

Multilateral Treaty Framework:
An Invitation to Universal Participation

**2011 Treaty Event:
Towards Universal Participation and Implementation**



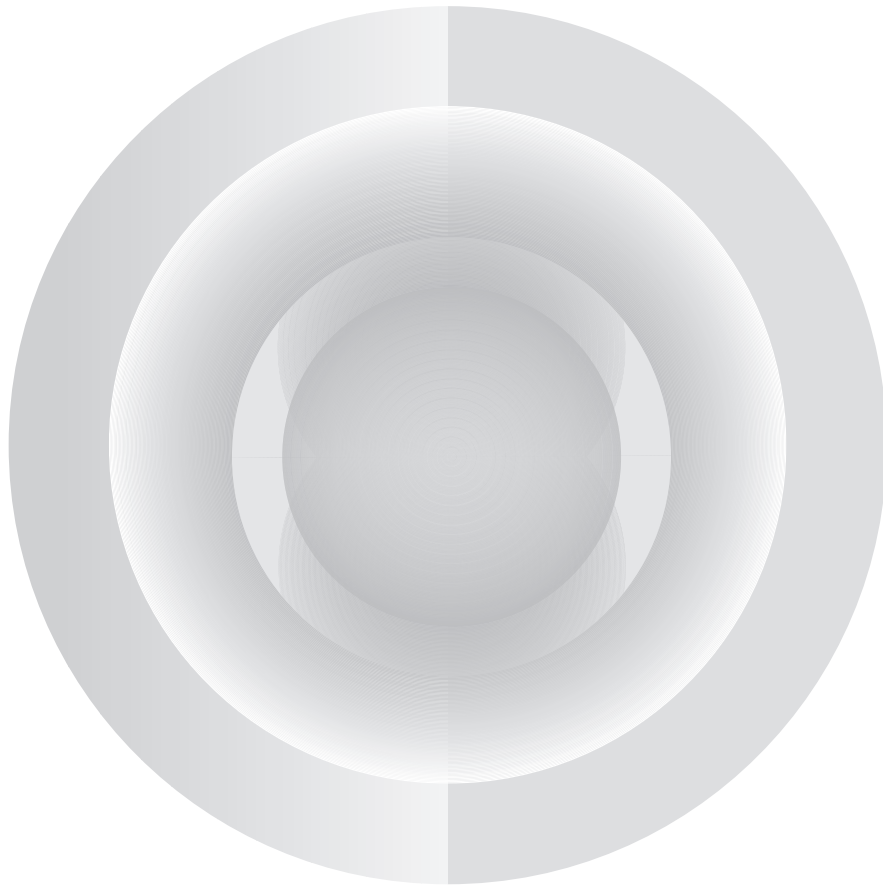
**Treaty Event
20-22 and 26-27 September 2011
United Nations Headquarters**



United Nations

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United Nations
New York, 2011

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The Secretary-General's Letter to Heads of State and Government



THE SECRETARY-GENERAL

29 April 2011

Excellency,

As the depositary of more than 550 multilateral treaties, I have the honour to refer to the annual treaty event of the United Nations “2011 Treaty Event: Towards Universal Participation and Implementation”, which will be held from 20 to 22 and on 26 and 27 September 2011 in the Treaty Signing area in the General Assembly Building in New York. The event will coincide with the General Debate of the sixty-sixth session of the General Assembly, which opens on Tuesday, 20 September 2011.

This occasion provides a distinct opportunity for States to reaffirm their continuing commitment to the central role of the rule of law at the international and national levels. The annual treaty event has proven to be an effective means for promoting the wider participation of States in the multilateral treaty framework and thereby fostering the rule of law at the international level. Since 2000, ten treaty events have attracted 1,591 treaty actions.

I wish to extend this invitation to you to make use of the event by signing and depositing instruments of ratification or accession to those treaties deposited with me to which your country is not yet a party.

The 2011 Treaty Event will focus, as it has in recent years, on the encouragement of wider participation in multilateral treaties in order to achieve their speedy entry into force or their universal participation if they are already in force.

As this year marks the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness and the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees, we are highlighting the challenges of forced displacement and statelessness. The year 2011 also marks the launch of UN Women, and treaties relating to the empowerment and protection of women will similarly be highlighted.

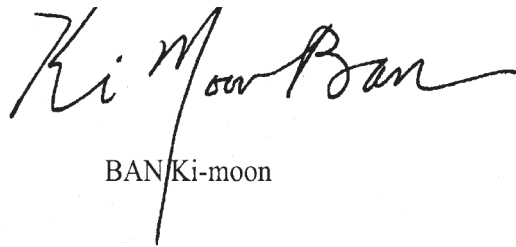
The September event will also focus on treaties that address strategic priorities, including human rights, disarmament and non-proliferation, the prevention and suppression of acts of terrorism and organized crime, as well as sustainable development and the protection of the environment in preparation for the 2012 United Nations Conference on Sustainable Development.

Attached for your consideration is the list of highlighted treaties. The Treaty Section of the Office of Legal Affairs will be publishing a booklet entitled *2011 Treaty Event: Towards Universal Participation and Implementation* which will include a summary of the objectives and key provisions of highlighted treaties. The event may be used, however, to sign, ratify or accede to any other treaty of which I am the depositary.

I would like to request that you inform me by 6 September 2011 of your intention to sign, ratify or accede to any of the treaties of which I am the depositary during the 2011 Treaty Event so that the necessary arrangements can be made by the Secretariat. There will be facilities to accommodate the media.

Please join us in September at the 2011 Treaty Event to move towards universal participation in and implementation of the global treaty framework.

Please accept, Excellency, the assurances of my highest consideration.



BAN/Ki-moon

*Procedural Information Provided by the Under-Secretary-General for Legal Affairs to
Permanent Representatives in New York*



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REFERENCE: LA41TR/221/1/TE11

6 May 2011

Excellency,

I have the honour to refer to the Secretary-General's letter of invitation addressed to Heads of State and Government to participate in this year's treaty event entitled "2011 Treaty Event: Towards Universal Participation and Implementation" which will be held from 20 to 22 and 26 to 27 September 2011 in the Treaty Signing area in the General Assembly Building in New York during the general debate of the sixty-sixth session of the General Assembly.

The Treaty Event will highlight treaties deposited with the Secretary-General that cover areas of global reach, including forced displacement and statelessness, empowerment and protection of women, human rights, disarmament and non-proliferation, the prevention and suppression of acts of terrorism and organized crime, as well as sustainable development and the protection of the environment.

States are encouraged to utilize the occasion of the 2011 Treaty Event to demonstrate their continuing commitment to the central role of the rule of law in international relations. It is emphasized that the Event may be used to sign and ratify or accede to any treaty for which the Secretary-General acts as depositary.

It is noted that, consistent with the rules of international law and the practice of the Secretary-General as depositary of multilateral treaties, a Head of State or Government or a Foreign Minister does not require full powers to execute a treaty action in person. Furthermore, full powers are not required in cases where an instrument conferring general full powers has been issued to a designated person and has been deposited with the Secretary-General in advance.

However, where an action, such as a signature, relating to a treaty deposited with the Secretary-General is to be undertaken by a person other than the Head of State or Government or the Foreign Minister, duly executed full powers are necessary.



The Secretary-General's requirements for a valid instrument of full powers must include the following:

- Title of the treaty;
- Full name and title of the person duly authorized to sign the treaty concerned;
- Date and place of signature; and
- Signature of the Head of State, Head of Government or Foreign Minister.

Instruments of ratification, acceptance, approval or accession must also be issued and signed by one of the above three authorities, and should include all declarations and reservations related thereto. Full powers and instruments of ratification, acceptance, approval or accession should be submitted for verification to the Treaty Section well in advance of the intended date of the relevant treaty action. Further information on full powers and instruments of ratification, acceptance, approval or accession can be obtained from the *Treaty Handbook* and the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties* (ST/LEG/7/Rev.1). These documents are also available in the United Nations Treaty Collection at the website: <http://treaties.un.org>.

Advice before **6 September 2011** on your Government's intention to sign, ratify or accede to any of the multilateral treaties deposited with the Secretary-General would assist us in making the necessary arrangements, including appropriate media coverage. I am attaching a list of all multilateral treaties deposited with the Secretary-General to enable a more comprehensive review of your country's participation in these multilateral treaties. The above-mentioned website for the United Nations Treaty Collection provides up-to-date information on the status of those treaties. It is requested that appointments be made by contacting the Treaty Section of the Office of Legal Affairs (telephone: (+1-212) 963-5047; fax: (+1-212) 963-3693).

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Patricia O'Brien'.

Patricia O'Brien
Under-Secretary-General
for Legal Affairs
The Legal Counsel

Foreword

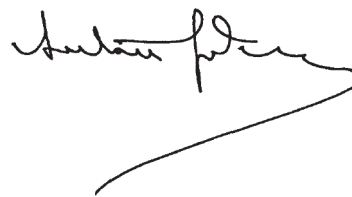
Conflict, violence and serious human rights abuses continue to force millions of people to flee their homes and countries every year. The nature of conflict is changing and becoming more complex. The world's mega-trends – population growth, urbanization, climate change, water and energy scarcity and, particularly, food insecurity – are causing crises to multiply and deepen. More actors are involved. And traditional distinctions between civilian and military spheres have become blurred. While most of the displacement from today's conflicts is internal, many people are still forced to seek protection abroad. Even for those able to access safety in the territories of other States, many are subject to racism and xenophobia and struggle to earn a livelihood and enjoy their basic rights.

Another reality is that there are many millions of people across the globe who are not recognized as nationals of any State. Individuals can be at risk of becoming stateless owing, for example, to gaps in nationality legislation that leave children stateless at birth, the exclusion of certain groups at the time of state succession, or through the arbitrary edicts of rulers. Common standards are essential to prevent and reduce the incidence of statelessness, as it has an invidious impact not only on the individuals concerned but on society as a whole. It can promote social tension and hinder economic and social development.

Given the persistence and severity of the challenges of forced displacement and statelessness, I am very pleased to welcome these topics at this year's Treaty Event. It is also very apt since 2011 marks the 50th anniversary of the 1961 *Convention on the Reduction of Statelessness* and the 60th anniversary of the 1951 *Convention relating to the Status of Refugees*. These Conventions, together with the 1967 *Protocol relating to the Status of Refugees* and the 1954 *Convention relating to the Status of Stateless Persons*, form the foundation of the international protection regime. It is in the interest of all of us to achieve universal participation in these Conventions.

These instruments do not stand in isolation from the broader international human rights law framework. Refugees and stateless persons are first and foremost human beings, entitled to the non-discriminatory enjoyment of their human rights. International human rights norms specifically affirm the universal right to a nationality. The protection of refugees and stateless persons is thus strengthened through additional ratifications, accessions and better implementation of the range of other international instruments featured in this booklet.

In this light, I strongly encourage States to use this Treaty Event to lift reservations still in place and to ratify or accede to the conventions to which they are not yet a party. This year of commemorations is a valuable opportunity for States and the international community at large to reaffirm their commitment to human rights and their solidarity with the plight of refugees and stateless persons. Achieving universal participation, in particular of the refugee and statelessness Conventions, would improve the predictability and consistency of responses and tangibly demonstrate States' commitment to address these global problems collectively, in a spirit of international solidarity and on the basis of our shared humanity.



United Nations High Commissioner for Refugees
António Guterres

*List of Multilateral Treaties to be Highlighted in
the 2011 Treaty Event*

Convention on the Prevention and Punishment of the Crime of Genocide *(New York, 9 December 1948)*

OBJECTIVES

Genocide has inflicted great losses on humanity in all periods of history. The Convention on the Prevention and Punishment of the Crime of Genocide (the “Convention”) confirms that genocide is a crime under international law, whether committed in peacetime or during war. The objective of the Convention is to establish effective measures for the prevention and punishment of such crimes.

KEY PROVISIONS

In the Convention, genocide means any act committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group. The Convention applies to the crimes of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and complicity in genocide. Persons committing these crimes are subject to punishment, whether they are constitutionally responsible rulers, public officials or private individuals.

Persons charged with genocide offences are to be tried by a tribunal of the State in the territory where the act was committed or by an international penal tribunal that has jurisdiction with respect to the Parties that have accepted its jurisdiction.

Parties are obliged to establish jurisdiction over the offences described and make the offences punishable by appropriate penalties. The offences referred to in the Convention are not considered to be political crimes for the purpose of extradition; they are deemed to be extraditable offences between Parties in accordance with domestic laws and treaties in force.

ENTRY INTO FORCE

The Convention entered into force on 12 January 1951 (article XIII).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States. The Convention is open to accession by any Member of the United Nations and any non-Member State to which an invitation to accede has been addressed by the General Assembly of the United Nations (article XI).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention is silent with regard to declarations and notifications.

RESERVATIONS

The Convention is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

A Party may denounce the Convention by written notification addressed to the Secretary-General of the United Nations at least six months before the expiration of the current successive five year period (article XIV).

International Convention on the Elimination of All Forms of Racial Discrimination *(New York, 7 March 1966)*

OBJECTIVES

The International Convention on the Elimination of All Forms of Racial Discrimination (the “Convention”) defines and condemns racial discrimination and commits States to change national laws and policies which create or perpetuate racial discrimination. It was the first human rights instrument to establish an international monitoring system and was also revolutionary in its provision of national measures towards the advancement of specific racial or ethnic groups.

One of the main objectives of the Convention is to promote racial equality. As such, the Convention not only aims to achieve *de jure* racial equality but also *de facto* equality, which allows the various ethnic, racial and national groups to enjoy the same social development.

Furthermore, the Convention recognizes that certain racial or ethnic groups may need special protection or may need to be assisted by special measures in order to achieve adequate development. The Convention provides that such special measures shall not be considered racial discrimination so long as they are not continued after the objectives for which they were taken have been achieved.

KEY PROVISIONS

The Convention defines the concept of racial discrimination, covering what is sometimes called indirect discrimination or unjustifiable disparate impact. The Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a Party between citizens and non-citizens.

Other important provisions include imperative stipulations obliging Parties to adopt legislation to criminalize and punish the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, acts of violence against any race or group of persons of another color or ethnic origin and assistance in such activities.

The Convention contains a non-exhaustive long list of rights and freedoms in the enjoyment of which racial discrimination shall be prohibited and eliminated. The list includes certain rights not expressly contained in the Universal Declaration of Human Rights, such as the right to inherit and the right of access to any place or service intended for use by the general public. It also includes rights in regard to which racial discrimination is prohibited, such as the right to work, the right to join trade unions and the right to housing.

In order to monitor and review actions taken by Parties to fulfill their obligations, the Convention established the Committee on the Elimination of Racial Discrimination (CERD), which was the first body created by the United Nations to monitor the implementation by Parties of a human rights treaty. Its mandate is to review the legal, judicial, administrative and other steps taken by individual Parties to fulfill their obligations to combat racial discrimination. The Convention establishes three procedures to facilitate CERD’s review. The first is the requirement that all Parties to the Convention submit periodic reports to the Committee. The second procedure provides for State-to-State complaints and the third permits an individual or a group of individuals, who claim to be victims of racial discrimination, to lodge a complaint against the Party allegedly responsible. This may be done only if the Party concerned has declared, under the Convention, that it recognizes the competence of CERD to receive such complaints.

ENTRY INTO FORCE

The Convention entered into force on 4 January 1969 (article 19).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely) by any Member State of the United Nations or member of any of its specialized agencies, by any Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to the Convention. It is subject to ratification and is open to accession by any State subject to the same conditions as for signature (articles 17 and 18).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that Party of any of the rights set forth in the Convention (article 14).

RESERVATIONS

At the time of ratification or accession, any State may make reservations that are not incompatible with the object and purpose of the Convention. Any Party making a reservation may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations (article 20).

DENUNCIATION/WITHDRAWAL

A Party may denounce the Convention by written notification to the Secretary-General of the United Nations. The denunciation takes effect one year after the date of receipt of the notification by the Secretary-General (article 21).

International Covenant on Economic, Social and Cultural Rights *(New York, 16 December 1966)*

OBJECTIVES

The International Covenant on Economic, Social and Cultural Rights (the “Covenant”) recognizes the right of all peoples to self-determination. By virtue of that right, they can freely determine their political status and freely pursue their economic, social and cultural development. In no case may a people be deprived of its own means of subsistence.

KEY PROVISIONS

The Covenant contains some of the most significant international legal provisions establishing economic, social and cultural rights. It provides for the right of self-determination; equal rights for men and women; the right to work; the right to just and favourable conditions of work; the right to form and join trade unions; the right to social security and social insurance; protection and assistance to the family; the right to adequate standard of living; the right to the highest attainable standard of physical and mental health; the right to education; the right to take part in cultural life; and the right to enjoy the benefits of scientific progress and its applications.

Compliance by Parties with their obligations under the Covenant and the level of implementation of the rights and duties in question is monitored by the Committee on Economic, Social and Cultural Rights, which submits annual reports on its activities to the Economic and Social Council.

The Committee works on the basis of many sources of information, including reports submitted by Parties and information from United Nations specialized agencies, including the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the Food and Agriculture Organization of the United Nations, the World Bank and the International Monetary Fund. In addition, information is submitted from the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Centre for Human Settlements (Habitat) and others. It also makes use of information from other United Nations treaty bodies, from national non-governmental and community-based organizations working in States, which have ratified the Covenant, from international human rights and other non-governmental organizations, and from generally available literature.

ENTRY INTO FORCE

The Covenant entered into force on 3 January 1976 (article 27).

HOW TO BECOME A PARTY

The Covenant is open for signature (indefinitely) by any Member State of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited to become a Party by the General Assembly of the United Nations. The Covenant is subject to ratification and is open to accession to any State referred to above (article 26).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention is silent with regard to declarations and notifications.

RESERVATIONS

The Covenant is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

The Covenant is silent with regard to denunciation and withdrawal.

Optional Protocol to the International Covenant on Economic, Social and Cultural Rights *(New York, 10 December 2008)*

OBJECTIVES

The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (the “Optional Protocol”) grants competence to the Committee on Economic, Social and Cultural Rights (the “Committee”) to receive and consider communications from or on behalf of individuals or groups of individuals who have exhausted domestic remedies concerning alleged violations of any of the economic, social and cultural rights set forth in the International Covenant on Economic, Social and Cultural Rights (the “Covenant”).

