kuwait.

The Government of the French Republic does not regard as valid the reservations to article 37, paragraph 2, made by the Government of Cambodia, the Government of the Kingdom of Morocco, the Government of Portugal and the Government of the United Arab Republic.

None of these declarations shall be regarded as an obstacle to the entry into force of the Convention between the French Republic and the States mentioned.

28 December 1976

The Government of the French Republic does not regard as valid the reservations made by the People's Republic of China to article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be regarded as preventing the Convention's entry into force as between the French Republic and the People's Republic of China.

GERMANY, FEDERAL REPUBLIC OF

"The Government of the Federal Republic of Germany considers as incompatible with the letter and spirit of the Convention the reservations made by the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic concerning article 11 of the Convention."

16 March 1967

"The Government of the Federal Republic of Germany regards the reservations made by the United Arab Republic and the Kingdom of Cambodia to article 37, paragraph 2, of the Convention on Diplomatic Relations of 18 April 1961 as incompatible with the content and spirit of the afore-mentioned Convention."

10 May 1967

"The Government of the Federal Republic of Germany regards the reservation made by the Mongolian People's Republic on 5 January 1967 in respect of article 11 of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the letter and spirit of the Convention."

9 July 1968

"The Government of the Federal Republic of Germany regards the reservation made by the People's Republic of Bulgaria on 17 January 1968 in respect of article 11, paragraph 1, of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the letter and spirit of the Convention."

23 December 1968

"The Government of the Federal Republic of Germany regards the reservations made by the Kingdom of Morocco on 19 June 1968 and by Portugal on 11 September 1968 in respect of article 37, paragraph 2, of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the letter and spirit of the Convention."

25 September 1974

"The Government of the Federal Republic of Germany regards the reservation made by the German Democratic Republic on 2 February 1973 upon accession to the Vienna Convention on Diplomatic Relations of 18 April 1961 in respect of the latter's article 11, paragraph 1, as incompatible with the letter and intent of the Convention."

4 February 1975

The Government of the Federal Republic of Germany regards the reservation made by the Government of Bahrain in respect of paragraph 3 of article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the object and purpose of the Convention.

4 March 1977

The Government of the Federal Republic of Germany regards the reservation made by the People's Democratic Republic of Yemen in respect of article 11, paragraph 1, of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the purpose and objective of the Convention.

/...

6 May 1977

"The Government of the Federal Republic of Germany does not regard as valid the reservations made by the People's Republic of China in respect of article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be regarded as preventing the Convention's entry into force as between the Federal Republic of Germany and the People's Republic of China."

19 September 1977

"The Government of the Federal Republic of Germany does not regard as valid the reservation made by the Libyan Arab Jamahiriya in respect of article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be regarded as preventing the Convention's entry into force as between the Federal Republic of Germany and the Libyan Arab Jamahiriya."

11 July 1979

The Government of the Federal Republic of Germany does not regard as valid the reservation made by the Syrian Arab Republic in respect of article 36, paragraph 1, of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration should not be interpreted as preventing the entry into force of the Convention as between the Federal Republic of Germany and the Syrian Arab Republic.

11 December 1980

The Government of the Federal Republic of Germany considers the declaration made by the Socialist Republic of Viet Nam concerning paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961 to be incompatible with the object and purpose of the Convention.

15 May 1981

The Government of the Federal Republic of Germany does not regard as valid the reservation made by the Kingdom of Saudi Arabia in respect of article 27 of the Vienna Convention on Diplomatic Relations of 18 April 1961. This declaration is not to be interpreted as preventing the entry into force of the Convention as between the Federal Republic of Germany and the Kingdom of Saudi Arabia.

30 September 1981

The Government of the Federal Republic of Germany regards the reservations made by the Government of the Democratic Republic of the Sudan in respect of article 37, paragraph 2, and of article 38 of the Vienna Convention on Diplomatic Relations of 18 April 1961 as incompatible with the object and purpose of the Convention. This declaration is not to be interpreted as preventing the entry into force of the Convention as between the Federal Republic of Germany and the Democratic Republic of the Sudan.

/...

GREECE

The Government of Greece cannot accept the reservation to paragraph 1 of article 11 of the Convention made by Bulgaria, the Byelorussian Soviet Socialist Republic, Mongolia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, as well as the reservation to paragraph 2 of article 37 of the Convention made by Cambodia, Morocco, Portugal and the United Arab Republic.

GUATEMALA

23 December 1963

The Government of Guatemala rejects formally the reservations to articles 48 and 50 of the Convention made by the Government of Cuba in its instrument of ratification.

HAITI

9 May 1972

The Haitian Government considers that the reservation expressed by the Government of Bahrain with regard to the inviolability of diplomatic correspondence may destroy the effectiveness of the Convention, one of the main aims of which is precisely to put an end to certain practices impeding the performance of the functions assigned to diplomatic agents.

HUNGARY

7 July 1975

"The reservation made by the Government of Bahrain to article 27, paragraph 1, of the Vienna Convention on Diplomatic Relations of 1961 is contrary to the principle of the inviolability of the diplomatic bag which is generally recognized in international practice, and is incompatible with the objectives of the Convention.

"Therefore, the Hungarian People's Republic does not recognize this reservation as valid."

6 September 1978

"The Government of the Hungarian People's Republic does not recognize the validity of the reservation made by the Chinese People's Republic to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 1961."

IRELAND

17 January 1978

"The Government of Ireland objects to the reservations made by the Government of the People's Republic of China concerning the provisions relating to Nuncios and the representative of the Holy See in articles 14 and 16 of the Vienna Convention on Diplomatic Relations. The Government of Ireland does not regard these reservations as modifying any rights or obligations under those articles.

"The Government of Ireland does not regard as valid the reservations made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37.

"This statement is not to be regarded as preventing the entry into force of the Convention as between Ireland and the People's Republic of China."

LUXEMBOURG

18 January 1965

With reference to the reservation and declaration made by the Governments of the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept that reservation or that declaration which tends to modify the effect of certain provisions of the Convention.

25 October 1965

With reference to the statement made by the Government of Hungary upon ratification of the Convention, the Government of Luxembourg regrets that it cannot accept this declaration.

MALTA

"The Government of Malta does not regard the statement concerning paragraph 1 of article 11 made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph."

MONGOLIA

18 January 1978

"The reservation made by the Government of Bahrain to paragraph 3, article 27, of the Vienna Convention on Diplomatic Relations is incompatible with the very

object and purpose of the Convention. Therefore, the Government of the Mongolian People's Republic does not consider itself bound by the above-mentioned reservation.

"The Government of the Mongolian People's Republic does not recognize the validity of the reservation made by the Government of the People's Republic of China to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 1961."

NEW ZEALAND

"The Government of New Zealand does not regard the statements concerning paragraph 1 of article 11 of the Vienna Convention on Diplomatic Relations made by the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph. Further, the Government of New Zealand does not accept the reservation to paragraph 2 of article 37 of the Convention made by Cambodia, Morocco, Portugal and the United Arab Republic."

25 January 1977

"The Government of New Zealand does not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 18 April 1961 made by the Government of the People's Republic of China and considers that those paragraphs are in force between New Zealand and the People's Republic of China."

POLAND

3 November 1975

"The reservation made by the Government of Bahrain to article 27, paragraph 3, of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, is not compatible with the object and purpose of this Convention. It is contrary to fundamental principles of diplomatic international law. Therefore, the Polish People's Republic does not recognize this reservation as valid."

7 March 1978

"The principles of inviolability of the diplomatic pouch and freedom of communication are generally recognized in international law and cannot be changed by unilateral reservation.

"This objection does not prevent entry into force of the Convention as between the Polish People's Republic and the Libyan Arab Jamahiriya."

TONGA

31 January 1973

In its notification of succession, the Government of Tonga has indicated that it adopts the objections made by the United Kingdom of Great Britain and Northern Ireland respecting the reservations and statements made by Egypt, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Mongolia, Bulgaria, the Khmer Republic, Morocco and Portugal when ratifying (or acceding to) the said Convention on Diplomatic Relations.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

28 July 1972

The reservation made by the Government of Bahrain to the above-mentioned Convention is contrary to the principle of the inviolability of the diplomatic bag, which is generally recognized in international practice, and is therefore unacceptable to the Ukrainian Soviet Socialist Republic.

24 October 1977

"The Government of the Ukrainian Soviet Socialist Republic does not recognize as valid the reservation to article 37, paragraphs 2, 3 and 4, of the Vienna Convention on Diplomatic Relations made by the People's Republic of China."

UNION OF SOVIET SOCIALIST REPUBLICS

6 June 1972

With respect to the reservation made by Bahrain to article 27 (3):

... This reservation is contrary to the principle of the inviolability of the diplomatic bag, which is recognized in international practice, and is therefore unacceptable.

11 October 1977

The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation expressed by the People's Republic of China concerning paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations of 1961.

7 November 1977

"The Government of the Union of Soviet Socialist Republics does not consider itself bound by the reservation made by the Socialist People's Libyan Arab Jamahiriya concerning article 27 of the Vienna Convention on Diplomatic Relations of 1961."

/...

16 February 1982

"The Government of the Union of Soviet Socialist Republics does not recognize the validity of the reservation made by the Government of the Kingdom of Saudi Arabia on its accession to the Vienna Convention on Diplomatic Relations of 1961 since that reservation is contrary to one of the most important provisions of the Convention, namely, that the diplomatic bag shall not be opened or detained."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1 September 1964

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the United Arab Republic. Further, the Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as modifying any rights and obligations under that paragraph."