KEY PROVISIONS

Pursuant to the Optional Protocol, the Committee shall bring any admissible communication submitted to it under the Optional Protocol confidentially to the attention of the Party concerned. Within six months, the receiving Party shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been provided by that Party. The Optional Protocol specifies a number of criteria for when the Committee shall declare a communication inadmissible and also specifies that the Committee may, if necessary, decline to consider a communication where it does not reveal that the author has suffered a clear disadvantage, unless the Committee considers that the communication raises a serious issue of general importance.

Following the receipt of a communication and before a determination on the merits has been reached, the Committee may request that a Party take such interim measures as may be necessary in exceptional circumstances to avoid possible irreparable damage to the victim or victims of the alleged violations.

Parties to the Optional Protocol shall take all appropriate measures to ensure that individuals under their jurisdiction are not subjected to any form of ill-treatment or intimidation as a consequence of communicating with the Committee pursuant to the Optional Protocol.

The Optional Protocol allows the Committee to receive and consider inter-State communications amongst Parties that have made a declaration under article 10 recognizing this competence of the Committee. The Optional Protocol also permits the Committee to conduct inquiries into grave and systematic violations of any of the economic, social and cultural rights set forth in the Covenant by a Party that has made a declaration under article 11 recognizing this competence of the Committee. The Optional Protocol provides for follow-up to the views of the Committee after examination of communications and to the inquiry procedure.

The Optional Protocol provides that a trust fund shall be established with a view to providing expert and technical assistance to Parties, with the consent of the Party concerned, for the enhanced implementation of the rights contained in the Covenant.

ENTRY INTO FORCE

The Optional Protocol has not yet entered into force. It shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification

or accession. For each State ratifying or acceding to the Optional Protocol after the deposit of the tenth instrument of ratification or accession, the Optional Protocol shall enter into force three months after the date of deposit of its own such instrument (article 18).

HOW TO BECOME A PARTY

The Optional Protocol will open for signature on 24 September 2009 at United Nations Headquarters in New York. The Optional Protocol will be open for signature (indefinitely), by any State that has signed, ratified or acceded to the Covenant, and is subject to ratification or accession by any State that has ratified or acceded to the Covenant (article 17).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party to the Optional Protocol may at any time declare by notification to the Secretary-General that it recognizes the competence of the Committee to receive and consider communications in which a Party claims that another Party is not fulfilling its obligations under the Covenant. A Party having made such a declaration may, at any time, withdraw it by notification to the Secretary-General (article 10).

A Party to the Optional Protocol may at any time declare by notification to the Secretary-General that it recognizes the competence of the Committee to conduct inquiries of grave or systematic violations of the Covenant (article 11). A Party having made such a declaration may, at any time, withdraw it by notification to the Secretary-General (article 11).

RESERVATIONS

The Optional Protocol is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Optional Protocol at any time by written notification addressed to the Secretary-General of the United Nations. The denunciation takes effect six months after the receipt of the notification by the Secretary-General (article 20).

Denunciation shall be without prejudice to the continued application of the provisions of the Optional Protocol to any communication submitted under articles 2 and 10 or to any procedure initiated under article 11 before the effective date of denunciation (article 20).

International Covenant on Civil and Political Rights *(New York, 16 December 1966)*

OBJECTIVES

The Universal Declaration of Human Rights of 1948 was codified into two Covenants: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which the General Assembly adopted on 16 December 1966. Together with the Optional Protocols, they constitute the “International Bill of Human Rights”. The International Covenant on Civil and Political Rights (the “Covenant”) is a landmark in the efforts of the international community to promote human rights. It defends the right to life and stipulates that no individual can be subjected to torture, enslavement, forced labour and arbitrary detention or be restricted from such freedoms as movement, expression and association.

KEY PROVISIONS

The Covenant is divided into six parts. Part I reaffirms the right of self-determination. Part II formulates general obligations by Parties, notably to implement the Covenant through legislative and other measures, to provide effective remedies to victims and to ensure gender equality, and it restricts the possibility of derogation. Part III spells out the classical civil and political rights, including the right to life, the prohibition of torture, the right to liberty and security of person, the right to freedom of movement, the right to a fair hearing, the right to privacy, the right of thought, conscience and freedom of religion, freedom of expression and freedom of peaceful assembly, the right to family life, the rights of children to special protection, the right to participate in the conduct of public affairs, the over-arching right to equal treatment, before the law and the special rights of persons belonging to ethnic, religious and linguistic minorities. Part IV regulates the election of members of the Human Rights Committee, the State reporting procedure and the inter-State complaints mechanism. Part V stipulates that nothing in the Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and to utilize fully their natural resources. Part VI provides that the Covenant shall extend to all parts of federal States and sets out the amendment procedure.

The Human Rights Committee monitors implementation by Parties in a variety of ways. Initial and periodic reports are examined by the plenary, which formulates concluding observations with concrete recommendations. In order to assist Parties in preparing reports, the Committee has formulated 28 general comments, which constitute a commentary on the provisions of the Covenant. Well in advance of the examination of a report, the Committee forwards a list of issues to the Party concerned. The list is prepared by the members and takes into consideration information received from other United Nations organs and specialized agencies as well as from non-governmental organizations.

ENTRY INTO FORCE

The Covenant entered into force on 23 March 1976 (article 49).

HOW TO BECOME A PARTY

The Covenant is open for signature (indefinitely) by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited to become a Party by the General Assembly of the United Nations. The Covenant is subject to ratification and is open to accession to any State referred to above (article 48).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may derogate from certain rights established under the Covenant for the duration of officially proclaimed public emergencies, which threaten the life of the nation. The derogation is possible to the extent strictly required by the exigencies of the situation and it cannot be made if inconsistent with other international law obligations, if it involves discrimination solely on the ground of race, colour, sex, language, religion or social origin, or if it is made with regard to certain core provisions. The Secretary-General must be immediately informed of any such derogation (article 4 (3)).

Parties may at any time declare that they recognize the competence of the Human Rights Committee to receive and consider communications to the effect that a Party claims that another Party is not fulfilling its obligations under the present Covenant (article 41).

RESERVATIONS

The Covenant is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

The Covenant is not subject to denunciation.

Optional Protocol to the International Covenant on Civil and Political Rights *(New York, 16 December 1966)*

OBJECTIVES

The first Optional Protocol to the International Covenant on Civil and Political Rights (the “Optional Protocol”) provides Parties to the International Covenant on Civil and Political Rights (the “Covenant”) with the option to recognize the additional competence of the Human Rights Committee to receive and examine communications from individuals. It allows individuals or groups of individuals who have exhausted local remedies to petition the Committee directly about alleged violations of the Covenant by their Governments.

KEY PROVISIONS

Under the Protocol, the Committee’s final decisions on the merits are akin to judgements, but are called “views”. As a direct result of the Committee’s views, Parties have commuted death sentences, released prisoners, paid compensation to victims and changed their legislation. The Committee has also established a follow-up procedure and conducts visits to Parties to assist them in the implementation of the Committee’s views.

The Committee’s case law under the Protocol is increasingly quoted by national and international tribunals and has given rise to considerable interest in the academic community, since it constitutes the concretization of human rights in individual cases.

ENTRY INTO FORCE

The Protocol entered into force on 23 March 1976 (article 9).

HOW TO BECOME A PARTY

The Protocol is open for signature (indefinitely) by any State which has signed the Covenant and to ratification and accession by any State which has ratified or acceded to the Covenant (article 8).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Protocol is silent with regard to declarations and notifications.

RESERVATIONS

The Protocol is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Protocol at any time by written notification addressed to the Secretary-General of the United Nations. The denunciation shall take effect three months after the date on which the notification is received by the Secretary-General (article 12).

Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty *(New York, 15 December 1989)*

OBJECTIVES

The objective of the Second Optional Protocol to the International Covenant on Civil and Political Rights (the “Second Optional Protocol”) is the abolition of the death penalty.

KEY PROVISIONS

The provisions of the Second Optional Protocol apply as additional provisions to the International Covenant on Civil and Political Rights (the “Covenant”). The Second Optional Protocol mandates that no one within the jurisdiction of a Party shall be executed, and that each Party shall take all necessary measures to abolish the death penalty within its jurisdiction. Without prejudice to the possibility of a reservation under the provisions of the Second Optional Protocol, which is referred to below, this right is not subject to derogation under article 4 of the Covenant.

Parties shall include in their reports they submit to the Human Rights Committee, in accordance with article 40 of the Covenant, information on the measures that they have adopted to give effect to the Second Optional Protocol.

Declarations under article 41 of the Covenant, which relates to the competence of the Human Rights Committee to receive and consider communications when a Party claims that another Party is not fulfilling its obligations, shall extend to the provisions of the Second Optional Protocol, unless the Party concerned has made a statement to the contrary at the time of ratification or accession.

With respect to Parties to the Optional Protocol to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction shall extend to the provisions of the Second Optional Protocol, unless the Party concerned has made a statement to the contrary at the moment of ratification or accession.

ENTRY INTO FORCE

The Second Optional Protocol entered into force on 11 July 1991 (article 8).

HOW TO BECOME A PARTY

The Second Optional Protocol is open for signature by any State that has signed the Covenant. The Second Optional Protocol is subject to ratification by any State that has ratified the Covenant or acceded to it. The Second Optional Protocol is open to accession by any State that has ratified the Covenant or acceded to it (article 7).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may make a statement at the time of ratification or accession that its declaration under article 41 of the Covenant, which relates to the competence of the Human Rights Committee to receive and consider communications when a Party claims that another Party is not fulfilling its obligations, shall not extend to the provisions of the Second Optional Protocol (article 4).

A Party, which has ratified or acceded to the first Optional Protocol, may make a statement at the time of ratification or accession that the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction shall not extend to the provisions of the Second Optional Protocol (article 5).

RESERVATIONS

No reservations may be made to the Second Optional Protocol, except for reservations made at the time of ratification or accession that provide for the application of the death penalty in time of war pursuant to a conviction for a most serious crime of a military nature committed during wartime. A party making such a reservation shall at the time of ratification or accession communicate to the Secretary-General the relevant provisions of its national legislation applicable during wartime. In addition, the Party having made such a reservation shall notify the Secretary-General of any beginning or ending of a state of war applicable to its territory (article 2).

DENUNCIATION/WITHDRAWAL

The Second Optional Protocol is silent with regard to denunciation and withdrawal. The Second Optional Protocol, however, shall apply as additional provisions to the Covenant, in accordance with its article 6. The Covenant is not subject to denunciation.

Convention on the Elimination of All Forms of Discrimination against Women *(New York, 18 December 1979)*

OBJECTIVES

The Convention on the Elimination of All Forms of Discrimination against Women (the “Convention”) is the most comprehensive treaty on women’s human rights, establishing legally binding obligations to end discrimination. Often described as the international bill of rights for women, the Convention provides for equality between women and men in the enjoyment of civil, political, economic, social and cultural rights. Discrimination against women is to be eliminated through legal, policy and programmatic measures and through temporary special measures to accelerate women’s equality, which are defined as non-discriminatory.

KEY PROVISIONS

Parties are required to end all forms of discrimination against women and to ensure their equality with men in political and public life with regard to nationality, education, employment, health, and economic and social benefits. Obligations are also imposed to eliminate discrimination against women in marriage and family life and to ensure that women and men are treated equally before the law. Parties are required to take account of the particular problems of women in rural areas, and their special roles in the economic survival of the family.

The Convention is the only human rights treaty to affirm the reproductive rights of women. In addition, it obliges Parties to modify the social and cultural patterns of conduct of men and women in order to eliminate prejudices and customs and all other practices, which are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women.

The Convention establishes a monitoring body – the Committee on the Elimination of Discrimination against Women – which comprises 23 independent experts. The Committee is mandated to consider reports from Parties and to make suggestions and general recommendations based on these reports. The Committee directs its suggestions to the United Nations system and its general recommendations to the Parties (article 17).

The Convention was amended in 1995 (see summary to follow).

ENTRY INTO FORCE

The Convention entered into force on 3 September 1981 (article 27).

HOW TO BECOME A PARTY

The Convention is open for signature by all States (indefinitely). It is subject to ratification and is open for accession (article 25).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

States may, at the time of signature, ratification or accession, declare that they do not consider themselves bound by article 29.1, according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration, upon request of one of them, and, failing an agreement about the organization of the arbitration, to the International Court of Justice (article 29).

RESERVATIONS

Reservations incompatible with the object and purpose of the Convention are not permitted (article 28).

DENUNCIATION/WITHDRAWAL

The Convention is silent with regard to denunciation and withdrawal.

**Amendment to Article 20 (1) of the Convention on the Elimination of all
Forms of Discrimination Against Women**
(New York, 22 December 1995)

KEY PROVISIONS

Article 20 of the Convention on the Elimination of All Forms of Discrimination Against Women (the “Convention”) refers to the meeting of the Committee to review the reports submitted in accordance with article 18 of the Convention. The Amendment to Article 20 (1) of the Convention (the “Amendment”) replaces article 20 (1) of the Convention to give the meeting of States parties to the Convention the mandate to determine the duration of the meetings of the Committee, subject to approval by the General Assembly.

ENTRY INTO FORCE

The Amendment has not yet entered into force. It will come into force following consideration by the General Assembly and when a two-thirds majority of States Parties have notified the Secretary-General, as depositary of the Convention, of their acceptance of the Amendment.

HOW TO BECOME A PARTY

Parties to the Convention can express their consent to be bound by the Amendment by depositing instruments of acceptance with the depositary.

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women *(New York, 6 October 1999)*

OBJECTIVES

The objective of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (the “Optional Protocol”) is to allow individuals or groups of individuals who have exhausted national remedies to petition the Committee on the Elimination of Discrimination against Women (“the Committee”) directly about alleged violations of the Convention on the Elimination of All Forms of Discrimination against Women (the “Convention”) by their Governments. The Optional Protocol also permits the Committee to conduct inquiries into grave or systematic violations of the Convention in countries that are parties to the Convention and to the Optional Protocol.

KEY PROVISIONS

Parties to the Optional Protocol undertake to make the Convention and the Protocol widely known and to facilitate access to information about the views and recommendations of the Committee. They are also required to take all appropriate measures to ensure that individuals under their jurisdiction are not subjected to ill-treatment or intimidation when they take advantage of the Optional Protocol’s procedure or provide information associated with these procedures. States which ratify or accede to the Optional Protocol may not enter reservations to its terms, but they are able to opt out of the inquiry procedure.

ENTRY INTO FORCE

The Optional Protocol entered into force on 22 December 2000 (article 16).

HOW TO BECOME A PARTY

The Optional Protocol is open for signature (indefinitely), by any State that has signed, ratified or acceded to the Convention, and to ratification and accession by any State that has ratified or acceded to the Convention (article 15).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

At the time of signature, ratification or accession a State may declare that it does not recognize the competence of the Committee on the Elimination of Discrimination against Women provided for in articles 8 and 9 (article 10).

RESERVATIONS

Reservations are not permitted (article 17).

DENUNCIATION/WITHDRAWAL

Denunciation of the Optional Protocol is possible at any time and it takes effect six months after the receipt of the notification by the Secretary-General (article 19).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment *(New York, 10 December 1984)*

OBJECTIVES

Torture and other cruel, inhuman or degrading treatment or punishment are particularly serious violations of human rights and, as such, are strictly condemned by international law. Based upon the recognition that such practices are illegal the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Convention”) strengthens the existing prohibition by a number of supporting measures. The Convention provides for several forms of international supervision in relation to the observance by Parties of their obligations under the Convention, including the creation of an international supervisory body – the Committee against Torture – which can consider complaints from a Party or from or on behalf of individuals.

KEY PROVISIONS

The prohibition against torture is absolute and, according to the Convention, no exceptional circumstances whatsoever, including a state of emergency or war or an order from a public authority, may be invoked as a justification for torture. The Convention defines “Torture” as:

“... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

Parties have the obligation to prevent and punish not only acts of torture as defined in the Convention, but also other acts of cruel, inhuman or degrading treatment or punishment, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

Parties have an obligation to take effective legislative, administrative, judicial or other measures to prevent acts of torture from occurring on their territories. Measures mentioned in the Convention include the prohibition and punishment by appropriate penalties of all acts of torture in domestic criminal law; education and information regarding the prohibition against torture to be fully integrated into the training of law enforcement personnel, civil or military, medical personnel, public officials and others; the systematic review by Parties of interrogation rules, instructions, methods and practices as well as of arrangements for the custody and treatment of suspects, detainees and prisoners; guarantees for the prompt and impartial investigation by competent authorities into allegations of torture; the protection of witnesses; and the possibility for victims to obtain redress and fair and adequate compensation and rehabilitation.

In addition, Parties have an obligation not to expel, return or extradite a person to another State where he or she would be in danger of being subjected to torture. An act of torture is required to be made an extraditable offence and a Party is to take measures to establish its jurisdiction over crimes of torture committed in any part of its territory by one of its nationals and when an alleged offender is present on its territory and not extradited.

In order to monitor and review actions taken by Parties to fulfil their obligations, the Committee against Torture has four procedures at its disposal. The first is the obligation for all Parties to submit periodic reports to the Committee for examination, which results in the adoption of recommendations by the Committee to the Party in question. A particular feature of the Convention is that if the Committee receives reliable information indicating that torture is being systematically practised in the territory of a Party, the Committee may decide to initiate a confidential inquiry into the situation. Such inquiry would be carried out in cooperation with the Party concerned and would include country visits. The Committee can also consider complaints from individuals who claim to be victims of a violation by a Party to the Convention. This may be done only if the Party concerned has declared that it recognizes the competence of the Committee to receive and examine such complaints. Finally, a procedure of State-to-State complaints is provided for by the Convention, but has thus far never been resorted to.

ENTRY INTO FORCE

The Convention entered into force on 26 June 1987 (article 27).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely) by all States. It is subject to ratification by signatory States and is open to accession by all States (articles 25 and 26).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may at any time declare that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a Party claims that another Party is not fulfilling its obligations under the Convention (article 21).

A Party may at any time declare that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a Party of the provisions of the Convention (article 22).

RESERVATIONS

Each Party may, at the time of signature or ratification of the Convention or accession thereto, declare that it does not recognize the competence of the Committee against Torture provided for in article 20. Any Party having made such a reservation may, at any time, withdraw it by notification to the Secretary-General (article 28).

Each Party may, at the time of signature or ratification of the Convention or accession thereto, declare that it does consider itself bound by article 30 (1), according to which disputes among Parties relating to the interpretation or application of the Convention, which are not settled by negotiation, will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 30 (2)).

The Convention is otherwise silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

A Party may denounce the Convention by written notification to the Secretary-General of the United Nations. The denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General (article 31).

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment *(New York, 18 December 2002)*

OBJECTIVES

The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Optional Protocol”) establishes an international monitoring mechanism that will enable the effective implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (the “Convention”). Its objective is to enhance the worldwide protection of persons deprived of liberty from torture and other cruel and degrading treatment or punishment.

KEY PROVISIONS

The system established by the Protocol emphasizes the prevention of violations of the Convention. This preventive approach consists in regular monitoring of places where persons may be deprived of their liberty through visits conducted by expert bodies. A dual system is provided for under the Protocol: 1) the creation of an international expert body (the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture, referred to as the Subcommittee on Prevention), and 2) the establishment of national preventive mechanisms by Parties. The international and national bodies will work in a complementary way: both will have a mandate to conduct regular visits to places where persons may be deprived of their liberty, described as places of detention, and make recommendations to competent authorities.

Parties undertake to receive the Subcommittee on Prevention on their territory and grant it, as well as the national bodies, access to places of detention as well as provide all relevant information to such bodies in response to requests.

The term “place of detention” is broadly defined by the Protocol. Therefore, visits by the national and international expert bodies will not be limited to prisons and police stations, but may also include pre-trial detention facilities; centers for juveniles; places of administrative detention; detention centers for migrants and asylum seekers; as well as medical and psychiatric institutions.

The Protocol contains provisions on the Subcommittee on Prevention’s membership, terms and nominations, funding, as well as its mandate. The Secretary-General is charged with providing staff and facilities for the effective performance of the functions of the Subcommittee on Prevention.

ENTRY INTO FORCE

The Protocol entered into force on 22 June 2006 (article 28).

HOW TO BECOME A PARTY

The Protocol is open for signature (indefinitely) by any State that is a signatory or Party to the Convention. It is subject to ratification by any State that has ratified or acceded to the Convention. The Protocol shall be open to accession by any State that has ratified or acceded to the Convention (article 27).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Upon ratification or accession, Parties may make a declaration postponing the implementation of their obligations under either part III (concerning the mandate of the Subcommittee on Prevention) or part IV (concerning the national preventive mechanisms) of the Protocol. This postponement shall be valid for a maximum of three years, but may be extended by the Committee against Torture for an additional two years after consultation with the Subcommittee on Prevention (article 24).

RESERVATIONS

Reservations to the Protocol are not permitted (article 30).

DENUNCIATION/WITHDRAWAL

Denunciation of the Protocol is possible at any time by written notification addressed to the Secretary-General, and it shall take effect one year after the date of receipt of the notification by the Secretary-General (article 33 (1)).

Denunciation does not have the effect of releasing the Party from its obligations under the Protocol in regard to any act or situation that may occur prior to the date on which the denunciation becomes effective, or to the actions that the Subcommittee on Prevention has decided or may decide to take with respect to the Party concerned, nor shall denunciation prejudice in any way the continued consideration of any matter already under consideration by the Subcommittee prior to the date on which the denunciation becomes effective (article 33 (2)).

Convention on the Rights of the Child *(New York, 20 November 1989)*

OBJECTIVES

The Convention on the Rights of the Child (the “Convention”) is the principal treaty for children encompassing a full range of civil, political, economic, social and cultural rights. The Convention aims at protecting children from discrimination, neglect and abuse. It grants and provides for the implementation of rights for children both in times of peace and during armed conflict. The Convention works for the protection and promotion of the rights of the child.

KEY PROVISIONS

The Convention is the first legally binding international instrument which provides in a single text universally recognized norms and standards concerning the protection and promotion of the rights of the child.

The Convention emphasizes the spirit of complementary and interdependence of human rights by combining civil and political rights with economic, social and cultural rights. It calls for a holistic approach in analysis and recognizes that the enjoyment of one right cannot be separated from the enjoyment of others.

It establishes a new vision of the child, combining provisions aimed at protecting the child through positive action by the State, the parents and relevant institutions, with the recognition of the child as a holder of participatory rights and freedoms. In so doing, it establishes rights in new areas which were not covered by previous international instruments, such as the right of the child to freely express views and have them given due weight, and the right of the child to a name and nationality from birth. In addition, the Convention establishes standards in new areas, including alternative care, the rights of disabled and refugee children and the administration of juvenile justice. The need for recovery and social reintegration of a child victim of neglect, exploitation or abuse is also set forth.

The Convention acknowledges the primary role of the family and parents in the care and protection of the child, while stressing the obligation of the State to help families in carrying out this task. It calls for positive action by institutions and the State or parents.

It constitutes a useful tool for advocacy and greater awareness of the new perspective of children’s rights, and attaches special importance to international cooperation and assistance as ways of achieving the effective protection of children’s rights.

Four general principles are enshrined in the Convention. They express the philosophy the Convention conveys and provide guidance for national programmes of implementation. The key provisions focus on: (1) non-discrimination; (2) best interests of the child; (3) right to life, survival and development; and (4) views of the child.

Article 43 of the Convention establishes the Committee on the Rights of the Child, a monitoring body of ten experts whose purpose is to examine the progress made by States Parties in implementing the Convention.

ENTRY INTO FORCE

The Convention entered into force on 2 September 1990 (article 49).

HOW TO BECOME A PARTY

The Convention is open for signature indefinitely by all States and to ratification and accession (articles 46, 47 and 48).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention is silent with regard to declarations and notifications.

RESERVATIONS

Any State may, at the time of ratification or accession, make reservations to articles of the Convention that are not incompatible with the object and purpose of the Convention. Any State making a reservation may at any time withdraw the reservation by communication to that effect addressed to the Secretary-General (article 51).

DENUNCIATION/WITHDRAWAL

A Party may denounce the Convention by written notification to the Secretary-General of the United Nations. The denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General (article 52).

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

(New York, 25 May 2000)

OBJECTIVES

The objective of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (the “Optional Protocol”) is to increase the protection of children from involvement in armed conflict by raising the age of possible recruitment of persons into the armed forces and their participation in hostilities.

KEY PROVISIONS

The Protocol establishes an obligation upon Parties to take all feasible measures to prevent the direct participation in hostilities by individuals under the age of eighteen. It prohibits the compulsory recruitment of persons under the age of eighteen into the armed forces, and also obliges Parties to raise the minimum age for voluntary recruitment of persons into the armed forces above the age set by the Convention on the Rights of the Child (the “Convention”). It further requires Parties to establish safeguards relative to the voluntary recruitment of individuals under the age of eighteen. The Protocol also proscribes the recruitment of persons under the age of eighteen years by armed groups that are distinct from the armed forces of a State. Finally, the Protocol sets forth an obligation upon Parties to report to the Committee on the Rights of the Child on its implementation.

ENTRY INTO FORCE

The Protocol entered into force on 12 February 2002 (article 10).

HOW TO BECOME A PARTY

The Protocol is open for signature (indefinitely) by any State that is a Party to the Convention or has signed it. The Protocol is subject to ratification and is open for accession by any State (article 9).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each State shall deposit a binding declaration upon ratification or accession, which sets forth the minimum age at which the State will permit voluntary recruitment into its national armed forces and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced (article 3).

RESERVATIONS

The Protocol is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Denunciation of the Protocol is possible at any time and it takes effect one year after the date of receipt of the notification by the Secretary-General of the United Nations. If, on the expiry of that year, the denouncing Party is engaged in armed conflict, the denunciation does not take effect before the end of the armed conflict. Denunciation does not have the effect of releasing the Party from its obligation under this Protocol with regard to any act that occurs prior to the date on which the denunciation becomes effective and it does not prejudice in any way the continued consideration of any matter that is already under consideration by the Committee on the Rights of the Child prior to the date on which the denunciation becomes effective (article 11).

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography *(New York, 25 May 2000)*

OBJECTIVES

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (the “Optional Protocol”) supplements the provisions of the Convention on the Rights of the Child (the “Convention”) by extending the obligations of the Parties to guarantee the protection of the child from the sale of children, child prostitution and child pornography.

KEY PROVISIONS

The Protocol obliges Parties to prohibit the “sale of children”, “child prostitution”, and “child pornography”, as defined in the Protocol. It further obliges Parties to ensure that the above offences are covered under their respective criminal codes, and that such offences are punishable by appropriate penalties. Attempted offences are also proscribed. Parties must establish jurisdiction over the above offences in specified circumstances. Extradition and mutual assistance are also provided for in this context.

The Protocol also obliges Parties to adopt appropriate measures to protect the rights and interests of child victims at all stages of the criminal justice process; to take various preventive measures, including the dissemination of information, education and training on the matter; and to provide all appropriate assistance to victims. Lastly, the Protocol provides a framework for increased international cooperation in these areas, in particular for the prosecution of offenders.

ENTRY INTO FORCE

The Protocol entered into force on 18 January 2002 (article 14).

HOW TO BECOME A PARTY

The Protocol is open for signature (indefinitely) by any State that is a Party to the Convention or has signed it, and for ratification and accession (article 13).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Protocol is silent with regard to declarations and notifications.

RESERVATIONS

The Protocol is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Denunciation of the Protocol is possible at any time by written notification and it takes effect one year after the date of receipt of the written notification by the Secretary-General. Denunciation does not have the

effect of releasing the Party from its obligations under this Protocol in regard to any act or omission which occurs prior to the date at which the denunciation becomes effective, nor does it prejudice in any way the continued consideration of any matter which is already under consideration by the Committee on the Rights of the Child prior to the date at which the denunciation becomes effective (article 15).

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

(New York, 18 December 1990)

OBJECTIVES

The objective of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (the “Convention”) is to create international standards for the protection of the human rights of migrant workers and their families. The adoption of this Convention in 1990 was an historic event for migrant workers. It establishes, in certain areas, the principle of equality of treatment with nationals for all migrant workers and their families, irrespective of their legal status.

This Convention sets forth, for the first time, internationally uniform definitions agreed upon by States for different categories of migrant workers. States also agreed upon the need for the sending, transit and receiving countries to institute protective action on behalf of the migrant workers.

The Convention establishes standards to which Parties must adhere with respect to migrant workers. It incorporates provisions already set out in the core international human rights treaties that are today in force. It also provides for the establishment of a monitoring mechanism in the form of an international body of independent experts. This independent body will periodically review the implementation of the Convention by Parties to the Convention.

KEY PROVISIONS

The Convention recognizes the basic human rights of all migrant workers and members of their families, irrespective of their status, and provides additional rights to migrant workers and members of their families who are documented or in a regular situation.

The Convention also addresses specific needs of migrants, and protects them for instance against arbitrary deprivation of property, confiscation and destruction of identity papers and collective expulsion. It also gives all migrant workers the right to assistance by consular/diplomatic authorities of the State of origin; the right to join trade unions, the right to equality in respect to social security, the right to urgent medical care, the child’s right to access to education and the right to transfer earnings and savings.

Additional rights for regular migrant workers and members of their families are provided by the Convention: the right to form trade unions; the right to participate in public affairs of the country of origin, through voting in national elections as well as to be elected; equal treatment in respect of various economic and social services in the exercise and choice of their remunerated activity and in respect of protection against dismissal and the enjoyment of unemployment benefits; minimum rights in connection with the authorization of residence; exemption from import and export taxes and prohibition of more onerous taxation; and facilitation of family reunification.

The Convention provides States with a framework to combat irregular migration and promotes sound, equitable, humane and lawful conditions in connection with international migration of workers and members of their families. States parties are requested to take appropriate measures against the dissemination of misleading information relating to migration, take measures to detect and eradicate illegal or clandestine movements and to impose effective sanctions on those organizing such movements, as well as take measures to eliminate employment of workers in an irregular situation, including through sanctions on the employers

of such workers. States parties are required to have appropriate services dealing with questions of international migration, to closely control recruitment of migrant workers, and to cooperate in the orderly return of migrant workers and members of their families.

ENTRY INTO FORCE

The Convention entered into force on 1 July 2003 (article 87).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely). It is subject to ratification and opens for accession (article 86).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party to the Convention may at any time declare that it recognizes the competence of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to receive and consider communications to the effect that a Party claims that another Party is not fulfilling its obligations under the Convention (article 76).

A Party to the Convention may at any time declare that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim that their individual rights as established by the Convention have been violated by that Party (article 77).

States may declare, at the time of signature or ratification, that they do not consider themselves bound by article 92 (1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration, upon request of one of them, and, failing an agreement about the organization of the arbitration, to the International Court of Justice (article 92).

RESERVATIONS

A State ratifying or acceding to the Convention may not exclude the application of any part of it, or exclude any particular category of migrant workers from its application (article 88). Reservations incompatible with the object and the purpose of the Convention are not permitted (article 91).

DENUNCIATION/WITHDRAWAL

Denunciation of the Convention is possible only five years after it has entered into force for the Party concerned, and it becomes effective on the first day of the month following the expiration of a period of 12 months after the date of the receipt of the notification by the Secretary-General of the United Nations.

Denunciation does not have the effect of releasing the Party from its obligations under the Convention with regard to any act or omission which occurs prior to the date at which the denunciation becomes effective, nor does it prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date on which the denunciation becomes effective (article 89).

Convention on the Rights of Persons with Disabilities *(New York, 13 December 2006)*

OBJECTIVES

The purpose of the Convention on the Rights of Persons with Disabilities (the “Convention”) is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms, already enjoyed by the general population, by all persons with disabilities, and to promote respect for their inherent dignity. Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

KEY PROVISIONS

The Convention sets forth a number of general obligations with respect to persons with disabilities. In this regard, Parties must undertake, *inter alia*, to adopt all appropriate legislation for the implementation of rights recognized in the Convention; to take all appropriate measures to modify or abolish existing laws, regulations, customs and practices that are discriminatory; to take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes; to take all appropriate measures to eliminate discrimination by any person on the basis of disability, organization or private enterprise; and to undertake to promote research and development of, and to promote the availability and use of new technologies, including information and communication technologies, mobility aids, devices and assistive technologies.

In addition to general obligations, the Convention provides for a number of specific obligations. For example, Parties must ensure equal protection and recognition before the law of persons with disabilities and prohibit all discrimination on the basis of disability. Specific provisions address the special circumstances of women and children in this regard.

The Convention reaffirms that persons with disabilities have the inherent right to life, liberty and security of person. The Convention contains provisions to protect persons with disabilities from being subjected to torture or cruel, inhuman or degrading treatment or punishment, and from all forms of exploitation, violence and abuse, including their gender-based aspects.

The Convention recognizes the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality. It also recognizes the right of all persons with disabilities to live independently in the community with access to support services. In addition, Parties are obliged to undertake appropriate measures to ensure that persons with disabilities have access, on an equal basis with others, to transportation, information and communications to enable them to live independently and participate fully in all aspects of life.

Parties must also take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships. Provisions relating to education, health and employment are also contained in the Convention.

To ensure implementation and monitoring of the Convention, Parties must designate one or more focal points within the government.

The Convention also establishes the Committee on the Rights of Persons with Disabilities, which considers reports on progress made in implementing the Convention by Parties.

ENTRY INTO FORCE

The Convention has entered into force on 3 May 2008 (article 45).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely) by all States and by regional integration organizations. It shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organizations. It shall also be open for accession by any State or regional integration organization which has not signed the Convention (articles 42 and 43).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Regional integration organizations shall declare, in their instrument of formal confirmation or accession, the extent of their competence with respect to matters governed by the Convention. Subsequently, such regional integration organizations shall notify the depositary of any substantial modification in the extent of their competence (article 44).

RESERVATIONS

The Convention states that reservations incompatible with the object and purpose of the Convention shall not be permitted and that reservations may be withdrawn at any time (article 46).

DENUNCIATION/WITHDRAWAL

A State Party may denounce the Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General (article 48).

Optional Protocol to the Convention on the Rights of Persons with Disabilities *(New York, 13 December 2006)*

OBJECTIVES

The Optional Protocol to the Convention on the Rights of Persons with Disabilities (the “Optional Protocol”) grants authority to the Committee on the Rights of Persons with Disabilities (the “Committee”) to receive communications from or on behalf of individuals or groups of individuals concerning alleged breaches of the provisions of the Convention on the Rights of Persons with Disabilities (the “Convention”) by a Party to the Optional Protocol.

KEY PROVISIONS

Pursuant to the Optional Protocol, the Committee is obliged to submit admissible communications from or on behalf of individuals or groups of individuals concerning alleged breaches of the Convention to the Party concerned in a confidential manner. Within six months, the Party concerned is obliged to provide the Committee with written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by it. The Optional Protocol delineates those cases in which the Committee shall consider a communication inadmissible. Such cases include, for example, where the communication is anonymous, the same matter has already been examined by the Committee, all available domestic remedies have not been exhausted, and the communication is ill-founded or not sufficiently substantiated.

Following the receipt of a communication, but before a determination has been reached, the Committee may request that a Party take interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of an alleged violation. Moreover, in cases where the Committee receives reliable information indicating that grave or systematic violations by a Party of rights set forth in the Convention are taking place, the Committee shall invite the Party concerned to cooperate in the examination of the information and submit observations. Taking into account the above, the Committee may also conduct an inquiry, and where warranted and with the consent of the Party concerned, may also visit its territory. Such inquiries are conducted in a confidential manner. Moreover, the Committee is obliged to seek the cooperation of the Party concerned at all stages of the proceedings.

The Committee is obliged to transmit the findings of an inquiry to the Party concerned with any comments and recommendations. The Party shall, within six months of receiving the findings, submit its observations to the Committee. The Committee may invite the Party concerned to include in its report under article 35 of the Convention details of any measures taken in response to an inquiry. The Committee may also, at the end of the six month period, invite the Party to inform it of the measures taken in response to the inquiry.

ENTRY INTO FORCE

The Optional Protocol entered into force on 3 May 2008 (article 45 of the Convention and article 13 of the Optional Protocol).

HOW TO BECOME A PARTY

The Optional Protocol is open for signature (indefinitely) by signatory States and regional integration organisations (article 10). The Optional Protocol shall be subject to ratification by signatory States of the Optional Protocol which have ratified or acceded to the Convention. The Optional Protocol shall be subject to formal confirmation by signatory regional integration organisations of the Optional Protocol which have formally confirmed or acceded to the Convention. It shall be open for accession by any State or regional integration organization which has ratified, formally confirmed or acceded to the Convention and which has not signed the Optional Protocol (article 11).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each Party may, at the time of signature or ratification of the Optional Protocol or accession thereto, declare that it does not recognize the competence of the Committee provided for in articles 6 and 7 to conduct inquiries of grave or systematic violations of the Convention (article 8).