7 June 1967

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of the Mongolian People's Republic as modifying any rights and obligations under that paragraph."

29 March 1968

"The Government of the United Kingdom do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the Government of Bulgaria as modifying any rights and obligations under that paragraph."

19 June 1968

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Cambodia."

23 August 1968

"The Government of the United Kingdom do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Kingdom of Morocco."

10 December 1968

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation to paragraph 2 of article 37 of the Vienna Convention on Diplomatic Relations made by the Government of Portugal."

/...

13 March 1973

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to put on record that they do not regard as valid the reservation to paragraph 3 of article 27 of the Vienna Convention on Diplomatic Relations made by the Government of Bahrain."

16 April 1973

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the statement concerning paragraph 1 of article 11 of the Convention made by the German Democratic Republic, in a letter accompanying the instrument of accession, as modifying any rights and obligations under that paragraph."

25 January 1977

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservations to paragraphs 2, 3 and 4 of article 37 of the Vienna Convention on Diplomatic Relations made by the People's Republic of China."

4 February 1977

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record that they do not regard the reservation concerning paragraph 1 of article 11 of the Convention, made by the Government of Democratic Yemen, as modifying any rights or obligations under that paragraph."

UNITED REPUBLIC OF TANZANIA

22 June 1964

"The Government of the United Republic of Tanganyika and Zanzibar rejects formally the reservation to article 11, paragraph 1, of the Convention made by the Government of the Union of Soviet Socialist Republics in its instrument of ratification."

UNITED STATES OF AMERICA

2 July 1974

"The Government of the United States of America ... states its objection to reservations with respect to paragraph 3 of article 27 by Bahrain; with respect to paragraph 4 of article 27 by Kuwait; with respect to paragraph 2 of article 37 by the United Arab Republic (now the Arab Republic of Egypt), by Cambodia (now the Khmer Republic) and by Morocco, respectively. The Government of the United States, however, considers the Convention as continuing in force between it and the respective above-mentioned States except for the provisions to which the reservations are addressed in each case."

/...

Notes

10/ Signed and ratified on behalf of the Republic of China on 18 April 1961 and 19 December 1969 respectively.

In communications addressed to the Secretary-General with reference to the above-mentioned signature and/or ratification, the Permanent Representatives of the Permanent Missions to the United Nations of Bulgaria, the Byelorussian Soviet Socialist Republic, Mongolia, Pakistan, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics stated that their Governments considered the said signature and/or ratification as null and void, since the so-called "Government of China" had no right to speak or assume obligations on behalf of China, there being only one Chinese State, the People's Republic of China, and one Government entitled to represent it, the Government of the People's Republic of China.

In letters addressed to the Secretary-General in regard to the above-mentioned communications, the Permanent Representative of China to the United Nations stated that the Republic of China, a sovereign State and Member of the United Nations, had attended the 1961 Conference on Diplomatic Intercourse and Immunities, contributed to the formulation of the Convention concerned, signed the Convention and duly deposited the instrument of ratification thereof, and that "any statements and reservations relating to the above-mentioned Convention that are incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China under this Convention".

The instrument of accession deposited on behalf of the Government of China on 25 November 1975 contained the following declaration: "The 'signature' on and 'ratification' of this Convention by the Chiang Kai-shek clique usurping the name of China are illegal and null and void."

11/ Upon ratification of the Convention, the Government of Ecuador withdrew the reservation to paras. 2, 3 and 4 of art. 37 of the Convention formulated at the time of its signature.

12/ The instrument of ratification contains the following statement: "the Vienna Convention on Diplomatic Relations, the Optional Protocol concerning Acquisition of Nationality and the Optional Protocol concerning the Compulsory Settlement of Disputes, done at Vienna on 18 April 1961, shall also apply to Land Berlin as from the date on which the Convention and the Protocols will enter into force for the Federal Republic of Germany".

The Governments of Albania, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics have informed the Secretary-General that they consider the above-mentioned statement as having no legal force on the ground that West Berlin is not, and never has been, a State territory of the Federal Republic of Germany and that, consequently, the Government of the Federal Republic of Germany is in no way competent to assume any obligations in respect of

West Berlin or to extend to it the application of international agreements, including the Convention in question.

The Governments of the Federal Republic of Germany, France, the United Kingdom of Great Britain and Northern Ireland and the United States of America have informed the Secretary-General that, in the Declaration on Berlin of 5 May 1955, which accords with instruments that previously entered into force, the Allied Kommandatura as the supreme authority in Berlin had authorized the Berlin authorities to assure the representation abroad of the interests of Berlin and its inhabitants under suitable arrangements, and that the arrangements made in accordance with the said authorization permitted the Federal Republic of Germany to extend to Berlin the international agreements which the Federal Republic concludes, provided that the final decision in every case of such an extension was left to the Allied Kommandatura and that internal Berlin action was required to make any such agreement applicable as domestic law in Berlin. For these reasons they consider the objections referred to in the preceding paragraph as unfounded.

Subsequently, the Secretary-General received the following communications:

German Democratic Republic (27 December 1973):

"With regard to the application to Berlin (West) of the Vienna Convention on Diplomatic Relations and in accordance with the Quadripartite Agreement concluded on 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, of the United Kingdom of Great Britain and Northern Ireland, of the United States of America and of the French Republic, the German Democratic Republic declares that Berlin (West) is no constituent part of the Federal Republic of Germany and must not be governed by it. For this reason the statement of the Government of the Federal Republic of Germany, according to which this convention also applies to the 'Land Berlin', is in contradiction to the Quadripartite Agreement and cannot produce any validity."

France, United Kingdom of Great Britain and Northern Ireland and United States of America (17 June 1974 - in relation to the declaration by the German Democratic Republic received on 27 December 1973):

"The Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America wish to bring to the attention of the States Parties to the Convention that the extension of the Convention to the Western Sectors of Berlin received the prior authorization, under established procedures, of the authorities of France, the United Kingdom and the United States on the basis of their supreme authority in those Sectors.

"In a communication to the Government of the Union of Soviet Socialist Republics which is an integral part (Annex IV A of the Quadripartite Agreement of 3 September 1971 the Governments of France, the United Kingdom and the United States reaffirmed that, provided matters of security and status are not affected, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the

Governments of France, the United Kingdom and the United States which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of the 3rd of September 1971, affirmed that it would raise no objection to such extension.

"Accordingly, the application of the Convention to the Western Sectors of Berlin continues in full force and effect."

Federal Republic of Germany (15 July 1974):

"The Government of the Federal Republic of Germany shares the position set out in the Note of the Three Powers. The extension of the Convention to Berlin (West) continues in full force and effect."

Union of Soviet Socialist Republics (12 September 1974):

The Soviet Union shares the view expressed in the communications from the German Democratic Republic concerning the action by the Federal Republic of Germany in extending to "Land Berlin" ... the Vienna Convention on Diplomatic Relations of 18 April 1961 ... Berlin (West) has never been a "Land of the Federal Republic of Germany", does not form a part of the Federal Republic of Germany and is not governed by it. This fact was reaffirmed and given legal effect in the Quadripartite Agreement of 3 September 1971. The declarations by the Federal Republic of Germany extending international agreements to "Land Berlin" are regarded and will continue to be regarded by the Soviet Union as having no legal effect.

Ukrainian Soviet Socialist Republic (19 September 1974):

The Ukrainian SSR shares the view set forth in the communication from the German Democratic Republic on the question of the extension by the Federal Republic of Germany of the application of ... the Vienna Convention on Diplomatic Relations of 18 April 1961 to "Land Berlin". Berlin (West) has never been a Land of the Federal Republic of Germany, is not a part of the Federal Republic of Germany and is not governed by it. This was reaffirmed and firmly established in the Quadripartite Agreement of 3 September 1971. Statements by the Federal Republic of Germany concerning the extension of international agreements to "Land Berlin" are regarded and will continue to be regarded by the Ukrainian SSR as having no legal force whatsoever.

France, United Kingdom of Great Britain and Northern Ireland and United States of America (8 July 1975 - in relation to the declaration by the Soviet Union received on 12 September 1974):

"In a communication to the Government of the Union of Soviet Socialist Republics which is an integral part (Annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom and the United States confirmed that, provided that matters of security and status are not affected and provided that extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established

procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of France, the United Kingdom and the United States which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of 3 September 1971, affirmed that it would raise no objection to such extension.

"The Quadripartite Agreement does not impose any requirement regarding terminology to be used by the Federal Republic of Germany when extending to the Western Sectors of Berlin such international agreements or arrangements nor, of course, does the Quadripartite Agreement affect terminology used in the past.

"In any case, the use by the Federal Republic of Germany of the terminology mentioned in the [Note] under reference can in no way affect quadripartite agreements or decisions relating to Berlin.

"Consequently, the validity of the Berlin Declaration made by the Federal Republic of Germany is unaffected by the use of this terminology and the application to the Western Sectors of Berlin of the [instrument] mentioned in the above listed [document] continues in full force and effect."

France, United Kingdom of Great Britain and Northern Ireland and United States of America (8 July 1975 - in relation to the declaration by the Ukrainian Soviet Socialist Republic received on 19 September 1974):

"The Governments of France, the United Kingdom and the United States wish to point out that the [State whose communication is reported in the above-mentioned Note is not a party] to the Quadripartite Agreement of 3 September 1971, which was concluded in Berlin by the Governments of the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and [is] not therefore competent to comment authoritatively on its provisions.