Regional integration organizations shall declare, in their instrument of formal confirmation or accession, the extent of their competence with respect to matters governed by Convention and the Optional Protocol. Subsequently, such regional integration organization shall notify the depositary of any substantial modification in the extent of their competence (article 12).

RESERVATIONS

The Optional Protocol states that reservations that are incompatible with the object and purpose of the Optional Protocol shall not be permitted. Reservations may be withdrawn at any time (article 14).

DENUNCIATION/WITHDRAWAL

A Party may denounce the Optional Protocol by written notification to the Secretary-General of the United Nations. The denunciation takes effect one year after the date of receipt of the notification by the Secretary-General (article 16).

International Convention for the Protection of All Persons from Enforced Disappearance *(New York, 20 December 2006)*

OBJECTIVES

The International Convention for the Protection of All Persons from Enforced Disappearance (the “Convention”) represents an important development in the fight against the enforced disappearance of people. It fills a number of important gaps in the international framework relating to enforced disappearances, including the definition of “enforced disappearance”. The Convention establishes all critical measures for preventing enforced disappearance and for minimizing the risk of torture and death. It specifically seeks to bring criminal proceedings against perpetrators of such a crime and outlaws secret detention. It requires that Parties hold all detainees in officially recognized places, maintain up-to-date official registers and detailed records of all detainees, allow them to communicate with their families and counsel, and give access to competent and authorized authorities.

KEY PROVISIONS

The Convention states that no one shall be subject to enforced disappearance and requires Parties to take necessary measures to ensure that enforced disappearance constitutes an offence under its criminal law. The offence of enforced disappearance is defined by the Convention as “...the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law. ...”

Pursuant to the Convention, Parties are obliged to take the necessary measures to hold criminally responsible at least “(a)ny person who commits, orders, solicits or induces the commission of, attempt to commit, is an accomplice to or participates in an enforced disappearance.” Superiors may also be held criminally responsible in certain circumstances as defined in the Convention. Parties are obliged to make the offence punishable by appropriate penalties which take into account the extreme seriousness of the crime.

The Party in the territory under whose jurisdiction a person alleged to have committed an offence of enforced disappearance is found has a duty to prosecute or extradite that person, surrender him or her to another State in accordance with its international obligations, or surrender him or her to an international criminal tribunal whose jurisdiction it has recognized. The Convention provides for fair treatment for alleged perpetrators of the crime, and for a fair trial before a competent, independent and impartial court. In addition, the Convention provides for the protection of the complainant, witnesses, relatives of the disappeared person, counsel, and other persons participating in the investigation. The Convention includes provisions on extradition and mutual legal assistance, and international cooperation relating to assisting victims, and searching for disappeared persons.

Victims’ rights are also included in the Convention. Victims and their families are entitled to know the truth regarding the circumstances of the enforced disappearance, the fate of the disappeared person and the progress of the results concerning the investigation. Victims are also entitled to obtain reparation and compensation. The Convention guarantees the right to form associations and organizations to fight against

enforced disappearances. The Convention also deals with the wrongful removal of children whose parents are victims of enforced disappearance, the falsification of these children's identities and their subsequent adoption.

An international treaty-monitoring body, the Committee on Enforced Disappearances, is established by the Convention to monitor how Parties implement their obligations under the Convention.

ENTRY INTO FORCE

The Convention entered into force on 23 December 2010 (article 39).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely) by all Member States of the United Nations and is subject to ratification. It is open to accession by all Member States of the United Nations (article 38).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may at the time of ratification or at any time thereafter declare that it recognizes the competence of the Committee on Enforced Disappearances (the Committee) to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation by the Party concerned of provisions of the Convention (article 31).

A Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications in which a Party claims that another Party is not fulfilling its obligations under the Convention (article 32).

A State may, at the time of signature or ratification of the Convention, or accession thereto, declare that it does not consider itself bound by paragraph 1 of article 42, according to which disputes among Parties relating to the interpretation or application of the Convention which cannot be settled by negotiation or by procedures expressly provided for in the Convention, shall, at the request of one of them, be submitted to arbitration, and, failing an agreement on the organization of the arbitration, to the International Court of Justice (article 42).

RESERVATIONS

The Convention is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

The Convention is silent with regard to denunciation and withdrawal.

Convention relating to the Status of Refugees *(Geneva, 28 July 1951)*

OBJECTIVES

The Convention relating to the Status of Refugees (the “Convention”) is the key legal document in defining who is a refugee, the rights of refugees and the legal obligations of States in respect of refugees. It revised and consolidated previous international agreements relating to the status of refugees and extended the scope of, and the protection accorded by, such instruments. It recognized the social and humanitarian nature of the problem of refugees and sought to prevent this problem from becoming a source of tension between States through international cooperation.

KEY PROVISIONS

The Convention defines the term “refugee”. It also excludes the application of the provisions of the Convention to various persons under specified conditions.

Parties are obliged to apply the provisions of the Convention to refugees without discrimination as to race, religion or country of origin. Furthermore, Parties must accord to refugees in their territory treatment at least as favourable as that accorded to their nationals with respect to religious freedom and freedom regarding the religious education of children. Parties are required to accord to refugees the same treatment as is accorded to aliens generally, except where the Convention provides more favourable provisions.

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, Parties are prohibited from taking such measures against a refugee who is formally a national of that State solely on account of such nationality.

The Convention allows Parties to take provisional measures, in time of war or other grave and exceptional circumstances, which it considers to be essential to the national security with regard to refugees.

The Convention addresses personal status issues; the acquisition of movable and immovable property and leases and other contracts relating to movable and immovable property; the protection of artistic rights and industrial property; rights of association; access to courts, including legal assistance; employment rights; public assistance; housing; public education; and labour legislation and social security issues with respect to refugees.

The Convention addresses freedom of movement and the issuance of identity papers and travel documents to refugees. Parties are prohibited from imposing penalties on refugees on account of their illegal entry or presence, when they have arrived directly from a territory where their lives or freedom were threatened in the sense of article 1 (i.e., well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion), provided that they present themselves to the authorities without delay and show good cause for their illegal entry or presence. The Convention prohibits the expulsion or return of refugees (*refoulement*), except for national security or public order grounds. Refugees subject to expulsion under the domestic law of a Party are entitled to due process of law. Parties are required to facilitate the assimilation and naturalization of refugees.

Parties are required to provide the Office of the United Nations High Commissioner for Refugees with requested information and statistical data concerning the conditions of refugees, the implementation of the Convention, and laws, regulations and decrees relating to refugees.

ENTRY INTO FORCE

The Convention entered into force on 22 April 1954 (article 43).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States and is open to accession by Member States of the United Nations, any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, and any State to which an invitation to accede will have been addressed by the General Assembly of the United Nations (article 39).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Parties are required to communicate to the Secretary-General of the United Nations the laws and regulations that they may adopt to ensure the application of the Convention (article 36).

Any State may, at the time of signature, ratification or accession, declare that the Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned. At any time thereafter, any such extension shall be made by notification addressed to the Secretary-General and shall take effect as from the ninetieth day after the date of receipt by the Secretary-General of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is later (article 40).

RESERVATIONS

At the time of ratification or accession, any State may make reservations to articles of the Convention other than to articles 1, 3, 4, 16 (1), 33 and 36 to 46 inclusive. Any State making a reservation may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations (article 42).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention at any time by a notification addressed to the Secretary-General of the United Nations. The denunciation takes effect for the Party concerned one year from the date on which the notification is received by the Secretary-General (article 44).

Protocol relating to the Status of Refugees *(New York, 31 January 1967)*

OBJECTIVES

The Protocol relating to the Status of Refugees (the “Protocol”) expands the reach of the 1951 Convention relating to the Status of Refugees (the “Convention”). The Convention, which is the key legal document in defining who is a refugee, the rights of refugees and the legal obligations of States in respect of refugees, covers only those persons who became refugees as a result of events occurring before 1 January 1951. The Protocol removed the geographical and temporal restrictions from the Convention.

KEY PROVISIONS

Parties to the Protocol undertake to apply articles 2 to 34 inclusive of the Convention to refugees as defined in the Protocol. The Protocol redefines the term “refugee” by removing the limitation of events occurring prior to 1 January 1951. Parties are required to apply the provisions of the Protocol without any geographic limitation, although existing declarations made by States that are already party to the Convention in accordance with article 1 B (1) (a) of the Convention applies also under the Protocol.

The Protocol requires Parties to cooperate with the Office of the United Nations High Commissioner for Refugees. In this regard, Parties are required to provide the Office of the High Commissioner with requested information and statistical data concerning the conditions of refugees, the implementation of the Protocol, and laws, regulations and decrees relating to refugees. Parties are also required to communicate to the Secretary-General of the United Nations the laws and regulations that they may adopt to ensure the application of the Protocol.

The Protocol contains provisions addressing the situation of a federal or non-unitary State. At the request of any other Party to the Protocol, a federal State that is a Party is required to transmit through the Secretary-General a statement of the law and practice of the federation and its constituent units in regard to any particular provision of the Convention to be applied in accordance with article I, paragraph 1 of the Protocol. The statement must indicate the extent to which effect has been given to that provision by legislative or other action.

ENTRY INTO FORCE

The Protocol entered into force on 4 October 1967 (article VIII).

HOW TO BECOME A PARTY

The Protocol is open for accession by all Parties to the Convention and by any other Member State of the United Nations, or member of any of the specialized agencies, or any State to which an invitation to accede may have been addressed by the General Assembly of the United Nations (article V).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Declarations made under article 40, paragraphs 1 and 2, of the Convention (Territorial Application) by a Party that accedes to the Protocol are deemed to apply in respect of the Protocol, unless upon accession a

notification to the contrary is addressed by the Party concerned to the Secretary-General. The provisions of article 40, paragraphs 2 and 3, and of article 44, paragraph 3, of the Convention shall be deemed to apply *mutatis mutandis* to the Protocol (article VII).

RESERVATIONS

At the time of accession, any State may make reservations in respect of article IV (Settlement of Disputes) and in respect of the application in accordance with article I of any provisions of the Convention other than those contained in its articles 1, 3, 4, 16 (1), and 33 thereof, provided that in the case of a Party to the Convention, reservations made under article VII shall not extend to refugees in respect of whom the Convention applies. Reservations made by Parties to the Convention in accordance with article 42 thereof (Reservations) are applicable in relation to their obligations under the Protocol. Any State making a reservation in accordance with paragraph 1 of article VII of the Protocol may withdraw the reservation by a communication to that effect addressed to the Secretary-General (article VII).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Protocol at any time by a notification addressed to the Secretary-General. Such denunciation shall take effect for the Party concerned one year from the date on which the notification is received by the Secretary-General (article IX).

Convention relating to the Status of Stateless Persons *(New York, 28 September 1954)*

OBJECTIVES

The Convention relating to the Status of Stateless Persons (the “Convention”) is the primary international instrument adopted to date which regulates and improves the legal status of stateless persons. The Convention establishes the legal framework for the standard treatment of stateless persons. It was adopted to cover, *inter alia*, those stateless persons who are not refugees and who are not, therefore, covered by the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. The Convention contains provisions regarding the rights and obligations of stateless persons pertaining to their legal status in the country of residence. The Convention further addresses a variety of matters which have an important effect on day-to-day life, such as gainful employment, public education, public relief, labour legislation and social security. By ensuring that such basic rights and needs are met, the Convention aims to provide the individual with stability and to improve the quality of life of the stateless person.

KEY PROVISIONS

The Convention standardizes terminology and concepts, and in doing so creates a common basis for the status of stateless persons. Such concepts include “stateless person”, a definition that was internationally agreed upon for the purpose of the Convention.

Parties are obliged to apply the provisions of the Convention to stateless persons without discrimination as to race, religion or country of origin. Furthermore, Parties must accord to stateless persons in their territory treatment at least as favourable as that accorded to their nationals with respect to freedom to practice religion and freedom regarding the religious education of children. Parties are also required to accord to stateless persons the same treatment that is accorded to aliens generally, except where the Convention provides more favourable provisions.

The Convention allows for the Parties to take temporary measures, in time of war or other grave and exceptional circumstances, which are considered necessary for national security with regard to stateless persons.

The Convention addresses the following issues with respect to stateless persons: personal status; the acquisition of movable and immovable property, leases and other contracts relating to movable and immovable property; the protection of artistic rights and industrial property; rights of association; access to courts, including legal assistance; employment rights; public assistance; housing; public education; labour legislation; and social security issues.

The Convention further addresses freedom of movement, and the issuance of identity papers and travel documents to stateless persons. The Convention contains specific provisions against the expulsion of stateless persons, except on grounds of national security or public order. Stateless persons subject to expulsion under the domestic law of a Party are entitled to due process of law. Parties are also required to facilitate the assimilation and naturalization of stateless persons.

ENTRY INTO FORCE

The Convention entered into force on 6 June 1960 (article 39).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States and is open for accession by any Member State of the United Nations, any other State invited to attend the United Nations Conference on the Status of Stateless Persons, and any State to which an invitation to accede may be addressed by the General Assembly of the United Nations (article 35).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Parties must communicate to the Secretary-General of the United Nations the laws and regulations that they may adopt to ensure the application of the Convention (article 33).

Any State may, at the time of signature, ratification or accession, declare that the Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the date of receipt by the Secretary-General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is later (article 36).

RESERVATIONS

Any State may, at the time of signature, ratification or accession, make reservations to articles of the Convention other than to articles 1, 3, 4, 16 (1) and 33 to 42 inclusive. Any State making a reservation may at any time withdraw the reservation by communication to that effect addressed to the Secretary-General (article 38).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention at any time by a notification addressed to the Secretary-General. Such denunciation shall take effect for the Party concerned one year from the date upon which the notification is received by the Secretary-General (article 40).

Convention on the Reduction of Statelessness *(New York, 30 August 1961)*

OBJECTIVES

The Convention on the Reduction of Statelessness (the “Convention”) is the primary international legal instrument adopted to date to resolve cases of statelessness through the granting of citizenship when an individual has a particular link to a State. The Convention provides for acquisition of nationality by persons who would otherwise be stateless and who have an appropriate link with the State through factors of birth or ancestry. The issues of retention of nationality once acquired and of transfer of territory are also addressed. The Convention offers solutions to nationality problems which might arise between States.

KEY PROVISIONS

The Convention requires Parties to grant nationality to persons born in their territory who would otherwise be stateless. The Convention contains provisions that address the issue of foundlings discovered in the territory of a Party and births on ships and in aircrafts. The Convention requires Parties to grant nationality to persons who were not born in their territory, and who would otherwise be stateless, when the nationality of one of the parents at the time of the person’s birth was of that State.

The Convention addresses the issue of loss of nationality under national law as a consequence of any change in the personal status of a person, such as marriage, termination of marriage, legitimation, recognition or adoption. Such loss of nationality is conditional upon possession or acquisition of another nationality. A similar provision applies to the loss of nationality by a person’s spouse or children as a consequence of that person losing or being deprived of that nationality.

The Convention addresses renunciation of nationality under national law and the right of a Party to deprive persons of their nationality in certain circumstances. Loss or deprivation of nationality may occur only in accordance with the law and accompanied by full procedural guarantees, such as the right to a fair hearing by a court or other independent body. A Party may not deprive a person of his or her nationality if such deprivation would render the person stateless. Moreover, a Party may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds.

The Convention covers situations involving the transfer of territory between Parties. Treaties between Parties concerning the transfer of territory must ensure that statelessness does not occur as a result of the transfer. Parties are urged to include such a provision in treaties concluded with States that are not party to the Convention. In the absence of such provisions, a Party to which territory is transferred or that otherwise acquires territory is obliged to confer its nationality on those persons who would otherwise become stateless as a result of the transfer or acquisition.

ENTRY INTO FORCE

The Convention entered into force on 13 December 1975 (article 18).

HOW TO BECOME A PARTY TO THE CONVENTION

The Convention is closed for signature. It is subject to ratification by signatory States, and is open for accession by Member States of the United Nations, any State invited to attend the United Nations Conference on the Elimination or Reduction of Future Statelessness, and any State to which an invitation to accede may be addressed by the General Assembly of the United Nations (article 16).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention applies to all non-self-governing territories, trust, colonial and other non-metropolitan territories for the international relations of which any Party is responsible. The State concerned shall, subject to the provisions of paragraph 2 of article 15, at the time of signature, ratification or accession, make a declaration of the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession (article 15).

RESERVATIONS

At the time of signature, ratification or accession, any State may make a reservation in respect of articles 11, 14, or 15. No other reservations to the Convention are permitted (article 17).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention at any time by a written notification addressed to the Secretary-General of the United Nations. Such denunciation shall take effect for the Party concerned one year after the date of its receipt by the Secretary-General. When the Convention has become applicable to a non-metropolitan territory of a Party, such Party may at any time thereafter, with the consent of the territory concerned, give notice to the Secretary-General denouncing the Convention separately in respect of that territory. The denunciation shall take effect one year after the date of the receipt of such notice by the Secretary-General (article 19).

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea *(New York, 11 December 2008)*

OBJECTIVES

The United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (the “Convention”), which is expected to be known as the “Rotterdam Rules”, aims at providing a uniform set of rules to modernize and harmonize the regime that currently governs the international carriage of goods involving a sea leg. While the existing conventions in respect of the international carriage of goods by sea, i.e., the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading, Brussels, 25 August 1924, (“the Hague Rules”), and its Protocols (“the Hague-Visby Rules”), and the United Nations Convention on the Carriage of Goods by Sea, Hamburg, 31 March 1978, (“the Hamburg Rules”), have made significant contributions to the harmonization of the law governing the carriage of goods by sea, they do not currently provide a universal regime. Moreover, many technological and commercial developments, including the growth of containerization and the development of electronic commerce, have taken place since the adoption of those conventions. Nor do the current conventions provide shippers and carriers with the benefit of a binding and balanced universal regime to support the operation of contracts of carriage involving various modes of transport, including by sea.

Through the adoption of the uniform rules set out in the Convention, several benefits may accrue in terms of increased legal certainty, improved efficiency and commercial predictability in the international carriage of goods by sea, and a reduction in the legal obstacles that impede the flow of international trade amongst States.

KEY PROVISIONS

The Convention builds upon, and is intended to supersede, earlier conventions that succeeded in harmonizing, to some extent, the rules relating to the international carriage of goods by sea, in particular, the Hague, the Hague-Visby and the Hamburg Rules. Certain aspects of the Convention deal with matters governed by those earlier instruments, including the scope of application of the Convention, the obligations and liability of the carrier, certain obligations of the shipper and provisions on the limitation of liability and time for suit.