"The Quadripartite Agreement does not impose any requirement regarding terminology to be used by the Federal Republic of Germany when extending to the Western Sectors of Berlin treaties or agreements to which it has become a party nor, of course, does the Agreement affect terminology used in the past.

"In any case the use by the Federal Republic of Germany of the terminology mentioned in the [communication] under reference can in no way affect quadripartite agreements or decisions relating to Berlin.

"Consequently the validity of the Berlin Declaration made by the Federal Republic of Germany is unaffected by the use of this terminology.

"The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications of a similar nature by States which are not signatories to the Quadripartite Agreement. This should not be taken to imply any change in the position of those Governments in this matter."

Federal Republic of Germany (19 September 1975):

"By their notes of 8 July 1975, disseminated by Circular Note ... C.N.190.1975.TREATIES-4 of 13 August 1975, the Governments of France, the United Kingdom and the United States answered the assertions made in the [communication] referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the Notes of the Three Powers, wishes to confirm that the application in Berlin (West) of the above-mentioned [instrument] extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

Union of Soviet Socialist Republics (8 December 1975):

The Permanent Mission of the Union of Soviet Socialist Republics to the United Nations considers it necessary to confirm the position on the question set forth in the Permanent Mission's note No. 491 of 11 September 1974. The declaration by the Federal Republic of Germany extending the above-mentioned [Convention] to "Land Berlin" will continue to be regarded by the Soviet side as having no legal effect.

13/ In a letter accompanying the instrument of ratification, the Government of Greece notified the Secretary-General that it did not maintain the reservation made at the time of signature of the Convention with respect to the last sentence of para. 2 of art. 37. For the text of the said reservation, see United Nations, Treaty Series, vol. 500, p. 186.

14/ In its notification of succession, the Government of Malta indicated that it considers itself bound by the Convention as from 1 October 1964 [the date of entry into force of the Convention for the United Kingdom of Great Britain and Northern Ireland].

15/ In communications addressed to the Secretary-General with reference to the above-mentioned ratification, the Permanent Mission of Bulgaria and the Permanent Representative of Romania to the United Nations stated that their Governments considered the said ratification as null and void for the South Korean authorities could not speak on behalf of Korea.

In a communication addressed to the Secretary-General concerning the above-mentioned communication from the Permanent Representative of Romania, the Permanent Observer of the Republic of Korea to the United Nations stated the following:

"The Republic of Korea took part in the United Nations Conference on Diplomatic Intercourse and Immunities, and contributed to the formulation of the Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961, signed the Convention on the same day and duly deposited the instrument of ratification thereof with the Secretary-General of the United Nations on 28 December 1970.

"As resolution 195 (III) of the General Assembly of the United Nations dated 12 December 1948 declares unmistakably, the Government of the Republic of Korea is the only lawful government in Korea.

"Therefore, the rights and obligations of the Republic of Korea under the said Convention shall in no way be affected by any statement that has no basis in fact or unjustly distorts the legitimacy of the Government of the Republic of Korea."

16/ The Democratic Republic of Viet Nam and the Republic of South Viet Nam (the latter of which replaced the Republic of Viet Nam) united on 2 July 1976 to constitute a new State, the Socialist Republic of Viet Nam (Viet Nam). The former Republic of Viet Nam acceded to the Convention on 10 May 1973.

17/ In a communication received by the Secretary-General on 5 September 1969, the Government of Israel declared that it "has noted the political character of the declaration made by the Government of Kuwait on acceding to the above Convention. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Kuwait an attitude of complete reciprocity".

Identical communications, in essence, mutatis mutandis, were received by the Secretary-General from the Government of Israel on 15 October 1969 in respect of the declaration made upon accession by the United Arab Republic (see also note 36 below) on 6 January 1972 in respect of the declaration made upon accession by Bahrain, on 12 January 1977 in respect of the declaration made upon accession by Democratic Yemen, on 30 August 1977 in respect of the declaration made upon accession by the Libyan Arab Jamahiriya, on 29 October 1979 in respect of the declaration of 15 March 1979 made by the Syrian Arab Republic, on 1 April 1981 in respect of the declaration of 10 February 1981 made by Saudi Arabia and on 14 August 1981 in respect of the declaration of 13 April 1981 by Sudan.

18/ In a communication received on 15 September 1980, the Government of China notified the Secretary-General that it withdraws its reservations with regard to art. 37, paras. 2, 3 and 4, of the Convention.

19/ In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw the reservation relating to Israel. The notification indicates 25 January 1980 as the effective date of the withdrawal. For the text of that reservation, see United Nations, Treaty Series, vol. 500, p. 211.

20/ In a communication received on 1 June 1972, the Government of Portugal notified the Secretary-General of its decision to withdraw the reservation to para. 2 of art. 37 of the Convention. For the text of that reservation, see United Nations, Treaty Series, vol. 645, p. 372.

21/ These reservations were not included in the instrument of accession deposited on behalf of the Syrian Arab Republic on 4 August 1978. In accordance with the practice followed by the Secretary-General in similar circumstances, the text of the reservations was communicated to the States concerned on 2 April 1979, and, since no objections to this procedure were received within 90 days from that date, the Secretary-General received the said notification of reservation in definitive deposit on 1 July 1979. For the objection as to the substance formulated by the Federal Republic of Germany in respect of reservation No. 3, see under "Objections" in this chapter.

22/ It should be noted that, as at the date of receipt of the said declaration, the Syrian Arab Republic had become neither a party nor a signatory to the Protocol in question.

23/ In the instrument of ratification, the Government of Venezuela confirmed the reservation set forth in paragraph 3 of its reservations made upon signature. On depositing the instrument of ratification, the Permanent Representative of Venezuela to the United Nations stated that the reservations set forth in paras. 1 and 2 had not been maintained by the Government of Venezuela upon ratification and should be considered as withdrawn; for the text of those reservations, see United Nations, Treaty Series, vol. 500, p. 202.

24/ In a communication received by the Secretary-General on 8 June 1977, the Government of the Bahamas declared that it wishes to maintain the objections made by the Government of the United Kingdom of Great Britain and Northern Ireland prior to the independence of the Bahamas. (For the text of the objections made by the Government of the United Kingdom prior to 10 July 1973, the date when the Bahamas acceded to independence, see above, under "Objections".)

B. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality of 1961

<u>State</u>	<u>Ratification, accession (a)</u>
Argentina	10 Oct 1963
Belgium	2 May 1968 <u>a</u>
Botswana	11 Apr 1969 <u>a</u>
Burma	7 Mar 1980 <u>a</u>
Central African Republic	19 Mar 1973 <u>a</u>
China <u>25/</u>	
Democratic Kampuchea	31 Aug 1965 <u>a</u>
Denmark	2 Oct 1968
Dominican Republic	14 Jan 1964
Egypt	9 Jun 1964 <u>a</u>
Finland	9 Dec 1969
Gabon	2 Apr 1964 <u>a</u>
Germany, Federal Republic of <u>26/</u>	11 Nov 1964
Ghana	
Guinea	10 Jan 1968 <u>a</u>
Iceland	18 May 1971 <u>a</u>
India	15 Oct 1965 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran	3 Feb 1965
Iraq	15 Oct 1963
Italy	25 Jun 1969
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	3 Dec 1962 <u>a</u>
Lebanon	
Libyan Arab Jamahiriya	7 Jun 1977 <u>a</u>
Madagascar	31 Jul 1963 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Malaysia	9 Nov 1965 <u>a</u>
Morocco	23 Feb 1977 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
Niger	28 Mar 1966 <u>a</u>
Norway	24 Oct 1967
Oman	31 May 1974 <u>a</u>
Panama	4 Dec 1963 <u>a</u>
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965
Republic of Korea	7 Mar 1977
Senegal	
Sri Lanka	31 Jul 1978 <u>a</u>
Sweden	21 Mar 1967
Thailand	
Tunisia	24 Jan 1968 <u>a</u>
United Republic of Tanzania ...	5 Nov 1962
Yugoslavia	1 Apr 1963
Zaire	15 Jul 1976 <u>a</u>

Notes

25/ Signed on behalf of the Republic of China on 18 April 1961.

26/ See note 12/ above.

C. Optional Protocol to the Vienna Convention on Diplomatic Relations
 Concerning the Compulsory Settlement of Disputes of 1961

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Australia	26 Jan 1968 <u>a</u>
Austria	28 Apr 1966
Bahamas	17 Mar 1977 <u>a</u>
Belgium	2 May 1968
Botswana	11 Apr 1969 <u>a</u>
Central African Republic	19 Mar 1973
China 27/	
Colombia	
Costa Rica	9 Nov 1964 <u>a</u>
Democratic Kampuchea	31 Aug 1965 <u>a</u>
Denmark	2 Oct 1968
Dominican Republic	13 Feb 1964
Ecuador	21 Sep 1964
Fiji	21 Jun 1971 <u>d</u>
Finland	9 Dec 1969
France	31 Dec 1970
Gabon	2 Apr 1964 <u>a</u>
Germany, Federal Republic of 28/ 29/ ..	11 Nov 1964
Ghana	
Guinea	10 Jan 1968 <u>a</u>
Iceland	18 May 1971 <u>a</u>
India	15 Oct 1965 <u>a</u>
Iran	3 Feb 1965
Iraq	15 Oct 1963
Ireland	
Israel	
Italy	25 Jun 1969
Japan	8 Jun 1964
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	3 Dec 1962 <u>a</u>
Lebanon	
Liechtenstein	8 May 1964
Luxembourg	17 Aug 1966
Madagascar	31 Jul 1963 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Malaysia	9 Nov 1965 <u>a</u>
Malta 30/	7 Mar 1967 <u>d</u>
Mauritius	18 Jul 1969 <u>d</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	23 Sep 1970
Niger	26 Apr 1966 <u>a</u>
Norwa	24 Oct 1967
Oman	31 May 1974 <u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Pakistan	29 Mar 1976 <u>a</u>
Panama	4 Dec 1963 <u>a</u>
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965
Republic of Korea	25 Jan 1977
Seychelles	29 May 1979 <u>a</u>
Sri Lanka	31 Jul 1978 <u>a</u>
Sweden	21 Mar 1967
Switzerland	22 Nov 1963
United Kingdom of Great Britain and Northern Ireland	1 Sep 1964
United Republic of Tanzania	5 Nov 1962
United States of America	13 Nov 1972
Yugoslavia	1 Apr 1963
Zaire	19 Jul 1965 <u>a</u>

Notes

27/ Signed on behalf of the Republic of China on 18 April 1961. See note concerning signatures, ratifications, accessions, etc., on behalf of China.

28/ See note 12 above.

29/ In a communication received on 22 March 1965, the Government of the Federal Republic of Germany informed the Secretary-General of the following:

"The Federal Republic of Germany is not a Party to the Statute of the International Court of Justice. In order to meet her obligations under article I of the Optional Protocol on the Compulsory Settlement of Disputes, and in accordance with Security Council resolution of 15 October 1946 on the conditions under which the International Court of Justice shall be open to States not Parties to that Statute [resolution 9 (1946) adopted by the Security Council at its 76th meeting], the Federal Republic has issued a declaration accepting the competence of the International Court of Justice for the disputes named in article I of the Optional Protocol on the Compulsory Settlement of Disputes. This declaration also applies to the disputes named in article IV of the Optional Protocol on the compulsory Settlement of Disputes which arise from the interpretation or application of the Optional Protocol on the Acquisition of Nationality."

The declaration referred to above was deposited by the Government of the Federal Republic of Germany on 29 January 1965 with the Registrar of the International Court of Justice who transmitted certified true copies thereof to all States parties to the statute of the International Court of Justice, in accordance with paragraph 3 of the Security Council resolution referred to above.

In the same communication, the Government of the Federal Republic of Germany has notified the Secretary-General, in accordance with article IV of the Optional Protocol concerning the Compulsory Settlement of Disputes, done at Vienna on 18 April 1961, that it will extend the provisions of the said Protocol to disputes arising out of the interpretation or application of the Optional Protocol concerning the Acquisition of Nationality, done at Vienna on 18 April 1961.

30/ See note 14 above which also applies to this Protocol.

D. Vienna Convention on Consular Relations of 1963

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Algeria	14 Apr 1964 <u>a</u>
Argentina	7 Mar 1967
Australia	12 Feb 1973
Austria	12 Jun 1969
Bahamas	17 Mar 1977 <u>d</u>
Bangladesh	13 Jan 1978 <u>d</u>
Belgium	9 Sep 1970
Benin	27 Apr 1979
Bhutan	28 Jul 1981 <u>a</u>
Bolivia	22 Sep 1970
Brazil	11 May 1967
Canada	18 Jul 1974 <u>a</u>
Cape Verde	30 Jul 1979 <u>a</u>
Central African Republic	
Chile	9 Jan 1968
China <u>31/</u>	2 Jul 1979 <u>a</u>
Colombia	6 Sep 1972
Congo	
Costa Rica	29 Dec 1966
Cuba	15 Oct 1965
Cyprus	14 Apr 1976 <u>a</u>
Czechoslovakia	13 Mar 1968
Denmark	15 Nov 1972
Djibouti	2 Nov 1978 <u>a</u>
Dominican Republic	4 Mar 1964
Ecuador	11 Mar 1965
Egypt	21 Jun 1965 <u>a</u>
El Salvador	19 Jan 1973 <u>a</u>
Equatorial Guinea	30 Aug 1976 <u>a</u>
Fiji	28 Apr 1972 <u>a</u>
Finland	2 Jul 1980
France	31 Dec 1970
Gabon	23 Feb 1965
Germany, Federal Republic of <u>32/</u>	7 Sep 1971
Ghana	4 Oct 1963
Greece	14 Oct 1975 <u>a</u>
Guatemala	9 Feb 1973 <u>a</u>
Guyana	13 Sep 1973 <u>a</u>
Haiti	2 Feb 1978 <u>a</u>
Holy See	8 Oct 1970
Honduras	13 Feb 1968 <u>a</u>
Iceland	1 Jun 1978 <u>a</u>
India	28 Nov 1977 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran	5 Jun 1975

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Iraq	14 Jan 1970 <u>a</u>
Ireland	10 May 1967
Israel	
Italy	25 Jun 1969
Ivory Coast	
Jamaica	9 Feb 1976 <u>a</u>
Jordan	7 Mar 1973 <u>a</u>
Kenya	1 Jul 1965 <u>a</u>
Kiribati	2 Apr 1982 <u>d</u>
Kuwait	31 Jul 1975
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Lebanon	20 Mar 1975
Lesotho	26 Jul 1972 <u>a</u>
Liberia	
Liechtenstein	18 May 1966
Luxembourg	8 Mar 1972
Madagascar	17 Feb 1967 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Mali	28 Mar 1968 <u>a</u>
Mauritius	13 Mar 1970 <u>a</u>
Mexico	16 Jun 1965
Morocco	23 Feb 1977 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	10 Sep 1974 <u>a</u>
Nicaragua	31 Oct 1975 <u>a</u>
Niger	26 Apr 1966
Nigeria	22 Jan 1968 <u>a</u>
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Pakistan	14 Apr 1969 <u>a</u>
Panama	28 Aug 1967
Papua New Guinea	4 Dec 1975 <u>d</u>
Paraguay	23 Dec 1969 <u>a</u>
Peru	17 Feb 1978
Philippines	15 Nov 1965
Poland	13 Oct 1981
Portugal	13 Sep 1972 <u>a</u>
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet-Nam] 33/	10 May 1973 <u>a</u>
Romania	24 Feb 1972 <u>a</u>
Rwanda	31 May 1974 <u>a</u>
Senegal	29 Apr 1966 <u>a</u>
Seychelles	29 May 1979 <u>a</u>
Somalia	29 Mar 1968 <u>a</u>
Spain	3 Feb 1970 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Switzerland	3 May 1965
Syrian Arab Republic	13 Oct 1978 <u>a</u>
Tonga	7 Jan 1972 <u>a</u>
Trinidad and Tobago	19 Oct 1965 <u>a</u>
Tunisia	8 Jul 1964 <u>a</u>
Turkey	19 Feb 1976 <u>a</u>
United Arab Emirates	24 Feb 1977 <u>a</u>
United Kingdom of Great Britain and Northern Ireland	9 May 1972 <u>34/</u>
United Republic of Cameroon	22 May 1967
United Republic of Tanzania	18 Apr 1977 <u>a</u>
United States of America	24 Nov 1969
Upper Volta	11 Aug 1964
Uruguay	10 Mar 1970
Venezuela <u>35/</u>	27 Oct 1965
Yugoslavia	8 Feb 1965
Zaire	15 Jul 1976

Declarations and reservations

(For objections by certain States to some of these declarations and reservations, see hereafter.)

CUBA

The Revolutionary Government of Cuba makes an express reservation to the provisions of articles 74 and 76 of the Convention because it considers that, in view of the nature of the content and rules of the Convention, all free and sovereign States have the right to participate in it, and the Revolutionary Government is therefore in favour of facilitating accession by all countries in the international community, without distinction as to the territorial size of States, the number of their inhabitants or their social, economic or political systems."

CZECHOSLOVAKIA

"Contrary to the principle of sovereign equality of States and to the right of all States to participate in general multilateral treaties, articles 74 and 76 of the Vienna Convention on Consular Relations deprive certain States of their undeniable right to become parties to a treaty of a general character, concerning matters of legitimate interest of any State, which, according to its preamble, should contribute to the development of friendly relations among nations irrespective of their differing constitutional and social systems.

DENMARK

In respect of article 5 (j), consular posts established in Denmark by foreign States may not, except by virtue of a special agreement, execute letters rogatory or commissions to take evidence for the courts of the sending State, and may transmit judicial and extrajudicial documents only in civil or commercial matters.

(1) "With reference to article 22, the Government of Denmark expresses the wish that it may be possible to maintain the practice existing between Denmark and a number of other countries to appoint honorary consular officers from among persons having the nationality of the receiving State or of a third State; the Government of Denmark further expresses the hope that States with which Denmark establishes consular relations will give their consent, pursuant to paragraphs 2 and 3 of article 22, to the appointment of honorary consuls having the nationality of the receiving State or a third State.

(2) "With reference to article 68, the Government of Denmark expresses its desire, in accordance with Danish practice, to continue appointing honorary consular officers and, on condition of reciprocity, its willingness to continue receiving honorary consular officers in Denmark."

EGYPT 36/ 37/

...