However, the Convention also deals with a number of issues essential to the modernization of this area of the law. Two important examples in this regard are the specific provisions that, for the first time, provide a legal basis for both negotiable and non-negotiable electronic transport records, and for the recognition of the importance of container carriage in terms of the global carriage of goods. In regard to the latter point, modern container transport requires that shippers be able to enter into contracts of carriage that provide for door-to-door carriage of their containerized goods, not simply for port-to-port carriage as previous conventions have done. The Convention provides a modern, commercially viable legal regime to allow for such door-to-door carriage, while providing a balanced set of obligations as between the shipper and the carrier.

In addition to these two major innovations, the Convention fills legal gaps in the current legal regimes. In addition to clarifying aspects of the current law, new provisions are now included in the Convention in respect of transport documents and electronic records, delivery provisions, the role of the controlling party,

transfer of rights in respect of the goods, and special rules allowing for freedom of contract for the shipper, while providing important safety mechanisms to protect the shipper from any potential abuse.

ENTRY INTO FORCE

The Convention has not yet entered into force. It will enter into force on the first day of the month following the expiration of one year after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession. When a State ratifies, accepts, approves or accedes to the Convention after the deposit of the twentieth instrument of ratification, acceptance, approval or accession, the Convention enters into force in respect of that State on the first day of the month following the expiration of one year after the date of deposit of its instrument of ratification, acceptance, approval or accession (article 94).

HOW TO BECOME A PARTY

The Convention is open for signature (indefinitely) by all States. It is subject to, ratification, acceptance, or approval by signatory States. It is open for accession by all States that are not signatory States as from the date it is open for signature (article 88), i.e. 23 September 2009.

A regional economic integration organization that is constituted by sovereign States and has competence over certain matters governed by the Convention may similarly sign, ratify, accept, approve or accede to the Convention. When the number of States is relevant in the Convention, the regional economic integration organization shall not count as a Contracting State in addition to its member States that are Contracting States (article 93).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

No declaration made be made under the Convention except those expressly permitted pursuant to the following provisions of the Convention.

A Contracting State may declare that the provisions of chapter 14 on jurisdiction shall be binding on it by making such a declaration in accordance with article 91 (article 74).

A Contracting State may declare that the provisions of chapter 15 on arbitration shall be binding on it by making such a declaration in accordance with article 91 (article 78).

Any Contracting State may make a declaration under articles 74 and 78 at any time (article 91).

Article 92, paragraph 1, permits a Contracting State that has two or more territorial units in which different systems of law are applicable in relation to the matters dealt with in the Convention to extend the Convention to all its territorial units or only to one or more of them, and may amend its declaration by submitting another declaration at any time.

Article 93, paragraph 2, requires a regional economic integration organization to make a declaration to the depositary specifying the matters governed by the Convention in respect of which competence has been transferred to that organization by its member States, and must promptly notify the depositary of any changes to the distribution of competence, including new transfers of competence.

The declarations permitted by article 92, paragraph 1, and by article 93, paragraph 2, must initially be made at the time of signature, ratification, acceptance, approval or accession (article 91).

RESERVATIONS

No reservations may be made under this Convention (article 90).

DENUNCIATION/WITHDRAWAL

A Party may denounce this Convention at any time by means of a notification in writing addressed to the Secretary-General of the United Nations as depositary. Such denunciation takes effect on the first day of the month following the expiration of one year after the notification is received by the depositary. Where a longer period is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the depositary (article 96).

Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)

OBJECTIVES

The Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961 (the “Convention”), consolidates international agreements concluded on this issue since 1912. The Convention aims to ensure access to narcotic drugs for scientific and medical use and to combat drug abuse by coordinated international action. First, it limits the possession, use, trade in, distribution, import, export, manufacture and production of drugs exclusively for medical and scientific purposes. Second, it combats drug trafficking through international cooperation to deter and discourage drug traffickers. The Convention places over a hundred narcotic drugs under different levels of international control.

KEY PROVISIONS

The Convention classifies narcotic drugs in four schedules, according to their risk of abuse and production of ill effects. According to the classification, the substances are subject to different measures of control by the States parties. The Convention also sets up the procedure for changes in scope of control and for amendment of the schedules. Updated schedules of narcotic drugs under control can be obtained from the secretariat of the Commission on Narcotic Drugs.

The Parties to the Convention are required to provide the Commission on Narcotic Drugs of the Economic and Social Council with an annual report and other relevant information. The Parties are also required to submit on a yearly basis to the International Narcotics Control Board an estimate of, *inter alia*, the quantities of narcotic drugs to be consumed in the following year for medical and scientific purposes and to be used for the manufacturing of drugs, as well as statistical returns on the production, utilization and consumption of narcotic drugs in the past year.

The manufacture, trade and distribution of narcotic drugs are subject to controls and to a licensing system. Special provisions apply to international trade and to the cultivation of opium poppy, coca and cannabis.

States parties are obliged to make punishable under their criminal law a certain number of offences contrary to the provisions of the Convention, and to provide for the seizure and confiscation of drugs, substances and related equipment. Moreover, such offences are deemed to be extraditable offences in any extradition treaty existing between the Parties. Parties are also obliged to include such offences in any future extradition treaties concluded between them.

The Convention additionally allows Parties to provide offenders, who are abusers of drugs, with measures of treatment, education, aftercare, rehabilitation and social reintegration either as an alternative or in addition to conviction and punishment. Furthermore, the Convention obliges States parties to give special attention to and take all practical measures for the prevention of abuse of drugs and for the early identification, treatment, education, aftercare, rehabilitation and social reintegration of the persons involved in the abuse of drugs.

ENTRY INTO FORCE

The Convention entered into force on 8 August 1975 (article 41).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is open for ratification by signatory States and is open to accession to any Member of the United Nations, to any non-Member State which is a party to the Statute of the International Court of Justice or member of a specialized agency of the United Nations, and also to any other State which the Economic and Social Council may invite to become a party.

A State which becomes party to the Single Convention on Narcotic Drugs, 1961, after the entry into force of the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961, shall, failing an expression of a different intention, be considered a party to the Single Convention as amended, and as a party to the unamended Single Convention in relation to any party to that Convention not bound by the Protocol (article 19 of the 1972 Protocol amending the Single Convention on Drugs, 1961).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention shall apply to all non-metropolitan territories for the international relations of which any Party is responsible, except where the previous consent of such a territory is required by the Constitution of the party or of the territory concerned, or required by custom. In such case, the Party shall endeavour to secure the needed consent of the territory within the shortest period possible, and when that consent is obtained the party shall notify the Secretary-General. The Convention shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General. In those cases where the previous consent of the non-metropolitan territory is not required, the Party concerned shall, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which the Convention applies (article 42).

Any party may notify the Secretary-General that, for the purposes of articles 19, 20, 21 and 31 of the Convention, one of its territories is divided into two or more territories, or that two or more of its territories are consolidated into a single territory. Two or more parties may notify the Secretary-General that, as the result of the establishment of a customs union between them, those parties constitute a single territory for the purposes of articles 19, 20, 21 and 31 of the Convention. Any such notification shall take effect on 1 January of the year following the year in which the notification was made (article 43).

RESERVATIONS

Any State may at the time of signature, ratification or accession make reservations in respect of the following provisions of the Convention: article 12, paragraphs 2 and 3; article 13, paragraph 2; article 14, paragraphs 1 and 2; article 31, paragraph 1 (b) and article 48.

Any State may, at the time of signature or ratification of or accession to the Protocol, make a reservation in respect of any amendment contained therein other than the amendments to article 2, paragraphs 6 and 7; article 9, paragraphs 1, 4 and 5; article 10, paragraphs 1 and 4; article 11; article 14 bis; article 16; article 22; article 35; article 36, paragraph 1 (b); article 38; and article 38 bis.

A party may also at the time of signature, ratification or accession reserve the right to permit temporarily in any one of its territories: (a) the quasi-medical use of opium; (b) opium smoking; (c) coca leaf chewing; (d) the use of cannabis, cannabis resin, extracts and tinctures of cannabis for non-medical purposes; and (e) the production and manufacture of and trade in the drugs referred to under (a) to (d) for the purposes

mentioned therein. These transitional reservations are subject to time and other restrictions defined in article 49, paragraph 2, of the Convention, and the parties making such reservations shall comply with the obligations set in article 49, paragraph 3, of the Convention.

A State that wishes to be authorized to make reservations other than those listed above may inform the Secretary-General of such intention. Unless by the end of twelve months after the date of the Secretary-General's communication of the reservation concerned, this reservation has been objected to by one third of the States that have ratified or acceded to this Convention before the end of that period, it shall be deemed to be permitted, it being understood, however, that States which have objected to the reservation need not assume towards the reserving State any legal obligation under this Convention which is affected by the reservation.

A State that has made reservations may at any time by notification in writing withdraw all or part of its reservations.

DENUNCIATION

Any Party may, on its own behalf or on behalf of a territory for which it has international responsibility, denounce the Convention by an instrument in writing deposited with the Secretary-General. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year.

Convention on Psychotropic Substances (Vienna, 21 February 1971)

OBJECTIVES

The Convention on Psychotropic Substances, 1971 (the “Convention”), establishes an international control system for psychotropic substances, similar to that provided for by the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961, regarding narcotic drugs. It responded to the diversification and expansion of the spectrum of drugs of abuse and introduced controls over a number of synthetic drugs according to their abuse potential and their therapeutic value. The Convention puts under different levels of international control over a hundred psychotropic substances.

KEY PROVISIONS

The Convention classifies psychotropic substances in four schedules. In determining whether a substance may require international control and the addition of that substance in one of the schedules, the World Health Organization (WHO) makes an assessment of the substance taking into account the extent or likelihood of abuse, the degree of seriousness of the public health and social problem, and the degree of usefulness of the substance in medical therapy. The Commission on Narcotic Drugs of the Economic and Social Council of the United Nations, taking into account the above assessment and bearing in mind the economic, social, legal, administrative and other factors, may add the substance to one of the schedules. The Convention also sets up the procedure for changes in scope of control and for amendment of the schedules. Updated schedules of psychotropic substances under control can be obtained from the secretariat of the Commission on Narcotic Drugs.

The parties to the Convention are required to provide an annual report and other relevant information regarding the implementation of the Convention in their territories. The parties are also required to submit on a yearly basis to the International Narcotics Control Board, *inter alia*, the quantities of psychotropic substances manufactured, exported and imported in the past year.

The manufacture, trade and distribution of specified psychotropic substances are subject to a licensing system or similar control measure. The Convention also mandates record keeping by manufacturers and the like as well as medical prescriptions for specified psychotropic substances. Moreover, retail packages must include cautions and warnings, as necessary, for the safety of the user. Special provisions apply to international trade.

States parties are obliged to make punishable under their criminal law a certain number of offences contrary to the provisions of the Convention, and to provide for the seizure and confiscation of drugs, substances and related equipment. Moreover, such offences may be deemed to be extraditable offences in any extradition treaty existing between the parties. Parties may also include such offences in any future extradition treaties concluded between them.

The Convention additionally allows parties to provide offenders who are abusers of psychotropic substances with measures of treatment, education, aftercare, rehabilitation and social reintegration either as an alternative to conviction and punishment or in addition to conviction and punishment. Furthermore, the Convention obliges States parties to give special attention to and take all practical measures for the

prevention of abuse of drugs and for the early identification, treatment, education, aftercare, rehabilitation and social reintegration of the persons involved in the abuse of drugs.

ENTRY INTO FORCE

The Convention entered into force on 16 August 1976 (article 26).

HOW TO BECOME A PARTY TO THE CONVENTION

The Convention is closed for signature. It is open for ratification by signatory States and is open to accession to any Member of the United Nations, to any non-Member State which is a member of a specialized agency of the United Nations or the International Atomic Energy Agency, or to a party to the Statute of the International Court of Justice, and also to any other State which the Economic and Social Council may invite to become a party.

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention applies to all non-metropolitan territories for the international relations of which any party is responsible, except where the previous consent of such a territory is required by the Constitution of the party or of the territory concerned, or required by custom. In such case, the party shall endeavour to secure the needed consent of the territory within the shortest period possible, and when that consent is obtained, the party shall notify the Secretary-General. The Convention shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General. In those cases where the previous consent of the non-metropolitan territory is not required, the party concerned shall, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which the Convention applies (article 27).

Any party may notify the Secretary-General that, for the purposes of the Convention, one of its territories is divided into two or more regions, or that two or more of its regions are consolidated into a single region. Two or more parties may notify the Secretary-General that, as the result of the establishment of a customs union between them, those parties constitute a region for the purposes of the Convention. Any such notification shall take effect on 1 January of the year following the year in which the notification was made (article 28).

RESERVATIONS

No reservations are permitted other than those made in accordance with article 32. Any State may at the time of signature, ratification or accession make reservations in respect of the following provisions of the Convention: (a) article 19, paragraphs 1 and 2; (b) article 27; and (c) article 31.

A State on whose territory there are plants growing wild, which contain psychotropic substances from among those in schedule I and which are traditionally used by certain small, clearly determined groups in magical or religious rites, may, at the time of signature, ratification or accession, make reservations concerning these plants, in respect of the provisions of article 7, except for the provisions relating to international trade.

A State which desires to become a party but wishes to be authorized to make reservations other than those made in accordance with article 32, paragraphs 2 and 4, may inform the Secretary-General of such intention. Unless, by the end of twelve months after the date of the Secretary-General's communication of the reservation concerned, this reservation has been objected to by one third of the States that have signed

without reservation of ratification, ratified or acceded to this Convention before the end of that period, it shall be deemed to be permitted, it being understood, however, that States which have objected to the reservation need not assume towards the reserving State any legal obligation under this Convention which is affected by the reservation.

A State which has made reservations may at any time by notification in writing to the Secretary-General withdraw all or part of its reservations.

DENUNCIATION

Any party may, on its own behalf or on behalf of a territory for which it has international responsibility and which has withdrawn its consent, denounce this Convention by an instrument in writing deposited with the Secretary-General. The denunciation, if received by the Secretary-General on or before the first day of July of any year, shall take effect on the first day of January of the succeeding year, and if received after the first day of July it shall take effect as if it had been received on or before the first day of July in the succeeding year.

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances *(Vienna, 20 December 1988)*

OBJECTIVES

The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (the “Convention”) provides comprehensive measures against illicit traffic in narcotic drugs and psychotropic substances placed under international control by the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, 1971, including provisions against money laundering and the diversion of precursor chemicals. It provides for international cooperation through, for example, extradition of drug traffickers, mutual legal assistance, controlled deliveries and transfer of proceeds from drug trafficking.

KEY PROVISIONS

The Convention obliges States Parties to establish as criminal offences the production, manufacture, extraction, preparation, offering, distribution, sale, etc., of the narcotic drugs and psychotropic substances placed under international control by the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, 1971; the cultivation of certain plants for the purpose of the production of narcotic drugs; the possession or purchase of any narcotic drug or psychotropic substance for any of the above activities; the manufacture, transport and distribution of equipment, materials or substances, knowing that they are to be used in or for the illicit cultivation, production or manufacture of narcotic drugs or psychotropic substances (precursors), and the organization, management or financing of the above offences.

In addition, under the Convention, States should criminalize the conversion or transfer of property derived from any of the above offences for the purpose of concealing the illicit origin of the property or of assisting any person involved in the commission of such offences to evade prosecution (money laundering). They are also held to criminalize the concealment or disguise of the nature, source, location, movements or ownership of property.

The acquisition of certain property, possession of specified equipment and materials, inciting or inducing others, participation in, conspiracy to commit and attempts to commit such offences as well as aiding or abetting, and possession, purchase or cultivation of narcotic drugs and psychotropic substances for personal consumption are also proscribed.

States are obliged to make offences contrary to the provisions of the Convention liable to sanctions which take into account their grave nature, such as imprisonment or other forms of deprivation of liberty, pecuniary sanctions and confiscation. The Convention allows the Parties to provide, in addition to conviction or punishment for an offence, that the offender shall undergo measures, such as treatment, education, aftercare, rehabilitation or social reintegration.

The Parties are required to establish jurisdiction over drug-related offences committed in their territory or on board vessels flying their flags or on aircrafts registered under their law at the time the offence is committed. They may also establish jurisdiction in the other cases provided for by article 4 of the Convention.

The Convention demands the Parties to adopt such measures as may be necessary to enable confiscation of proceeds derived from the offences defined in the Convention, property the value of which corresponds to that of such proceeds, narcotic drugs and psychotropic substances, materials and equipment or other instrumentalities used in or intended for use in any manner in the offences as defined. Parties shall also adopt such measures as may be necessary to enable competent authorities to identify, trace, and freeze or seize proceeds, property, instrumentalities or any other thing as defined for the purpose of eventual confiscation, and shall empower courts or other competent authorities to order that bank, financial or commercial records be made available or be seized.

Offences contrary to the provisions of the Convention are deemed to be extraditable offences in any existing extradition treaty and Parties undertake to include them in future extradition treaties concluded between them.

The Convention provides for the widest measure of mutual legal assistance between the Parties in investigations, prosecutions and judicial proceedings of offences established in accordance with the Convention. Legal assistance may be requested for any of the purposes listed in article 7 of the Convention under the requirements set forth in the same article.

The Convention establishes two tables of substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances. The Convention also provides for amendments to the tables.

The provisions of the Convention do not derogate from any rights enjoyed or obligations undertaken by the Parties to the Convention under the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961, and under the Convention on Psychotropic Substances, 1971.

ENTRY INTO FORCE

The Convention entered into force on 11 November 1990 (article 29).

HOW TO BECOME A PARTY TO THE CONVENTION

The Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States, and to acts of formal confirmation by signatory regional economic integration organizations. The Convention is open for accession by any State and by regional economic integration organizations (articles 27 and 28).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by the Convention (articles 27 and 28).

Each State, at the time of signature or ratification, acceptance, approval or accession, or regional economic integration organization at the time of signature or deposit of an act of formal confirmation or accession, may declare that it does not consider itself bound by paragraphs 2 and 3 of article 32 relating to mechanisms for the settlement of disputes (article 32).

RESERVATIONS

The Convention is silent with regard to reservations.

DENUNCIATION

A Party may denounce this Convention at any time by a written notification addressed to the Secretary-General. Such denunciation shall take effect for the Party concerned one year after the date of receipt of the notification by the Secretary-General (article 30).

International Convention against the Taking of Hostages *(New York, 17 December 1979)*

OBJECTIVES

The objective of the International Convention against the Taking of Hostages (the “Convention”) is to develop international cooperation between States in devising and adopting effective measures for the prevention, prosecution and punishment of all acts of taking hostages as manifestations of international terrorism.

KEY PROVISIONS

The act of hostage-taking for the purposes of the Convention refers to any person who seizes or detains and threatens to kill, to injure or to continue to detain a hostage in order to compel a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage. Any person also commits such an offence if that person attempts to commit an offence as set forth above or participates as an accomplice of anyone who commits or attempts to commit an act of hostage-taking.

Each Party is required to make this offence punishable by appropriate penalties. Where hostages are held in the territory of a Party, the Party is obliged to take all measures it considers appropriate to ease the situation of the hostages and secure their release. After the release of the hostages, the Party is also required to facilitate the departure of the hostages. Parties are additionally obliged to cooperate with each other in the prevention of acts of hostage-taking.

Each Party is obligated to take such actions as may be necessary to establish jurisdiction over the offence of hostage-taking as set forth above. Parties are also required to take alleged offenders into custody, prosecute or extradite alleged offenders, cooperate in preventive measures, and exchange information and evidence needed in related criminal proceedings. The offences referred to in the Convention are deemed to be extraditable offences between Parties under existing extradition treaties, and under the Convention itself.

ENTRY INTO FORCE

The Convention entered into force on 3 June 1983 (article 18).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States. The Convention is open to accession by any State (article 17).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations (article 7).

RESERVATIONS

The Convention is silent with regard to reservations. States may declare that they do not consider themselves bound by article 16 (1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 16).

DENUNCIATION/WITHDRAWAL

Any Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall take effect one year following the date on which the notification is received by the Secretary-General (article 19).

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents *(New York, 14 December 1973)*

OBJECTIVES

Crimes against diplomatic agents and other internationally protected persons create a serious threat to the maintenance of normal international relations which are necessary for cooperation among States. The objective of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (the “Convention”) is to establish effective measures for the prevention and punishment of such crimes.

KEY PROVISIONS

The Convention applies to the crimes of direct involvement or complicity in the murder, kidnapping, or attack, whether actual, attempted or threatened, on the person, official premises, private accommodation or means of transport of diplomatic agents and other “internationally protected persons”. Internationally protected persons are defined as Heads of State or Government, Ministers for Foreign Affairs, State officials and representatives of international organizations entitled to special protection in a foreign State, and their families.

Parties are obliged to establish jurisdiction over the offences described; make the offences punishable by appropriate penalties; take alleged offenders into custody; prosecute or extradite alleged offenders; cooperate in preventive measures; and exchange information and evidence needed in related criminal proceedings. The offences referred to in the Convention not listed as extraditable offences in any extradition treaties existing between States Parties, they shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.

ENTRY INTO FORCE

The Convention entered into force on 20 February 1977 (article 17).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States. The Convention is open to accession by any State (articles 15 and 16).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations (article 11).

RESERVATIONS

The Convention is silent with regard to reservations. States may declare that they do not consider themselves bound by article 13, paragraph 1, according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 13).

DENUNCIATION/WITHDRAWAL

Any Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall take effect six months following the date on which the notification is received by the Secretary-General (article 18).

International Convention for the Suppression of Terrorist Bombings *(New York, 15 December 1997)*

OBJECTIVES

The objective of the International Convention for the Suppression of Terrorist Bombings (the “Convention”) is to enhance international cooperation among States in devising and adopting effective and practical measures for the prevention of the acts of terrorism, and for the prosecution and punishment of their perpetrators.

KEY PROVISIONS

Any person commits an offence within the meaning of the Convention if that person unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility, with the intent to cause death or serious bodily injury, or extensive destruction likely to result or actually resulting in major economic loss. Any person also commits such an offence if that person attempts to commit an offence as set forth above or participates as an accomplice in an offence, organizes or directs others to commit an offence or in any other way contributes to the commission of such an offence by a group of persons acting with a common purpose. The Convention does not apply where an act of this nature does not involve any international elements as defined by the Convention.

Parties are required to establish jurisdiction over and make punishable, under their national laws, the offences described, to extradite or submit for prosecution persons accused of committing or aiding in the commission of the offences, and to assist each other in connection with criminal proceedings under the Convention. The offences referred to in the Convention are deemed to be extraditable offences between Parties under existing extradition treaties and under the Convention itself.

ENTRY INTO FORCE

The Convention entered into force on 23 May 2001 (article 22).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States. The Convention is open to accession by any State (article 21).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A Party may establish additional jurisdiction over offences under the Convention when the offence is committed under certain circumstances. Upon ratification, acceptance, approval or accession to the Convention, each Party shall notify the Secretary-General of the jurisdiction it has established in accordance with article 6 (2) (article 6).

The Party where an alleged offender is prosecuted shall, in accordance with its domestic law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General (article 16).

RESERVATIONS

The Convention is silent with regard to reservations. States may declare that they do not consider themselves bound by article 20 (1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 20).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall take effect one year following the date on which the notification is received by the Secretary-General (article 23).

Rome Statute of the International Criminal Court *(Rome, 17 July 1998)*

OBJECTIVES

The Rome Statute of the International Criminal Court (the “Statute”), adopted on 17 July 1998, establishes an international criminal court to try individuals for the most serious crimes of concern to the international community as a whole and seeks to establish a fair and just international criminal justice system with competent and impartial judges and an independent prosecutor. Unlike an *ad hoc* tribunal, the Court is a permanent institution, which ensures that the international community can make immediate use of its services in the event of atrocities occurring and also acts as a deterrent to those who would perpetrate such crimes.

KEY PROVISIONS

The Statute establishes a Court composed of the following organs: the Presidency, an Appeals Division, a Trial Division and a Pre-trial Division, the Office of the Prosecutor and the Registry. Its judges will be persons of high moral character and integrity and in their selection the Parties will take into account the need for the representation of the principal legal systems of the world, equitable geographical distribution and a fair representation of female and male judges.

The Court is complementary to national criminal jurisdictions. It is not intended to supersede their jurisdiction. It will act only when the national jurisdiction is unable or unwilling to genuinely prosecute, or in the case of referral by the Security Council.

The Court has jurisdiction over the crime of genocide, crimes against humanity, war crimes and the crime of aggression. With respect to the crime of aggression, the Court will exercise jurisdiction following the adoption of a definition of aggression.

In conformity with the principle of legality, the crimes are specified and defined in the Statute. A few examples of specific crimes include murder, extermination, conscripting or enlisting children under the age of fifteen, attacks against United Nations personnel and crimes of sexual violence, such as rape, sexual slavery, enforced prostitution and forced pregnancy.

The Statute applies equally to all persons without any distinction based on official capacity. Thus a Head of State or Government, a member of Government or parliament, an elected representative or a Government official is not exempt from criminal responsibility under the Statute.

Once a State ratifies or accedes to the Statute, it thereby accepts the jurisdiction of the Court. The Court may exercise its jurisdiction over a specific case when either the State in whose territory the crime was committed or the State of nationality of the accused is a Party to the Statute. A State which is not a Party to the Statute may also accept the jurisdiction of the Court on a case-by-case basis.

The Court may exercise jurisdiction with respect to a crime through a referral of a situation by a Party, the Security Council acting under Chapter VII of the Charter of the United Nations, or by the Prosecutor acting pursuant to powers accorded under the Statute. The jurisdiction of the Court or the admissibility of a case is subject to challenge pursuant to provisions of the Statute.

The Statute was amended in 2010 (see summaries to follow).

ENTRY INTO FORCE

The Statute entered into force on 1 July 2002 (article 126).

HOW TO BECOME A PARTY

The Statute is closed for signature. It is subject to ratification, acceptance or approval by signatory States. It is open to accession by all States (article 125).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Court shall have the authority to make requests to Parties for cooperation. The requests shall be transmitted through the diplomatic channel or any other appropriate channel as may be designated by each Party upon ratification, acceptance, approval or accession. Requests for cooperation and any documents supporting the request shall either be in or be accompanied by a translation into an official language of the requested State or one of the working languages of the Court, in accordance with the choice made by that State upon ratification, acceptance, approval or accession (article 87).

A sentence of imprisonment shall be served in a State designated by the Court from a list of States which have indicated to the Court their willingness to accept sentenced persons. At the time of declaring its willingness to accept sentenced persons, a State may attach conditions to its acceptance as agreed by the Court and in accordance with Part 10 of the Statute (article 103).

On becoming a Party to the Statute, a State may declare that for a period of seven years after entry into force of the Statute for the State concerned, it does not accept the jurisdiction of the Court with respect to the category of crimes referred to in article 8 (war crimes) when a crime is alleged to have been committed by its national or on its territory. Such declaration under this provision may be withdrawn at any time (article 124).

RESERVATIONS

No reservations may be made to the Statute (article 120).

DENUNCIATION/WITHDRAWAL

A Party may withdraw from the Statute by written notification addressed to the Secretary-General of the United Nations. The withdrawal shall take effect one year after the date of receipt of the notification, unless the notification specifies a later date (article 127).

Amendment to article 8 of the Rome Statute of the International Criminal Court (Kampala, 10 June 2010)

OBJECTIVES

The Amendment to article 8 of the Rome Statute of the International Criminal Court (the “Amendment”) was adopted at the Review Conference of the Rome Statute, held in Kampala, Uganda, from 31 May to 11 June 2010. The Amendment was adopted on 10 June 2010 by Resolution RC/Res.5. The Amendment includes among the acts which constitute war crimes the use of certain weapons in internal armed conflicts.

KEY PROVISIONS

The Amendment modifies the provisions of article 8, on war crimes, to include among the acts which constitute war crimes the use of certain weapons (poisons and poisoned weapons, poisonous or other gases and certain kind of bullets) in internal armed conflicts. The use of these weapons in international armed conflicts already constitutes war crimes, under the Rome Statute.

ENTRY INTO FORCE

The Amendment is not yet in force. In accordance with article 123, paragraph 3, of the Rome Statute, the provisions of article 121, paragraphs 3 to 7, apply to the adoption and entry into force of any amendments to the Statute. In accordance with article 121(5) of the Rome Statute, any amendment to articles 5, 6, 7 and 8 of the Statute shall enter into force for those States Parties which have accepted the Amendment one year after the deposit of their instruments of ratification or acceptance.

HOW TO BECOME A PARTY

The Amendment is subject to ratification or acceptance by States Parties to the Rome Statute of the International Criminal Court (article 121 of the Rome Statute).

Amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Kampala, 11 June 2010)

OBJECTIVES

The Amendments to the Rome Statute of the International Criminal Court on the crime of aggression (the “Amendments”) were adopted at the Review Conference of the Rome Statute, held in Kampala, Uganda, from 31 May to 11 June 2010. The amendments were adopted on 11 June 2010 by Resolution RC/Res.6. The Amendments include a definition of the crime of aggression and a regime establishing how the Court will exercise its jurisdiction over this crime.

KEY PROVISIONS

The crime of aggression is defined as the planning, preparation, initiation or execution by a person in a leadership position of an act of aggression. The definition contains the requirement that the act of aggression, by its character, gravity and scale, must constitute a manifest violation of the Charter of the United Nations. An act of aggression is defined as the use of armed force by one State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations (article 8 *bis*).

The conditions for the Court’s exercise of jurisdiction over the crime of aggression are set out in articles 15 *bis* and 15 *ter*. These articles establish a jurisdictional regime outlining when the Prosecutor can proceed with an investigation in respect of a crime of aggression. Article 15 *bis* also provides that States Parties may opt-out of the Court’s jurisdiction over the crime of aggression by lodging a declaration of non-acceptance of jurisdiction with the Court’s Registrar. The withdrawal of such a declaration may be effected at any time and shall be reviewed by the State Party within three years. The provisions of both article 15 *bis* and article 15 *ter* provide that the Court will not be able to exercise its jurisdiction over the crime of aggression until one year after the ratification or acceptance of the amendments by thirty States Parties and subject to a decision to be taken after 1 January 2017 by the same majority of States Parties as is required for the adoption of an amendment of the Statute.

ENTRY INTO FORCE

The Amendments are not yet in force. In accordance with article 123, paragraph 3, of the Rome Statute, the provisions of article 121, paragraphs 3 to 7, apply to the adoption and entry into force of any amendments to the Statute. In operative paragraph 1 of resolution RC/Res.6, the Review Conference adopted, in accordance with article 5, paragraph 2, of the Rome Statute, the Amendments on the Crime of Aggression “which are subject to ratification or acceptance and shall enter into force in accordance with article 121, paragraph 5”.

HOW TO BECOME A PARTY

The Amendments are subject to ratification or acceptance by States Parties to the Rome Statute of the International Criminal Court (article 121 of the Rome Statute).

International Convention for the Suppression of the Financing of Terrorism *(New York, 9 December 1999)*

OBJECTIVES

The objective of the International Convention for the Suppression of the Financing of Terrorism (the “Convention”) is to enhance international cooperation among States in devising and adopting effective measures for the prevention of the financing of terrorism, as well as for its suppression through the prosecution and punishment of its perpetrators.

KEY PROVISIONS

Any person commits an offence within the meaning of the Convention if that person by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with the intention that they should be used or with the knowledge that they are to be used, in full or in part, to carry out any of the offences described in the treaties listed in the annex to the Convention, or an act intended to cause death or serious bodily injury to any person not actively involved in armed conflict in order to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act. Any person also commits such an offence if that person attempts to commit an offence as set forth above or participates as an accomplice in an offence, organizes or directs others to commit an offence or contributes to the commission of such an offence by a group of persons acting with a common purpose. For an act to constitute an offence, it is not necessary that funds were actually used to carry out an offence as described above. The provision or collection of funds in this manner is an offence, whether or not the funds are actually used to carry out the proscribed acts. The Convention does not apply where an act of this nature does not involve any international elements as defined by the Convention.

The Convention requires each Party to take appropriate measures, in accordance with its domestic legal principles, for the detection and freezing, seizure or forfeiture of any funds used or allocated for the purposes of committing the offences described. The offences referred to in the Convention are deemed to be extraditable offences and Parties have obligations to establish their jurisdiction over the offences described, make the offences punishable by appropriate penalties, take alleged offenders into custody, prosecute or extradite alleged offenders, cooperate in preventive measures and countermeasures, and exchange information and evidence needed in related criminal proceedings. The offences referred to in the Convention are deemed to be extraditable offences between Parties under existing extradition treaties and under the Convention itself.

ENTRY INTO FORCE

The Convention entered into force on 10 April 2002 (article 26).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States. The Convention is open to accession by any State (article 25).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Upon ratifying, accepting, approving or acceding to the Convention, a Party which is not a party to a treaty listed in the annex to the Convention may declare that, in the application of the Convention to the Party, the treaty shall be deemed not to be included in the annex referred to. Such declaration ceases to have effect as soon as the treaty enters into force for the Party, which shall notify the depositary of this fact (article 2).

When a Party ceases to be a party to a treaty listed in the annex to the Convention, it may make a declaration referred to in article 2 (2) (a), with respect to that treaty (article 2).

A Party may establish additional jurisdiction over offences under the Convention when the offence is committed under certain circumstances. Upon ratification, acceptance, approval or accession to the Convention, each Party shall notify the Secretary-General of the jurisdiction it has established in accordance with article 7 (2) (article 7).

The Party where an alleged offender is prosecuted shall, in accordance with its national law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General (article 19).

RESERVATIONS

The Convention is silent with regard to reservations. Pursuant to article 24 (2), States may declare that they do not consider themselves bound by article 24 (1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 24).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall take effect one year following the date on which the notification is received by the Secretary-General (article 27).

United Nations Convention against Transnational Organized Crime *(New York, 15 November 2000)*

OBJECTIVES

Recognizing that organized crime is a serious and growing problem for all countries, the United Nations Convention against Transnational Organized Crime (the “Convention”) aims at promoting international cooperation to prevent and combat transnational organized crime. As the first comprehensive multilateral legal instrument in the fight against organized crime, the Convention, together with its three Protocols, provides law enforcement and judicial authorities with unique tools to combat this problem. It is also intended to provide greater coordination of national policy, legislative, administrative and enforcement approaches to organized crime.

KEY PROVISIONS

The Convention standardizes terminology and concepts, creating a common basis for national crime-control frameworks. Such concepts include “organized criminal group”, a definition of which was internationally agreed upon for the first time. The Convention establishes four specific crimes (participation in an organized criminal group, money laundering, corruption and obstruction of justice) to combat activities in which organized criminal groups are commonly engaged. Under the Convention, Parties shall criminalize these offences, in accordance with the provisions of the Convention.

The Convention contains specific provisions for preventing, investigating and prosecuting these offences as well as serious crime, when they are transnational in nature and involve an organized criminal group.

Parties to the Convention are obliged to adopt national laws and practices that would prevent or suppress organized crime-related activities. To combat money laundering, countries would have to require their banks to keep accurate records and make them available for inspection by domestic law enforcement authorities. It should be noted that bank secrecy cannot be used to shield criminal activities.

Parties to the Convention are also required to take appropriate action to confiscate illicitly acquired assets. In particular, the Convention created an asset-sharing mechanism under which Parties are encouraged to contribute confiscated assets to bodies working for the fight against organized crime.

One of the most important international cooperation components of the Convention is its extradition provision. This provision is vital to ensuring that there are “no safe havens” to which offenders can flee. Under the Convention, fiscal matters should not be a sole ground for refusing extradition.

Mutual legal assistance is another important judicial cooperation tool provided for by the Convention. Under the Convention, assistance is to be channelled through central authorities to regulate the process. One of its innovative elements is that the Convention allows for electronic transmission of requests for quicker processing.

The nature of transnational organized crime makes the protection of victims and witnesses a matter of such importance that the Convention also requires Parties to adopt appropriate measures to protect witnesses from potential intimidation or retaliation. This includes physical protection, relocation and, with appropriate legal safeguards, concealment of identities.

The Convention further calls on Parties to support the efforts of developing countries to fight transnational organized crime and assist them to implement the Convention through technical cooperation as well as financial and material assistance.

As regards the implementation mechanism, the Convention establishes a conference of the Parties to improve the capacity of Parties to combat transnational organized crime.

ENTRY INTO FORCE

The Convention entered into force on 29 September 2003 (article 38).