"2 - Paragraph 1 of Article 46 concerning exemption from registration of aliens and residence permits shall not apply to consular employees.

"3 - Article 49 concerning exemption from taxation shall apply only to consular officers, their spouses and minor children. This exemption cannot be extended to consular employees and to members of the service staff.

"4 - Article 62, concerning exemption from custom duties and taxes on articles for the official use of a consular post headed by an honorary officer, shall not apply.

"5 - Article 65 is not accepted. Honorary consular officers cannot be exempted from registration of aliens and residence permits.

"6 - It is the understanding of the United Arab Republic that the privileges and immunities specified in this Convention are granted only to consular officers, their spouses and minor children and cannot be extended to other members of their families."

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FIJI

"Fiji will interpret the exemption accorded to members of a consular post by paragraph 3 of article 44 from liability to give evidence concerning matters connected with the exercise of their functions as relating only to acts in respect of which consular officers and consular employees enjoy immunity from the jurisdiction of the judicial or administrative authorities of the receiving State in accordance with the provisions of article 43 of the Convention."

FINLAND

Upon ratification:

Reservation:

"With regard to article 35, paragraph 1, and article 58, paragraph 1, Finland does not accord to consular posts headed by honorary consular officers the right to employ diplomatic or consular couriers and diplomatic or consular bags, or to Governments, diplomatic missions and other consular posts the right to employ these means in communicating with consular posts headed by honorary consular officers, except to the extent that Finland may have consented thereto in particular cases."

Declarations:

"With reference to article 22 of the Convention, the Finnish Government expressed the wish that in countries where it has been an established practice to allow nationals of the receiving State or of a third State to be appointed as Finnish honorary consuls, this practice will continue to be allowed as before. The Finnish Government also expresses the hope that countries with which Finland establishes new consular relations will follow a similar practice and will give their consent to such appointments pursuant to paragraphs 2 and 3 of article 22."

"With reference to article 49, paragraph 1 b, the Finnish Government wishes to add that, according to established practice, exemption cannot be granted in respect of dues or taxes levied on certain private movable property, such as shares or stock or other form of partnership in a condominium or housing corporation entitling the holder of such movable property to possess and control immovable property to possess and control immovable property situated in the territory of Finland and owned or otherwise legally possessed by the said condominium or housing corporation."

GERMANY, FEDERAL REPUBLIC OF

Declaration received on 8 April 1974:

"The Federal Republic of Germany interprets the provisions of chapter II of the Vienna Convention on Consular Relations, done on 24 April 1963, as applying to all career consular personnel (consular officers, consular employees and members of

the service staff), including those assigned to a consular post headed by an honorary consular officer, and that it will apply the said provisions accordingly."

ICELAND

With reference to article 22 of the Convention, the Icelandic Government expresses the wish that in countries where it has been an established practice to allow nationals of the receiving State or of a third State to be appointed as Icelandic honorary consuls, this will continue to be allowed as before. The Icelandic Government also expressed the hope that countries with which Iceland establishes new consular relations will follow a similar practice and will give their consent to such appointments pursuant to paragraphs 2 and 3 of article 22.

IRAQ 36/

The accession of the Republic of Iraq to this Convention shall in no way constitute recognition of the Member of the United Nations called Israel or imply any obligation toward or relation with the said Member.

ITALY

With reference to the provision contained in article 36, paragraph 1 (c), of the convention on Consular Relations, the Italian Government considers that the right of a consular official to visit nationals of his State who are for any reason held in custody and to act on their behalf may not be waived, inasmuch as it is embodied in general law. The Italian Government will therefore act on the basis of reciprocity.

KUWAIT

Upon ratification:

It is understood that the ratification of this Convention does not mean in any way recognition of Israel by the Government of the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel.

LESOTHO

"The Kingdom of Lesotho will interpret the exemption accorded to members of a consular post by paragraph 3 of article 44 from liability to give evidence concerning matters connected with the exercise of their functions or to produce official correspondence and documents relating thereto as not extending to matters, correspondence or documents connected with the administration of the estate of a deceased person in respect of which a grant of representation has been made to a member of a consular post."

MEXICO

Mexico does not accept that part of article 31, paragraph 4, of the Convention which refers to expropriation of consular premises. The main reason for this reservation is that that paragraph, by contemplating the possibility of expropriation of consular premises by the receiving State, presupposes that the sending State is the owner of the premises. That situation is precluded in the Mexican Republic by article 27 of the Political Constitution of the United Mexican States, according to which foreign States cannot acquire private title to immovable property unless it is situated at the permanent seat of Federal Power and necessary for the direct use of their embassies or legations.

MOROCCO

Morocco's accession to the convention on Consular Relations shall not in any way imply tacit recognition of "Israel"; nor shall any conventional relations be established between the Kingdom of Morocco and "Israel". 38/

Article 62, concerning the exemption from customs duties on articles for the use of a consular post headed by an honorary consular officer, shall not apply.

Article 65 shall not apply, since honorary consular officers cannot be exempted from obligations in regard to the registration of aliens and residence permits.

NORWAY

Upon ratification:

"With reference to article 22 of the Convention, the Norwegian Government expresses the wish that in countries where it has been an established practice to allow nationals of the receiving State or of a third State to be appointed as Norwegian honorary consuls, this practice will continue to be allowed as before. The Norwegian Government also expresses the hope that countries with which Norway establishes new consular relations will follow a similar practice and will give their consent to such appointments pursuant to paragraphs 2 and 3 of article 22".

OMAN

"... The accession of this convention does not mean in any way recognition of Israel by the Government of the Sultanate of Oman. Furthermore, no treaty relations will arise between the Sultanate of Oman and "Israel".

ROMANIA

The State Council of the Socialist Republic of Romania considers that the provisions of articles 74 and 76 of the convention are incompatible with the principle that multilateral international treaties whose subject-matter and purposes are of interest to the international community as a whole should be open for universal accession.

SWEDEN

Reservation:

With regard to article 35, paragraph 1, and article 58, paragraph 1, Sweden does not accord to consular posts headed by honorary consular officers the right to employ diplomatic or consular couriers and diplomatic or consular bags, or to Governments, diplomatic missions and other consular posts the right to employ these means in communicating with consular posts headed by honorary consular officers, except to the extent that Sweden may have consented thereto in particular cases.

Declaration:

"With reference to article 22 of the Convention, the Swedish Government expresses the wish that in countries where it has been an established practice to allow nationals of the receiving State or of a third State to be appointed as Swedish honorary consuls, this will continue to be allowed as before. The Swedish Government also expresses the hope that countries with which Sweden establishes new consular relations will follow a similar practice and will give their consent to such appointments pursuant to paragraphs 2 and 3 of article 22."

SYRIAN ARAB REPUBLIC 36/

(a) Accession of the Syrian Arab Republic to the said Convention and ratification thereof by its Government does not, in any way, imply recognition of Israel, nor shall they lead to any such dealings with the latter as are governed by the provisions of the Convention;

(b) The Syrian Arab Republic shall be under no obligation to apply article 49 of the Convention to local personnel employed by consulates or to exempt them from dues and taxes.

UNITED ARAB EMIRATES 36/

"The accession of the United Arab Emirates to this convention shall in no way amount to recognition of nor the establishment of any treaty relation with Israel."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The United Kingdom will interpret the exemption accorded to members of a consular post by paragraph 3 of article 44 from liability to give evidence concerning matters connected with the exercise of their functions as relating only to acts in respect of which consular officers and consular employees enjoy immunity from the jurisdiction of the judicial or administrative authorities of the receiving State in accordance with the provisions of article 43 of the Convention."

Declaration made upon ratification:

"... The United Kingdom hereby confirms its declaration in respect of paragraph 3 of article 44 of the Convention made at the time of signature, and further declares that it will interpret chapter II of the Convention as applying to all career consular employees, including those employed at a consular post headed by an honorary consular officer."

Objections

(The dates of receipt by the Secretary-General of the communications notifying the objections, other than those formulated at the time of ratification or accession, are shown above their texts.)

DENMARK

"The Government of Denmark objects to the reservations made by the Arab Republic of Bgypt to paragraph 1 of article 46 and to articles 49, 62 and 65 of the Convention and to the reservation made by Italy to paragraph 1 (c) of article 36 of the Convention."

FRANCE

The Government of the French Republic does not regard as valid the reservations to articles 46, 49, 62 and 65 of the Convention made by the Government of the United Arab Republic. This declaration shall not be regarded as an obstacle to the entry into force of the Convention between the French Republic and the United Arab Republic.

GERMANY, FEDERAL REPUBLIC OF

"The Government of the Federal Republic of Germany does not regard as valid the reservations to articles 46, 49, 62 and 65 of the convention made by the Government of the United Arab Republic.

"This declaration shall not be regarded as an obstacle to the entry into force of the Convention between the Federal Republic of Germany and the United Arab Republic."

25 July 1977

The Government of the Federal Republic of Germany regards the reservations made by the Kingdom of Morocco in respect of articles 62 and 65 of the Vienna Convention on Consular Relations of 24 April 1963 as incompatible with the purpose and objective of the convention.

This declaration shall, however, not be regarded as an obstacle to the entry into force of the Convention between the Federal Republic of Germany and the Kingdom of Morocco.

LUXEMBOURG

The Government of Luxembourg is not in a position to accept the reservations formulated by the Government of Cuba regarding articles 74 and 76 of the Vienna Convention on Consular Relations, done on 24 April 1963.

Notes

31/ The convention was signed on 24 April 1963 on behalf of the Republic of China. Upon accession, the Government of China made the following declaration:

"The Taiwan authorities' signature on this Convention in the name of China is illegal and null and void."

32/ With the following declaration:

"... The convention and Optional Protocols shall also apply to Land Berlin with effect from the date on which they enter into force for the Federal Republic of Germany, subject to the existing rights and responsibilities of the Powers responsible for Berlin including the right to decide on the admission of heads of consular missions in their sectors and to determine the extent of consular privileges and immunities."

With reference to the above-mentioned declaration, a communication was received on 30 March 1972 from the Government of Czechoslovakia. The said communication is identical in essence, mutatis mutandis, to the corresponding one referred to in the second paragraph of note 12 above.

33/ The Democratic Republic of Viet-Nam and the Republic of South Viet-Nam (the latter of which replaced the Republic of Viet-Nam) united on 2 July 1976 to constitute a new State, the Socialist Republic of Viet Nam (Viet Nam). At the time of preparing this publication no indication had been received from the Government of the Socialist Republic of Viet Nam regarding its position with respect to a possible succession.

/...

34/ In respect of the United Kingdom of Great Britain and Northern Ireland, the Associated States (Antigua, Dominica, Grenada, St. Christopher-Nevis-Anguilla, St. Lucia and St. Vincent) and territories under the territorial sovereignty of the United Kingdom, as well as the British Solomon Islands Protectorate.

35/ The instrument of ratification does not maintain the reservations made on behalf of the Government of Venezuela upon signature of the Convention. On depositing the said instrument, the Permanent Representative of Venezuela to the United Nations confirmed that those reservations should be considered as withdrawn. For the text of the reservations in question, see United Nations, Treaty Series, vol. 596, p. 452.

36/ In a communication received on 16 March 1966, the Government of Israel declared that it "has noted the political character of paragraph 1 of the declaration made by the Government of the United Arab Republic (see also note 37/ below.) In the view of the Government of Israel, the Convention and Protocol are not the proper place for making such political pronouncements. The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of the United Arab Republic an attitude of complete reciprocity."

Identical communications, in essence, mutatis mutandis, have been received by the Secretary-General from the Government of Israel on 16 March 1970 in respect of the declaration made upon accession by Iraq; on 12 May 1977 in respect of the declaration made upon accession by the United Arab Emirates, and on 11 May 1979 in respect of the declaration made upon accession by the Syrian Arab Republic.

37/ In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw the reservation relating to Israel. The notification indicates 25 January 1980 as the effective date of the withdrawal. For the text of that reservation, see United Nations, Treaty Series, vol. 596, p. 456.

38/ In a communication received by the Secretary-General on 4 April 1977, the Government of Morocco declared that "the reservation concerning Israel ... constituted a declaration of general policy which did not affect the legal effects of the provisions of the said convention as far as their application in respect of the Kingdom of Morocco was concerned".

In a communication received by the Secretary-General on 12 May 1977 the Government of Israel made the following declaration:

"The instrument deposited by the Government of Morocco contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Morocco cannot in any way affect whatever obligations are binding upon Morocco under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Morocco an attitude of complete reciprocity."

E. Optional Protocol to the Vienna Convention of Consular Relations
 Concerning Acquisition of Nationality of 1963

<u>State</u>	<u>Ratification, accession (a)</u>
Belgium	9 Sep 1970 <u>a</u>
Bhutan	28 Jul 1981 <u>a</u>
Brazil	
China <u>39/</u>	
Colombia	
Congo	
Denmark	15 Nov 1972
Dominican Republic	4 Mar 1964
Egypt	21 Jun 1965 <u>a</u>
Finland	2 Jul 1980
Gabon	23 Feb 1965 <u>a</u>
Germany, Federal Republic of <u>40/</u>	7 Sep 1971
Ghana	4 Oct 1963
Iceland	1 Jun 1978 <u>a</u>
India	28 Nov 1977 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran	5 Jun 1975 <u>a</u>
Iraq <u>41/</u>	14 Jan 1970 <u>a</u>
Italy	25 Jun 1969
Kenya	1 Jul 1965 <u>a</u>
Kuwait	
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Liberia	
Madagascar	17 Feb 1967 <u>a</u>
Malawi	23 Feb 1981 <u>a</u>
Morocco	23 Feb 1977 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
Niger	21 Jun 1978 <u>a</u>
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Panama	28 Aug 1967
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965 <u>a</u>
Poland	13 Oct 1981
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet Nam] <u>42/</u>	10 May 1973 <u>a</u>
Senegal	29 Apr 1966 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974
Tunisia	24 Jan 1968 <u>a</u>
United Republic of Cameroon	
Yugoslavia	
Zaire	

Notes

39/ Signed on behalf of the Republic of China on 24 April 1963.

40/ See note 32 above.

41/ See chap. D for the text of the reservation contained in the instrument of accession by the Government of Iraq to the Vienna Convention on Consular Relations and to this Protocol.

42/ See note 33 above.

F. Optional Protocol to the Vienna Convention on Consular Relations
 Concerning the Compulsory Settlement of Disputes of 1963

<u>State</u>	<u>Ratification, accession (a)</u>
Argentina	
Australia	12 Feb 1973 <u>a</u>
Austria	12 Jun 1969
Belgium	9 Sep 1970
Benin	
Central African Republic	
Chile	
China <u>43/</u>	
Colombia	
Congo	
Denmark	15 Nov 1972
Dominican Republic	4 Mar 1964
Finland	2 Jul 1980
France	31 Dec 1970
Gabon	23 Feb 1965
Germany, Federal Republic of <u>44/</u>	7 Sep 1971
Ghana	
Iceland	1 Jun 1978 <u>a</u>
India	28 Nov 1977 <u>a</u>
Iran	5 Jun 1975 <u>a</u>
Ireland	
Italy	25 Jun 1969
Ivory Coast	
Kenya	1 Jul 1965 <u>a</u>
Kuwait	
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Lebanon	
Liberia	
Liechtenstein	18 May 1966
Luxembourg	8 Mar 1972
Madagascar	17 Feb 1967 <u>a</u>
Malawi	23 Feb 1981 <u>a</u>
Mauritius	13 May 1970 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	10 Sep 1974
Niger	21 Jun 1978
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Pakistan	29 Mar 1976 <u>a</u>
Panama	28 Aug 1967
Paraguay	23 Dec 1969 <u>a</u>
Peru	
Philippines	15 Nov 1965

<u>State</u>	<u>Ratification, accession (a)</u>
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet-Nam] <u>45/</u>	10 May 1973 <u>a</u>
Senegal	29 Apr 1966 <u>a</u>
Seychelles	29 May 1979 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974
Switzerland	3 May 1965
United Kingdom of Great Britain and Northern Ireland	9 May 1972 <u>46/</u>
United Republic of Cameroon	
United States of America	24 Nov 1969
Upper Volta	11 Aug 1964
Uruguay	
Yugoslavia	
Zaire	

Notes

43/ Signed on behalf of the Republic of China on 24 April 1963.

44/ See note 32 above. In a communication deposited on 24 January 1972 with the Registrar of the International Court of Justice, who transmitted it to the Secretary-General pursuant to operative paragraph 3 of Security Council resolution 9 (1946) of 15 October 1946, the Government of the Federal Republic of Germany states as follows:

"On behalf of the Federal Republic of Germany and with reference to the resolution adopted by the United Nations Security Council on 15 October 1946, I have the honour to make the following declaration:

"In respect of any dispute between the Federal Republic of Germany and any Party to the Vienna Convention on Consular Relations of 24 April 1963 and to the Optional Protocol thereto concerning the Compulsory Settlement of Disputes that may arise within the scope of that Protocol, the Federal Republic of Germany accepts the jurisdiction of the International Court of Justice. This declaration also applies to such disputes as may arise, within the scope of article IV of the Optional Protocol concerning the Compulsory Settlement of Disputes, in connexion with the Optional Protocol concerning Acquisition of Nationality.

"It is in accordance with the Charter of the United Nations and with the terms and subject to the conditions of the Statute and Rules of the International Court of Justice that the jurisdiction of the Court is hereby recognized.

"The Federal Republic of Germany undertakes to comply in good faith with the decisions of the Court and to accept all the obligations of a Member of the United Nations under Article 94 of the Charter."

45/ See note 33 above.

46/ In respect of the United Kingdom of Great Britian and Northern Ireland, the Associated States (Antigua, Dominica, Grenada, St. Christopher-Nevis-Anguilla, St. Lucia and St. Vincent) and territories under the territorial sovereignty of the United Kingdom, as well as the British Solomon Islands Protectorate.