HOW TO BECOME A PARTY

The Convention is closed for signature. The Convention is subject to ratification, acceptance or approval by signatory States. The Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a Party (article 36).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Parties whose national law requires involvement of an organized criminal group for purposes of the offences established in accordance with article 5, paragraph 1 (a) (i), of the Convention and Parties whose national law requires an act in furtherance of the agreement for purposes of the offences established in accordance with article 5, paragraph 1 (a) (i), of the Convention shall so inform the depositary at the time of their signature or of the deposit of their instrument of ratification, acceptance, approval or accession to the Convention (article 5 (3)).

Parties that make extradition conditional on the existence of a treaty shall inform the depositary whether they will take this Convention as the legal basis for cooperation on extradition with other Parties to this Convention at the time of the deposit of their instrument of ratification, acceptance, approval or accession (article 16 (5)).

Each Party shall designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. This designation of authority shall be notified to the depositary at the time of the deposit of the instrument of ratification, acceptance, approval or accession (article 18 (13)).

Likewise, each Party shall notify the depositary of the language or languages acceptable for the purposes of mutual legal assistance (article 18 (14)).

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by the Convention. Such organization must also inform the depositary of any relevant modification in the extent of its competence (article 36).

RESERVATIONS

Parties may declare that they do not consider themselves bound by article 35 (2), according to which disputes among Parties relating to the interpretation or application of the Convention, which are not settled by negotiation, will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 35). The Convention is otherwise silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Each Party may denounce the Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General. A regional economic integration organization shall cease to be a Party to the Convention when all of its member States have denounced it. Denunciation of the Convention also entails the denunciation of the Protocols (article 40).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
(New York, 15 November 2000)

OBJECTIVES

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the “Protocol”) establishes the first common international definition of “trafficking in persons”. It is intended to prevent and combat such crime and facilitate international cooperation against it. The Protocol also highlights the problems associated with trafficking in persons that often leads to inhuman, degrading and dangerous exploitation of trafficked persons. As is the case with the parent United Nations Convention against Transnational Organized Crime, 2000 (the “Convention”), the Protocol is expected to standardize terminology, laws and practices of countries in this area of the law.

KEY PROVISIONS

While the Convention provides for basic measures to prevent and combat transnational organized crime, the Protocol provides for specific measures to deal with the prevention, investigation and prosecution of trafficking offences, as well as to the protection of the trafficked persons. As such, the Protocol should be interpreted together with the Convention. The provisions of the Convention apply *mutatis mutandis* to the Protocol.

The key definition, “trafficking in persons”, is intended to include a range of cases where human beings are exploited by organized criminal groups, particularly where there is an element of duress involved and a transnational aspect, such as the movement of people across borders. According to the definition, the consent of the victim is irrelevant where illicit means are established, although criminal law defenses are preserved.

The need for an appropriate balance between crime-control measures and measures to support or protect victims of trafficking arises in two primary places in the Protocol: the provisions expressly providing for protection and support; and provisions dealing with the return of persons to their countries of origin.

The Protocol contains a series of general protection and support measures for victims. These include a list of social support benefits, such as counselling, housing, education, medical and psychological assistance and an opportunity for victims to obtain legal status allowing them to remain in the country of the receiving Party, either temporarily or permanently.

Law enforcement agencies of countries which ratify the Protocol would be required to cooperate with each other in identifying offenders and trafficked persons; sharing information about the methods of offenders; and training investigators, enforcement and victim-support personnel. Parties would also be required to implement security and border controls to detect and prevent trafficking. This includes strengthening their own border controls; imposing requirements on commercial carriers to check passports and visas; setting standards for the technical quality of passports and other travel documents; and cooperating in establishing the validity of their own documents when used abroad.

The conference of the Parties, which is established by the Convention, will have similar functions under the Protocol.

ENTRY INTO FORCE

The Protocol entered into force on 25 December 2003 (article 17).

HOW TO BECOME A PARTY

The Protocol is closed for signature. The Protocol is subject to ratification, acceptance or approval by signatory States. The Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to the Protocol. In order to become a Party to the Protocol, a State or a regional economic integration organization must also be a Party to the United Nations Convention against Transnational Organized Crime, 2000 (article 16 of the Protocol and article 37 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by the Protocol. Such organization must also inform the depositary of any relevant modification in the extent of its competence (article 16).

RESERVATIONS

Parties may declare that they do not consider themselves bound by article 15 (2), according to which disputes among Parties relating to the interpretation or application of the Protocol which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 15). The Protocol is otherwise silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

A Party may denounce the Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General. A regional economic integration organization shall cease to be a Party to the Protocol when all of its member States have denounced it (article 19). Denunciation of the Convention also entails the denunciation of the Protocol (article 40 of the Convention).

**Protocol against the Smuggling of Migrants by Land, Sea and
Air, supplementing the United Nations Convention against
Transnational Organized Crime
(New York, 15 November 2000)**

OBJECTIVES

The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (the “Protocol”) aims at preventing and combating smuggling, promoting cooperation among Parties and protecting the rights of smuggled migrants. As in the United Nations Convention against Transnational Organized Crime, 2000 (the “Convention”), and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, many provisions are intended to ensure that the approaches taken by Member States under their national legislative and law-enforcement regimes are as coordinated as possible to make collective international measures both efficient and effective.

KEY PROVISIONS

While the Convention provides for basic measures to prevent and combat translational organized crime, the Protocol provides for specific measures to deal with smuggling of migrants. As such, the Protocol should be interpreted together with the Convention. The provisions of the Convention apply *mutatis mutandis* to the Protocol, unless otherwise stated in the Protocol.

The Protocol applies to the prevention, investigation and prosecution of the smuggling of migrants as well as to the protection of the rights of persons who have been the object of such offences. Parties to the Protocol are required to criminalize the smuggling of migrants and other forms of activity that support such smuggling. The Protocol specifies that migrants should not become liable for having been smuggled.

Specific provisions for smuggling by sea are included because of the seriousness and volume of the problem. Under one such provision, Parties are requested to cooperate to prevent smuggling of migrants by sea and to take necessary measures when it is suspected that a vessel is engaging in the smuggling of migrants. A Party may board and search the vessel of another State if authorized to do so.

Parties to the Protocol are also required to strengthen border measures and oblige commercial carriers of passengers to check the travel documents of those passengers.

Another important element of the Protocol is the Parties’ cooperation in the field of public information. Parties are required to cooperate with each other to raise awareness of the dangers of smuggling to the migrants involved and to raise general awareness of the growing involvement of organized criminal groups.

The return of smuggled migrants to their countries of origin is foreseen. The State of origin is required to accept repatriation when the migrants in question have a right of residence in that State at the time of the return.

The conference of the Parties, which is established by the Convention, will have similar functions under the Protocol.

ENTRY INTO FORCE

The Protocol entered into force on 28 January 2004 (article 22).

HOW TO BECOME A PARTY

The Protocol is closed for signature. The Protocol is subject to ratification, acceptance or approval by signatory States. The Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party. In order to become a Party to the Protocol, a State or a regional economic integration organization must also be a Party to the Convention (article 21 of the Protocol and article 37 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by the Protocol. Such organizations must also inform the depositary of any relevant modification in the extent of its competence (article 21).

RESERVATIONS

States may declare that they do not consider themselves bound by article 20 (2), according to which disputes among Parties relating to the interpretation or application of the Protocol, which are not settled by negotiation, will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 20). The Protocol is otherwise silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

A Party may denounce the Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General. A regional economic integration organization shall cease to be a Party to the Protocol when all of its member States have denounced it (article 24). Denunciation of the Convention also entails the denunciation of the Protocol (article 40 of the Convention).

Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (New York, 31 May 2001)

OBJECTIVES

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (the “Protocol”) supplements the United Nations Convention against Transnational Organized Crime, 2000 (the “Convention”). Its purpose is to strengthen and unify international cooperation and to develop cohesive mechanisms to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (firearms).

KEY PROVISIONS

While the Convention provides for basic measures to prevent and combat transnational organized crime, the Protocols provides for specific measures to deal with the specific crimes of manufacturing of and trafficking in firearms. As such, the Protocol should be interpreted together with the Convention. The provisions of the Convention apply *mutatis mutandis* to the Protocol.

Although the Protocol recognizes the rights of a Party to take action in the interest of its national security consistent with the Charter of the United Nations, Parties to the Protocol undertake to adopt and implement the strongest possible legislation to investigate and prosecute the offences stemming from the illicit manufacturing of and trafficking in firearms. Specific measures include the confiscation, seizure and destruction of firearms illicitly manufactured or trafficked; maintenance of records for at least 10 years in order to identify and trace firearms; the issuance of licences for the import and export of firearms; and the marking of firearms permitting identification of the manufacturer of the firearm, and the country of and year of import.

Parties undertake to cooperate extensively at the bilateral, regional and international levels in order to achieve the Protocol’s objectives, including providing training and technical assistance to other Parties.

Finally, Parties undertake to exchange relevant case-specific information on matters such as authorized producers, dealers, importers, exporters and carriers of firearms as well as information on organized criminal groups known to take part in the illicit manufacture and trafficking of such items.

The conference of the Parties, which is established by the Convention, will have similar functions under the Protocol.

ENTRY INTO FORCE

The Protocol entered into force on 3 July 2005 (article 18).

HOW TO BECOME A PARTY

The Protocol is closed for signature. The Protocol is subject to ratification, acceptance or approval by signatory States. The Protocol is open for accession by any State or any regional economic integration

organization of which at least one member State is a Party. In order to become a Party to the Protocol, a State or a regional economic integration organization must also be a Party to the Convention (article 17 of the Protocol and article 37 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by the Protocol. Such organization must also inform the depositary of any relevant modification in the extent of its competence (article 17).

RESERVATIONS

Parties may declare that they do not consider themselves bound by article 16 (2), according to which disputes among Parties relating to the interpretation or application of the Protocol which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 16). The Protocol is otherwise silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

A State Party may denounce the Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General. A regional economic integration organization shall cease to be a Party to the Protocol when all of its member States have denounced it (article 20). Denunciation of the Convention also entails the denunciation of the Protocol (article 40 of the Convention).

United Nations Convention against Corruption *(New York, 31 October 2003)*

OBJECTIVES

The United Nations Convention against Corruption (the “Convention”) is the first global response to corruption, a universally recognized impediment to development. The stated purposes of the Convention are to promote and strengthen measures to prevent and combat corruption more efficiently and effectively; to facilitate international cooperation and technical assistance in the prevention of and fight against corruption, including asset recovery; and to promote integrity, accountability and proper management of public affairs and public property.

KEY PROVISIONS

Although the Convention addresses various existing forms of corruption (such as bribery, embezzlement, trading in influence, abuse of functions), it does not define corruption, and in so doing, enables States to be flexible in confronting other forms of corruption that may emerge in the future. The Convention, however, broadly defines the term “public official” to include those persons performing a public function or providing a public service as defined in the domestic law of a Party.

The Convention addresses the prevention of corruption with measures directed at both the public and private sectors. These include model preventive policies, such as the establishment of anticorruption bodies and enhanced transparency in the financing of election campaigns and political parties. Parties must endeavour to ensure that their public services are subject to safeguards that promote efficiency, transparency and recruitment based on merit. The Convention obliges Parties, within their means and in accordance with fundamental principles of their national law, to promote actively the involvement of non-governmental and community-based organizations, as well as other elements of civil society, and to undertake public information activities and education programmes for the purpose of raising public awareness of the threats posed by corruption and the most suitable methods to combat it.

The Convention requires Parties to establish criminal and other offences to cover a wide range of acts of corruption, including corruption in the public sector, if these acts are not already criminalized under national law. In some cases, Parties are required to consider adopting legislative and other measures to establish other offences. In addition, the Convention offers a platform not only for making national substantive provisions compatible, but also for ensuring a minimum level of deterrence through specific provisions on the prosecution, adjudication and sanctions in corruption-related cases. Going beyond previous instruments of this kind designed to operate in a more limited environment, the Convention intends to serve as the normative basis for the creation of universally recognized criminalization standards that would facilitate convergence in national priorities and attitudes and enable the elaboration of comparatively symmetric national policies for addressing corruption from a criminal law point of view.

The Convention incorporates detailed and extensive provisions on international cooperation, covering all its forms and modalities, namely extradition, mutual legal assistance, transfer of sentenced persons, transfer of criminal proceedings, law enforcement cooperation, joint investigations and cooperation for using special investigative techniques. These provisions are generally based on the precedent of the United Nations Convention against Transnational Organized Crime, and provide a much more comprehensive legal framework on relevant matters than that of the existing regional instruments.

In what has been recognized as a major breakthrough, the Convention contains a chapter on asset recovery as a comprehensive form of international cooperation in corruption-related cases (chapter V). Beginning by stating that the return of assets pursuant to that chapter is a “fundamental principle” and that Parties shall afford one another the widest measure of cooperation and assistance in that regard, the Convention includes substantive provisions laying down specific measures and mechanisms for cooperation for asset recovery, while maintaining the flexibility in recovery action that might be warranted by particular circumstances.

With regard to the return and disposition of assets, chapter V of the Convention incorporates a series of provisions that favour the return of assets to the requesting Party, depending on how closely the assets are linked to that Party. In the case of embezzlement of public funds, confiscated property shall be returned to the requesting Party. In the case of proceeds of any other offence covered by the Convention, confiscated property would be returned provided there is proof of prior ownership or recognition of damage to a requesting Party. In all other cases, priority consideration would be given to the return of confiscated property to the requesting Party for the purpose of returning such property to the prior legitimate owners or compensating the victims.

ENTRY INTO FORCE

The Convention entered into force on 14 December 2005 (article 68).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by the signatory States and regional economic integration organizations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its Member States has done likewise. The Convention is open for accession by any State or any regional economic integration organization of which at least one Member State is a Party to this Convention (article 67).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other Parties in developing and implementing specific measures for the prevention of corruption (article 6 (3)).

A Party that makes extradition conditional on the existence of a treaty shall at the time of deposit of its instrument of ratification, acceptance or approval of or accession to this Convention, inform the Secretary-General of the United Nations whether it will take this Convention as the legal basis for cooperation on extradition with other Parties to this Convention (article 44 (6)).

The Secretary-General of the United Nations shall be notified of the central authority designated by a Party to receive, execute or process requests for mutual legal assistance, as well as of the language or languages acceptable to a Party when receiving a request for mutual legal assistance (article 46 (13) and (14)).

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organizations shall also inform the depositary of any relevant modification in the extent of its competence (article 67 (3) and (4)).

RESERVATIONS

Each Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by article 66 (2) regarding the settlement of disputes (article 66 (3)). The other Parties shall not be bound by article 66 (2) with respect to any Party that has made such a reservation. Any Party that has made a reservation in accordance with article 66 (3) may at any time withdraw that reservation by notification to the Secretary-General of the United Nations (article 66 (4)).

DENUNCIATION/WITHDRAWAL

A Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it (article 70).

International Convention for the Suppression of Acts of Nuclear Terrorism *(New York, 13 April 2005)*

OBJECTIVES

The General Assembly, by its Resolution 59/290, adopted without a vote the International Convention for the Suppression of Acts of Nuclear Terrorism (the “Convention”) on 13 April 2005. The main objective of the Convention is to prevent and suppress acts of nuclear terrorism.

KEY PROVISIONS

Article 1 of the Convention provides for the definitions of, *inter alia*, “radioactive material”, “nuclear material”, “nuclear facility”, “device”, “State or government facility” and “military forces of a State”.

In accordance with article 2, the Convention applies to acts committed by individuals. Within the meaning of the Convention, any person commits an offence if that person possesses radioactive material or makes or possesses a device with the intent to cause death or serious bodily injury or to cause substantial damage to property or to the environment. The use or threat of use of radioactive material or a device constitutes an offence under the Convention. Any person also commits a crime if that person attempts to commit an offence or participates as an accomplice in the commission of the above acts.

The Convention does not apply where the offence is committed within a single State, the alleged offender and the victims are nationals of that State, and no other State has a basis to exercise jurisdiction.

The Convention does not apply to the activities of armed forces during an armed conflict, which are governed by international humanitarian law. Nor does it apply to the activities of military forces in the exercise of their official duties, in as much as they are governed by other rules of international law. The Convention does not address the issue of the legality of the use or threat of use of nuclear weapons by States.

Parties are required to establish the acts referred to in article 2 as criminal offences under their national laws, and to make such offences punishable by appropriate penalties.

The Convention places an obligation on the Parties to cooperate in preventing acts of nuclear terrorism by, *inter alia*, exchanging accurate and verified information to detect, suppress and investigate the above offences.

Each Party is required to establish its jurisdiction over the offences committed in its territory or on-board a vessel or aircraft registered in that State, or when the alleged offender is a national of that State.

The Convention requires the Parties either to prosecute or extradite the alleged offender. It provides for the widest measure of mutual legal assistance between the Parties in connection with criminal proceedings.

Moreover, the Convention stipulates that each Party taking control of radioactive material, devices or nuclear facilities should adopt measures to render harmless such items and ensure that any nuclear material is held in accordance with IAEA safeguards. This article also regulates the return of the seized nuclear material or devices to the Parties concerned.

ENTRY INTO FORCE

The Convention entered into force on 7 July 2007 (article 25).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States, and is open to accession by any State (article 24).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Upon ratifying, accepting, approving or acceding to the Convention, each Party shall notify the Secretary-General of the jurisdiction it has established under its national law in accordance with paragraph 2 of article 9. Should any change take place, the Party concerned shall immediately notify the Secretary-General (article 9).

Parties shall inform the Secretary-General of their competent authorities and liaison points responsible for sending and receiving the information referred to in article 7 (article 7).

When a Party has taken a person into custody, it shall immediately notify, directly or through the Secretary-General, the Parties which have established jurisdiction in accordance with articles 9 (1) and (2) and, if it considers it advisable, any other interested Parties, of the fact that the person is in custody and of the circumstances which warrant that person's detention (article 10).

The Party where the alleged offender is prosecuted shall, in accordance with its national law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General, who shall transmit the information to the other Parties (article 19).

RESERVATIONS

Each State may, at the time of signature, ratification, acceptance or approval of the Convention or accession thereto, declare that it does not consider itself bound by paragraph 1 of article 23 (mandatory arbitration and referral to the International Court of Justice) (article 23).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention by written notification to the Secretary-General. The denunciation shall take effect one year following the date on which notification is received by the Secretary-General (article 27).

United Nations Convention on the Law of the Sea
(Montego Bay, 10 December 1982)

**Agreement relating to the implementation of Part XI of the United Nations
Convention on the Law of the Sea of 10 December 1982**
(New York, 28 July 1994)

OBJECTIVES

The United Nations Convention on the Law of the Sea (the “Convention”) lays down a comprehensive regime of law and order for the world’s oceans and seas, establishing rules governing all uses of the oceans and seas and their resources. It enshrines the notion that all problems of ocean space are closely interrelated and need to be addressed as a whole.

The Convention was opened for signature on 10 December 1982 in Montego Bay, Jamaica. At the time of its adoption, the Convention embodied in one instrument traditional rules for the uses of the oceans and at the same time introduced new legal concepts and regimes and addressed new concerns. Today, it is the globally recognized regime dealing with all matters relating to the law of the sea.

The Agreement relating to the implementation of Part XI of the Convention (the “Agreement”) was adopted on 28 July 1994 to resolve certain difficulties with the seabed mining provisions contained in Part XI of the Convention, which had been raised primarily by the industrialized countries.

In accordance with article 2 of the Agreement, the Agreement and Convention shall be interpreted and applied together as a single instrument.

KEY PROVISIONS

The Convention represents an attempt to create a legal order for the seas and oceans, which will facilitate international cooperation, and will promote the peaceful uses of the seas and oceans, the equitable utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment. The Convention is in many respects a framework Convention in light of the fact that many of its provisions, being of a general nature, can only be further implemented through the adoption of relevant international rules and standards developed by or through the competent international organization or organizations. Key provisions of the Convention include:

- Coastal States exercise sovereignty over their territorial sea, which they have the right to establish up to a limit not exceeding 12 nautical miles;
- Archipelagic States, made up of a group or groups of closely interrelated islands and interconnecting waters, have sovereignty over a sea area enclosed by straight lines drawn between the outermost points of the islands;
- Foreign ships can exercise the rights of “innocent passage” through the territorial sea and archipelagic waters, “transit passage” through straits used for international navigation and archipelagic sea lanes passage through archipelagic sea lanes. The exercise of such rights is subject to the duty

- to comply with the relevant international rules and standards and the laws and regulations of the coastal and archipelagic States, and of the States bordering the strait;
- Coastal States have sovereign rights in a 200-nautical mile exclusive economic zone with respect to exploring, exploiting, conserving and managing the natural resources, living and non-living, and with regard to other activities for the economic exploitation and exploration of the zone; coastal States also exercise jurisdiction with regard to marine scientific research and the protection and preservation of the marine environment;
 - Land-locked and geographically disadvantaged States have the right to participate on an equitable basis in exploitation of an appropriate part of the surplus of the living resources of the exclusive economic zones of coastal States of the same region or sub-region; land-locked States also have the right of access to and from the sea and enjoy freedom of transit through the territory of transit States;
 - All States enjoy freedom of navigation and overflight in the exclusive economic zone, as well as freedom to lay submarine cables and pipelines;
 - Coastal States have sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources; the shelf extends to a distance of at least 200 nautical miles; data on the outer limits of the continental shelf beyond 200 nautical miles must be submitted to the Commission on the Limits of the Continental Shelf;
 - Coastal States share with the international community part of the revenue derived from exploiting non-living resources from any part of their shelf beyond 200 nautical miles;
 - All States enjoy, *inter alia*, the traditional freedoms of navigation, overflight, scientific research and fishing on the high seas; they are obliged to adopt, or cooperate with other States in adopting measures to manage and conserve living resources;
 - States bordering enclosed or semi-enclosed seas should coordinate the management, conservation, exploration and exploitation of living resources; the implementation of their rights and duties with respect to the protection and preservation of the marine environment; and scientific research policies and activities;
 - The seabed beyond the limits of national jurisdiction (the Area) and its mineral resources are the common heritage of mankind; the exploration and exploitation of the mineral resources are to be carried out for the benefit of mankind as a whole, and under the control of the International Seabed Authority, which is also responsible for ensuring the protection of the marine environment from harmful effects which may arise from activities in the Area;
 - States have an obligation to protect and preserve the marine environment and are required to take all measures necessary to prevent, reduce and control pollution of the marine environment from any source; to ensure that activities under their jurisdiction or control do not spread to areas beyond their jurisdiction and do not cause damage by pollution to other States and their environment; and to protect and preserve rare and fragile ecosystems, as well as the habitat of depleted, threatened or endangered species and other forms of marine life;
 - States are responsible for the fulfillment of their international obligations concerning the protection and preservation of the marine environment and shall be liable in accordance with international law;
 - All marine scientific research in the EEZ and on the continental shelf is subject to the consent of the coastal State, which must normally be granted if the research is conducted for peaceful purposes and in order to increase scientific knowledge of the marine environment for the benefit of mankind;
 - States are bound to promote the development and transfer of marine technology “on fair and reasonable terms and conditions”, with due regard for all legitimate interests;

- Parties are obliged to settle disputes between them concerning the interpretation or application of the Convention by peaceful means;
- Under the compulsory procedures entailing binding decisions, disputes can be submitted to the International Tribunal for the Law of the Sea established under the Convention, to the International Court of Justice, to an arbitral tribunal, or to a special arbitral tribunal. Conciliation is also available and, in certain circumstances, submission to it would be compulsory. The Tribunal has exclusive jurisdiction over disputes relating to activities in the Area.

The Agreement deals with various issues that were identified as problematic. These include costs to Parties and institutional arrangements, decision-making mechanisms for the Authority, the Review Conference, production policy and financial terms of contracts.

ENTRY INTO FORCE

The Convention entered into force on 16 November 1994 (article 308 of the Convention). The Agreement entered into force on 28 July 1996 (article 6 of the Agreement).

HOW TO BECOME A PARTY

The Convention is closed for signature. The Convention is open for ratification by States and other entities referred to in article 305 (1) (c), (d) and (e), and to formal confirmation by international organizations, in accordance with Annex IX. The Convention is also open for accession by States and other entities referred to in article 305, and by international organizations, in accordance with Annex IX. Pursuant to Annex IX, an international organization may deposit its instrument of formal confirmation or accession only if a majority of its member States deposit or have deposited their instruments of ratification or accession (articles 305, 306 and 307 of the Convention).

The Agreement is closed for signature. The Agreement is subject to ratification by States and other entities referred to in article 305 (1) (c), (d) and (e) of the Convention, and to formal confirmation by international organizations, in accordance with Annex IX of the Convention. The Agreement is also open for accession by States and other entities referred to in article 305 of the Convention, and by international organizations, in accordance with Annex IX of the Convention. Pursuant to Annex IX of the Convention, an international organization may deposit its instrument of formal confirmation or accession only if a majority of its member States deposit or have deposited their instruments of ratification or accession (article 4(3) and (4) of the Agreement).

No State or entity may establish its consent to be bound by the Agreement unless it has previously established or establishes at the same time its consent to be bound by the Convention (article 4(2) of the Agreement).

Any instrument of ratification or formal confirmation or of accession to the Convention also represents consent to be bound by the Agreement (article 4(1) of the Agreement).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

When signing, ratifying or acceding to the Convention or at any time thereafter, a State may choose by means of a written declaration one or more of the listed means for the settlement of disputes concerning the interpretation or application of the Convention (article 287 of the Convention).

When signing, ratifying or acceding to the Convention or at any time thereafter, a State may declare in writing that it does not accept any one or more of the procedures provided for in section 2 with respect to one or more of the categories of disputes enumerated in the article (article 298 of the Convention).

A State, when signing, ratifying or acceding to the Convention may make declarations or statements, however phrased or named, with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of the Convention, provided that such declarations or statements do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to that State (article 310 of the Convention).

An instrument deposited by an international organization shall contain the undertakings and declarations required by articles 4 and 5 of Annex IX (Annex IX, article 3 of the Convention, and article 4(4) of the Agreement).

RESERVATIONS

No reservations may be made to the Convention unless expressly permitted by other articles of the Convention (article 309 of the Convention). Articles 309 to 319 of the Convention apply to the Agreement (article 2 of the Agreement).

DENUNCIATION/WITHDRAWAL

Denunciation is effected by a written notification to the Secretary-General of the United Nations as depositary and takes effect one year after the date of receipt, unless such notification specifies a later date (article 317 of the Convention). Articles 309 to 319 of the Convention apply to the Agreement (article 2 of the Agreement).

**Agreement for the Implementation of the Provisions of the
United Nations Convention on the Law of the Sea of 10 December 1982
relating to the Conservation and Management of Straddling Fish Stocks
and Highly Migratory Fish Stocks
(New York, 4 August 1995)**

OBJECTIVES

The objective of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the “Agreement”) is to ensure the long-term conservation and management of straddling fish stocks and highly migratory fish stocks. It establishes that such management must be based on the precautionary approach and the best available scientific information. The Agreement elaborates on the fundamental principle, established in the United Nations Convention on the Law of the Sea (the “Convention”), that States should cooperate to ensure conservation and promote the objective of the optimum utilization of fisheries resources both within and beyond the exclusive economic zone.

KEY PROVISIONS

The Agreement provides a framework for cooperation in the conservation and management of fisheries resources. It promotes good order in the oceans through the effective management and conservation of high seas resources by establishing, among other things, detailed minimum international standards for the conservation and management of straddling fish stocks and highly migratory fish stocks; ensuring that measures taken for the conservation and management of those stocks in areas under national jurisdiction and in the adjacent high seas are compatible and coherent; ensuring that there are effective mechanisms for compliance and enforcement of those measures on the high seas; and recognizing the special requirements of developing States in relation to conservation and management as well as the development and participation in fisheries for straddling fish stocks and highly migratory fish stocks.

ENTRY INTO FORCE

The Agreement entered into force on 11 December 2001 (article 40).

HOW TO BECOME A PARTY

The Agreement is closed for signature. It is subject to ratification and open to accession by States and other entities referred to in article 305, paragraph 1(c), (d) and (e) of the Convention, and international organizations pursuant to Annex IX of the Convention, subject to article 47 of the Agreement (articles 38 and 39).

In cases where an international organization has competence over all matters governed by the Agreement, its member States shall not become Parties, except in respect of their territories for which the international organization has no responsibility (article 47).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A State or entity, when signing, ratifying or acceding to the Agreement, may make declarations or statements, however phrased or named, with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of the Agreement, provided that such declarations or statements do not purport to exclude or modify the legal effect of the provisions of the Agreement in their application to that State or entity (article 43).

In cases where an international organization, as defined by the Agreement, has competence over all of the matters governed by the Agreement, it shall make a declaration at the time of signature or accession stating: (i) that it has competence over all matters governed by the Agreement; (ii) that, for this reason, its member States shall not become Parties, except in respect of their territories for which the international organization has no responsibility; and (iii) that it accepts the rights and obligations of States under the Agreement (article 47).

RESERVATIONS

No reservations may be made to the Agreement (article 42).

DENUNCIATION/WITHDRAWAL

A Party may, by written notification addressed to the Secretary-General of the United Nations, denounce this Agreement and may indicate its reasons. The denunciation shall take effect one year after the date of receipt of the notification, unless the notification specifies a later date (article 46).

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III)
(Geneva, 10 October 1980)

OBJECTIVES

The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (the “Convention”), also known as the Convention on Certain Conventional Weapons (CCW) comprises a framework convention and five protocols, which ban or restrict the use of various types of weapons that are considered to cause unnecessary suffering or that affect either soldiers or civilians indiscriminately.

KEY PROVISIONS

The weapons currently covered include weapons leaving undetectable fragments in the human body (Protocol I), mines, booby-traps and other devices (Protocol II), incendiary weapons (Protocol III), blinding laser weapons (Protocol IV) and explosive remnants of war (Protocol V).

Each Party undertakes to disseminate the Convention and its Protocols by which it is bound as widely as possible in its territory and, in particular, to feature them as a subject of study in its military academies.

Nothing in the Convention or its annexed Protocols shall be interpreted as detracting from other obligations imposed upon the Parties by international humanitarian law applicable in armed conflicts.

The Convention was amended in 2001 (see summary to follow).

ENTRY INTO FORCE

This Convention entered into force on 2 December 1983 (article 5).

HOW TO BECOME A PARTY

The Convention is closed for signature. The Convention is subject to ratification, acceptance or approval by any signatory State. It is open to accession by any State which has not signed the Convention (article 4).

Expressions of consent to be bound by any of the Protocols annexed to this Convention shall be optional for each State, provided that at the time of the deposit of its instrument of accession thereto, that State shall notify the depositary of its consent to be bound by any two or more of these Protocols. At any time after the deposit of its instrument of accession, a State may notify the depositary of its consent to be bound by any annexed Protocol by which it is not already bound (article 4).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention is silent with regard to declarations and notifications.

RESERVATIONS

The Convention is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention or any of its annexed Protocols by so notifying the Secretary-General as depositary. The denunciation of the Convention shall be considered as also applying to all annexed Protocols by which the Party is bound (article 9).

The denunciation shall take effect one year after the receipt of the instrument of denunciation by the depositary. If, however, a Party is engaged in a situation of armed conflict or occupation at the expiry of that year, the Party shall continue to be bound by the obligations of the Convention and relevant Protocols until the end of the armed conflict or occupation. Any denunciation shall not affect obligations already incurred, by reason of armed conflict, in respect of any act committed before the denunciation becomes effective (article 9).

Protocol on Non-Detectable Fragments ***(Protocol I)***

KEY PROVISIONS

Pursuant to Protocol I, Parties are prohibited from using any weapon the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices ***(Protocol II)***

KEY PROVISIONS

Protocol II applies to the use of mines, booby-traps and other devices on land, beaches or river crossings, but not to anti-ship mines at sea or in inland waterways.

Protocol II prohibits the use of mines against civilians and allows the use of remotely-delivered mines only if their location is accurately recorded. Parties to a conflict shall record the location of pre-planned minefields and ensure the recording of the location of all other minefields, mines and booby-traps which they have laid or placed in position.

When a United Nations force or mission performs functions of peace-keeping or similar functions, each Party to a conflict shall, if requested, as far as it is able remove all devices mentioned above, or render them harmless, take such measures as may be necessary to protect the force or mission from effects of these devices and make available all information in the Party's possession concerning their location.

A technical annex to Protocol II includes guidelines for reporting.

Protocol II was amended in 1996 (see summary to follow).

Protocol on Prohibitions or Registration on the Use of Incendiary Weapons *(Protocol III)*

KEY PROVISIONS

Protocol III provides for the protection of civilians and civilian objects from the use of weapons or munitions which are primarily designed to set fire to objects or to cause burn injury to persons.

**Amendment to the Convention on Prohibitions or Restrictions on
the Use of Certain Conventional Weapons which may be deemed to be
Excessively Injurious or to have Indiscriminate Effects
(Geneva, 21 December 2001)**

OBJECTIVES

The Amendment of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (the “Amendment”) amends article 1 of the Convention to expand the scope of treaty application to non-international armed conflicts.

KEY PROVISIONS

Although the Amendment expands the scope of the Convention’s application to non-international armed conflicts, the Convention and the annexed Protocols shall not, however, apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of similar nature. Nothing in the Convention shall be invoked for the purpose of affecting the sovereignty of a State.

ENTRY INTO FORCE

The Amendment entered into force on 18 May 2004 (article 8 of the Convention).

HOW TO BECOME A PARTY

Amendments to the Convention shall be adopted and shall enter into force in the same manner as the Convention and the annexed Protocols, provided, that amendments to the Convention may be adopted only by the Parties and that amendments to a specific annexed Protocol may be adopted only by the Parties which are bound by that Protocol (article 8 of the Convention).

Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, entitled Protocol on Blinding Laser Weapons)
(Vienna, 13 October 1995)

OBJECTIVES

The objective of the Protocol on Blinding Laser Weapons (Protocol IV) to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects (the “Convention”) is to prohibit the use of laser weapons that cause permanent blindness as at least one of their combat functions.

KEY PROVISIONS

Parties are prohibited from employing laser weapons as described in article 1 of Protocol IV and shall not transfer such weapons to any State or non-State entity. Blinding as an incidental or collateral effect of the legitimate military employment of laser systems is not covered by the prohibition of Protocol IV. In accordance with its article 4, “permanent blindness” means irreversible and uncorrectable loss of vision.

ENTRY INTO FORCE

Protocol IV entered into force on 30 July 1998 (article 5 of the Convention).

HOW TO BECOME A PARTY

A State may notify the depositary of its consent to be bound by any annexed Protocol by which it is not already bound (article 4 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Protocol IV is silent with regard to declarations and notifications.

RESERVATIONS

Protocol IV is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Parties to the Convention may denounce the Convention or any of its annexed Protocols by so notifying the Secretary-General as depositary. Denunciation of the Convention also entails the denunciation of all annexed Protocols by which the Party is bound (article 9 of the Convention).

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects
(Geneva, 3 May 1996)

OBJECTIVES

The Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and other Devices as amended on 3 May 1996 (“Protocol II as amended”) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (the “Convention”) makes each Party responsible for all mines, booby-traps or other devices it uses. It obligates each Party to clear, remove, destroy or maintain all mines, booby-traps or other devices in accordance with the Protocol.

KEY PROVISIONS

Protocol II as amended applies to the use of mines, booby-traps and other devices on land, beaches or river crossings, but not to anti-ship mines at sea or in inland waterways. It is applicable in internal as well as international armed conflicts.

It prohibits the use of any mine, booby-trap or other device which causes superfluous injury or unnecessary suffering, is designed to detonate under the non-contact influence of commonly available mine detectors, or is aimed at civilians or civilian objects.

Protocol II as amended provides that the anti-handling device on a self-deactivating mine must not function after the mine has deactivated. In addition, it provides that mines, booby-traps and other devices must only be used in relation to specific, individual military objectives whose destruction, capture or neutralisation offers a definite military advantage at the time. Mines must not be delivered by indiscriminate means, and may not be placed in a way likely to cause excessive impact on civilians in comparison to the anticipated military advantage. All feasible precautions should be taken to protect civilians from the impact of mines, booby-traps and other devices and effective advance warning should be given to civilians wherever possible.

Pursuant to Protocol II as amended, records of minefields, mined areas, mines and booby-traps must be kept, including specific coordinates and estimated dimensions of affected areas. The following information must also be reported by the Parties: the types of mines used, numbers, emplacing methods, types of fuse and their life, date of emplacement, anti-handling devices, the location of mines, and the location and mechanism of all booby traps.

Parties to a conflict must – after such conflict – protect civilians from the effect of mines in areas under their control. Parties are also obligated to provide annual reports to the United Nations on matters such as mine clearance and rehabilitation programs, steps taken to apply the Protocol, and technological cooperation. The Parties are encouraged to exchange information on mine clearance techniques and allow the transfer of clearance technology.

ENTRY INTO FORCE

Protocol entered into force on 3 December 1998 (article 2 of Protocol II as amended and article 8 of the