G. Convention on the Prevention and Punishment of Crimes
 against Internationally Protected Persons, including
 Diplomatic Agents of 1973

<u>State</u>	<u>Ratification, accession (a)</u>
Argentina	18 Mar 1982 <u>a</u>
Australia	20 Jun 1977
Austria	3 Aug 1977 <u>a</u>
Barbados	26 Oct 1979 <u>a</u>
Bulgaria	18 Jul 1974
Burundi	17 Dec 1980 <u>a</u>
Byelorussian Soviet Socialist Republic	5 Feb 1976
Canada	4 Aug 1976
Chile	21 Jan 1977 <u>a</u>
Costa Rica	2 Nov 1977 <u>a</u>
Cyprus	24 Dec 1975 <u>a</u>
Czechoslovakia	30 Jun 1975
Denmark	1 Jul 1975 <u>47/</u>
Dominican Republic	8 Jul 1977 <u>a</u>
Ecuador	12 Mar 1975
El Salvador	8 Aug 1980 <u>a</u>
Finland	31 Oct 1978
Gabon	14 Oct 1981 <u>a</u>
German Democratic Republic	30 Nov 1976
Germany, Federal Republic of <u>48/</u>	25 Jan 1977
Ghana	25 Apr 1975 <u>a</u>
Guatemala	
Haiti	25 Aug 1980 <u>a</u>
Hungary	26 Mar 1975
Iceland	2 Aug 1977
India	11 Apr 1978 <u>a</u>
Iran	12 Jul 1978 <u>a</u>
Iraq	28 Feb 1978 <u>a</u>
Israel	31 Jul 1980 <u>a</u>
Italy	
Jamaica	21 Sep 1978 <u>a</u>
Liberia	30 Sep 1975 <u>a</u>
Malawi	14 Mar 1977 <u>a</u>
Mexico	22 Apr 1980 <u>a</u>
Mongolia	8 Aug 1975
Nicaragua	10 Mar 1975
Norway	28 Apr 1980
Pakistan	29 Mar 1976 <u>a</u>
Panama	17 Jun 1980 <u>a</u>
Paraguay	24 Nov 1975
Peru	25 Apr 1978 <u>a</u>
Philippines	26 Nov 1976 <u>a</u>
Poland	

<u>State</u>	<u>Ratification, accession (a)</u>
Romania	15 Aug 1978
Rwanda	29 Nov 1977
Seychelles	29 May 1980 <u>a</u>
Sweden	1 Jul 1975
Togo	30 Dec 1980 <u>a</u>
Trinidad and Tobago	15 Jun 1979 <u>a</u>
Tunisia	21 Jan 1977
Turkey	11 Jun 1981 <u>a</u>
Ukrainian Soviet Socialist Republic	20 Jan 1976
Union of Soviet Socialist Republics	15 Jan 1976
United Kingdom of Great Britain and Northern Ireland	2 May 1979
United States of America	26 Oct 1976
Uruguay	13 Jun 1978 <u>a</u>
Yugoslavia	29 Dec 1976
Zaire	25 Jul 1977 <u>a</u>

Declarations and reservations

(For objections by certain States to some of these declarations and reservations, see hereafter.)

ARGENTINA

Reservation upon accession:

In accordance with article 13, paragraph 2, of the Convention, the Argentine Republic declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention.

BULGARIA

Declaration made upon signature and renewed upon ratification:

Bulgaria does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

BURUNDI

In respect of cases where the alleged offenders belong to a national liberation movement recognized by Burundi or by an international organization of which Burundi is a member, and their actions are part of their struggle for liberation, the Government of the Republic of Burundi reserves the right not to apply to them the provisions of article 2, paragraph 2, and article 6, paragraph 1.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Reservation made upon signature and confirmed upon ratification:

The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

Upon signature:

"The Czechoslovak Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention and declares that, in conformity with the principle of the sovereign equality of States, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice."

Upon ratification:

"[Czechoslovakia] does not feel itself bound by the provisions of article 13, paragraph 1, of the Convention."

ECUADOR

Upon signature:

Ecuador wishes to avail itself of the provisions of article 13, paragraph 2, of the Convention, declaring that it does not consider itself bound to refer disputes concerning the application of the Convention to the International Court of Justice.

EL SALVADOR

The State of El Salvador does not consider itself bound by paragraph 1 of article 13 of the Convention.

FINLAND

Reservation made upon signature and confirmed upon ratification:

"Finland reserves the right to apply the provision of article 8, paragraph 3, in such a way that extradition shall be restricted to offences which, under Finnish Law, are punishable by a penalty more severe than imprisonment for one year and provided also that other conditions in the Finnish Legislation for extradition are fulfilled."

Declaration made upon signature:

"Finland also reserves the right to make such other reservations as it may deem appropriate if and when ratifying this Convention."

GERMAN DEMOCRATIC REPUBLIC

Declaration made upon signature and renewed upon ratification:

The German Democratic Republic does not regard itself bound by the provisions of article 13, paragraph 1, and reaffirms its view that in conformity with the principle of the sovereign equality of States the approval of all parties to any dispute is required in order to subject a certain dispute to arbitration or to submit it for decision to the International Court of Justice.

GERMANY, FEDERAL REPUBLIC OF

Upon signature:

"... The Federal Republic of Germany reserves the right, upon ratifying this Convention, to state its views on the explanations of vote and declarations made by other States upon signing or ratifying or acceding to that Convention and to make reservations regarding certain provisions of the said Convention."

GHANA 49/

"(ii) Paragraph 1 of article 13 of the Convention provides that disputes may be submitted to arbitration, failing which any of the parties to the dispute may refer it to the International Court of Justice by request. Since Ghana is opposed to any form of compulsory arbitration, she wishes to exercise her option under article 13 (2) to make a reservation on article 13 (1). It is noted that such a reservation can be withdrawn later under article 13 (3)."

HUNGARY

Declaration made upon signature and renewed upon ratification:

"The Hungarian People's Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention. These provisions are at variance with the position of the Hungarian People's Republic according to which for the submission of disputes between States to arbitration or to the International Court of Justice the consent of all of the interested parties is required."

INDIA

"The Government of the Republic of India does not consider itself bound by paragraph 1 of article 13 which establishes compulsory arbitration or adjudication by the International Court of Justice concerning disputes between two or more States Parties relating to the interpretation or application of this Convention."

IRAQ 50/

(1) The resolution of the United Nations General Assembly to which the above-mentioned Convention is annexed shall be considered to be an integral part of the above-mentioned Convention.

(2) Subparagraph (b) of paragraph 1 of article 1 of the Convention shall cover the representatives of the national liberation movements recognized by the League of Arab States or the Organization of African Unity.

(3) The Republic of Iraq shall not bind itself by paragraph 1 of article 13 of the Convention.

(4) The accession of the Government of the Republic of Iraq to the Convention shall in no way constitute a recognition of Israel or a cause for the establishment of any relations of any kind therewith.

ISRAEL

Declaration:

"The Government of the State of Israel declares that its accession to the Convention does not constitute acceptance by it as binding of the provisions of any other international instrument, or acceptance by it of any other international instrument as being an instrument related to the Convention.

The Government of Israel reaffirms the contents of its communication of 11 May 1979 to the Secretary-General of the United Nations." 51/

Reservation:

"The State of Israel does not consider itself bound by paragraph 1 of article 13 of the Convention."

JAMAICA

"Jamaica avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of this article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice."

MALAWI

"The Government of the Republic of Malawi [declares], in accordance with the provisions of paragraph 2 of article 13, that it does not consider itself bound by the provisions of paragraph 1 of article 13 of the Convention."

MONGOLIA

Declaration made under signature and renewed upon ratification:

"The Mongolian People's Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice."

PAKISTAN

"Pakistan shall not be bound by paragraph 1 of article 13 of the Convention."

PERU

With reservation as to article 13 (1).

ROMANIA

Reservation made upon signature and confirmed upon ratification:

The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice.

The Socialist Republic of Romania considers that such disputes may be submitted to arbitration or referred to the International Court of Justice only with the consent of all parties to the dispute in each individual case.

TRINIDAD AND TOBAGO

"The Republic of Trinidad and Tobago avails itself of the provisions of article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of that article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and states that, in each individual case, the consent of all Parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice."

TUNISIA

Reservation made upon signature and confirmed upon ratification:

No dispute may be brought before the International Court of Justice unless by agreement between all parties to the dispute.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

Reservation made upon signature and confirmed upon ratification:

The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

UNION OF SOVIET SOCIALIST REPUBLICS

Reservation made upon signature and confirmed upon ratification:

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more States Parties concerning the interpretation or application of the Convention shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and states that, in each individual case, the consent of all parties to such a dispute is necessary for submission of the dispute to arbitration or to the International Court of Justice.

ZAIRE

The Republic of Zaire does not consider itself bound by the provisions of article 13, paragraph 1, of the Convention, under which any dispute between two or more Contracting Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice. In the light of its policy based on respect for the sovereignty of States, the Republic of Zaire is opposed to any form of compulsory arbitration and hopes that such disputes may be submitted to arbitration or referred to the International Court of Justice not at the request of one of the parties but with the consent of all the interested parties.

Objections

(The dates of receipt by the Secretary-General of the communications notifying the objections, other than those formulated at the time of ratification or accession, are shown above their texts.)

GERMANY, FEDERAL REPUBLIC OF

30 November 1979

The statement by the Republic of Iraq on subparagraph (b) of paragraph 1 of article 1 of the Convention does not have any legal effects for the Federal Republic of Germany.

25 March 1981

The Government of the Federal Republic of Germany considers the reservation made by the Government of the Republic of Burundi concerning article 2, paragraph 2, and article 6, paragraph 1, of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, to be incompatible with the object and purpose of the Convention.

ISRAEL

"The Government of the State of Israel does not regard as valid the reservation made by Iraq in respect of paragraph 1(b) of article 1 of the said Convention."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

2 May 1979

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation made by Iraq in respect of paragraph 1 (b) of article 1 of the said Convention."

15 January 1982

"The purpose of this Convention was to secure the world-wide repression of crimes against internationally protected persons, including diplomatic agents, and to deny the perpetrators of such crimes a safe haven. Accordingly the Government of the United Kingdom of Great Britain and Northern Ireland regard the reservation entered by the Government of Burundi as incompatible with the object and purpose of the Convention, and are unable to consider Burundi as having validly acceded to the Convention until such time as the reservation is withdrawn."

Territorial application

<u>Notification by:</u>	<u>Date of notification:</u>	<u>Extension to:</u>
United Kingdom	2 May 1979	Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Belize, 52/ Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands and Dependencies, Gibraltar, Gilbert Islands, Hong Kong, Montserrat, the Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena and Dependencies, Turks and Caicos Islands, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

Notes

47/ In a notification received on 12 March 1980, the Government of Denmark informed the Secretary-General that it had decided to withdraw the reservation made upon ratification of the Convention, which specified that until further decision, the Convention would not apply to the Faeroe Islands or to Greenland.

The notification indicates 1 April 1980 as the effective date of withdrawal.

48/ In a communication accompanying the instrument of ratification, the Government of the Federal Republic of Germany declared as follows:

"With effect from the day on which the Convention enters into force for the Federal Republic of Germany it will also apply to Berlin (West) subject to the rights and responsibilities of the Allied authorities."

With respect to the above declaration, the Secretary-General received the following communications:

Union of Soviet Socialist Republics (21 July 1977):

The declaration made by the Government of the Federal Republic of Germany when it deposited the instrument of ratification concerning the application of the Convention to Berlin (West) is incompatible with the Quadripartite Agreement of 3 September 1971 and can therefore have no legal force. The Quadripartite Agreement, as is well known, does not allow the Federal Republic of Germany to represent the interests of Berlin in matters of status and security in the international arena. The above-mentioned Convention directly affects matters of status and security. It therefore follows that the Federal Republic of Germany cannot assume the rights and obligations of ensuring the observance of the provisions of this Convention in Berlin (West).

Since under the Quadripartite Agreement the Governments of France, the United Kingdom and the United States retain their rights and responsibility with respect to the representation abroad of interests of Berlin (West) and its permanent residents, including rights and responsibility concerning matters of security and status, both in international organizations and in relations with other countries, the Soviet Union will, in any matters which may arise in connexion with the application and implementation of the Convention in Berlin (West), address itself to the authorities of France, the United Kingdom and the United States.

France, United Kingdom of Great Britain and Northern Ireland and United States of America (7 December 1977 - in relation to the declaration made by the Soviet Union received on 21 July 1977):

"We have the honour to refer to the note from the Director of the General Legal Division in charge of the Office of Legal Affairs No. C.N.228.1977.TREATIES-6, dated 10 August 1977, concerning the ratification by the Government of the Federal Republic of Germany, with declaration, of the Convention on the Prevention and Punishment of Crimes against Internationally

Protected Persons, including Diplomatic Agents, and in particular to refer to paragraph 2 of that note which reported a communication made by the Government of the Union of Soviet Socialist Republics relating to the application of that Convention to the Western Sectors of Berlin.

"In a communication to the Government of the USSR which is an integral part (Annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United States and the United Kingdom confirmed that, provided matters of security and status are not affected and provided that extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established procedures. For its part, the Government of the USSR, in a communication to the Government of France, the United Kingdom and the United States, which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of 3 September 1971, affirmed that it would raise no objection to such an extension.

"The established procedures referred to above, which were endorsed in the Quadripartite Agreement, are designed inter alia to afford the authorities of France, the United Kingdom and the United States, the opportunity to ensure that international agreements concluded by the Federal Republic of Germany which are to be extended to the Western Sectors of Berlin are extended in such a way that matters of security and status remain unaffected. The extension of the aforesaid Convention to the Western Sectors of Berlin received the authorization, under these established procedures, of the authorities of France, the United Kingdom and the United States who took the necessary steps to ensure that matters of security and status would not be affected thereby. Consequently, pursuant to the declaration on Berlin made by the Federal Republic of Germany, this Convention has been validly extended to the Western Sectors of Berlin. Accordingly, the application of this Convention to the Western Sectors of Berlin continues in full force and effect."

Federal Republic of Germany (13 February 1978)

"By their note of 3 December 1977, disseminated by Circular Note C.N.393.1977.TREATIES-11 of 19 January 1978, the Governments of France, the United Kingdom and the United States answered the assertions made in the communication referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the note of the three Powers, wishes to confirm that, subject to the rights and responsibilities of the three Powers, the application in Berlin (West) of the above-mentioned instrument extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

German Democratic Republic (22 December 1978):

Concerning the application of the Convention to Berlin (West), the German Democratic Republic states, in conformity with the Quadripartite Agreement of 3 September 1971, that Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it. The statement of the Federal Republic of Germany, according to which this Convention is to be extended to Berlin (West), is inconsistent with the Quadripartite Agreement which stipulates that agreements concerning matters of security and the status of Berlin (West) must not be extended by the Federal Republic of Germany to Berlin (West). Accordingly, the statement made by the Federal Republic of Germany can have no legal effects.

Czechoslovakia (25 April 1979):

"According to the Quadripartite Agreement of 3 September 1971, the Federal Republic of Germany cannot extend international conventions to Berlin (West) if the conventions in question relate to matters of security and the status of Berlin (West). Since the above-mentioned multilateral international Convention leaves no doubt as to its direct relation to the matters of security and the status of Berlin (West) there is no legal ground for its extension to Berlin (West) by the Federal Republic of Germany.

"In view of all these facts the Czechoslovak Socialist Republic cannot accept the extension of the said Convention to Berlin (West) by the Federal Republic of Germany, is not in a position to regard the extension as legally valid and cannot attach to it any legal effects."

France, United Kingdom of Great Britain and Northern Ireland and United States of America (21 August 1979 - in respect of the communications from the German Democratic Republic and Czechoslovakia received on 22 December 1978 and 25 April 1979, respectively):

"With regard to the communications referred to above, our Governments reaffirm that States which are not parties to the Quadripartite Agreement are not competent to comment authoritatively on its provisions.

"The three Governments do not consider it necessary, nor do they intend to respond to any further communications on this subject from States which are not parties to the Quadripartite Agreement. This should not be taken to imply any change of the position of the three Governments in this matter."

Federal Republic of Germany (18 October 1979 - in respect of the communications from the German Democratic Republic and Czechoslovakia received on 22 December 1978 and 25 April 1979, respectively):

"By their note of 20 August 1979, disseminated by Circular Note C.N.181.1979.TREATIES-6 of 21 August 1979, the Governments of France, the United Kingdom and the United States rejected the assertions made in the communications referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation, wishes to confirm that the application in Berlin (West) of the above-mentioned Convention extended by it under the established procedures continues in full force and effect.

"The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

Hungary (27 November 1979):

Communication identical in essence, mutatis mutandis, to the one of 25 April 1979 by Czechoslovakia.

Czechoslovakia (25 January 1980):

"The Czechoslovak side continues to hold the view that also States that are not signatories of the four-Power Agreement of 3 September 1971 must proceed from the criteria set forth by the four-Power Agreement, since no other criteria exist. We furthermore believe that it is the inalienable right of every State to adjudge its treaty relations from its own will. The exercise of such a right even by a non-signatory State cannot be hindered by third State parties."

United Kingdom of Great Britain and Northern Ireland and United States of America received on 18 February 1982:

"With regard to the communication of the Government of Czechoslovakia referred to above, our Governments reaffirm their position as stated in their note of 21 August 1979 to the Secretary-General in connexion with this Convention. The Quadripartite Agreement is an international treaty concluded between the four contracting parties and not open to participation by any other State. In concluding this Agreement, the four Powers acted on the basis of their quadripartite rights and responsibilities, and of the corresponding wartime and post-war agreements and decisions of the four Powers, which are not affected. The Quadripartite Agreement is a part of conventional, not customary international law. Accordingly, Czechoslovakia, as a third State not a party to the Quadripartite Agreement, has no right whatsoever to comment authoritatively on it."

49/ In a notification received on 18 November 1976, the Government of Ghana informed the Secretary-General that it had decided to withdraw the reservation as contained in its instrument of accession, concerning article 3 (1) (c) of the said Convention. That reservation reads as follows:

"(i) Paragraph 1(c) of article 3 of the Convention contemplates that a State may exercise jurisdiction when the crime is committed against its own agent. This may lead to some friction with the State in whose territory the crime has been committed or the State whose national the offender is. It may also not afford the offender a fair trial. Ghana therefore wishes to make a reservation on article 3 (1) (c) of the Convention."

50/ The Secretary-General received on 11 May 1979 from the Government of Israel the following communication:

"The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are, moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

51/ The communication referred to in the second paragraph of the declaration concerns the one made by Iraq upon accession to the Convention, which was circulated by letter C.N.105.1979.TREATIES-3 of 24 May 1979 (see note 50 above).

52/ The Secretary-General received on 25 May 1979 from the Government of Guatemala the following communication:

"The Government of Guatemala [does] not accept this provision, in view of the fact that the Territory of Belize is a territory concerning which a dispute exists and to which [Guatemala] maintains a claim that is the subject, by mutual agreement, of procedures for the peaceful settlement of disputes between the two Governments concerned."

In this respect, the Government of the United Kingdom of Great Britain and Northern Ireland, in a communication received by the Secretary-General on 12 November 1979, stated the following:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their sovereignty over Belize and do not accept the reservation submitted by the Government of Guatemala."
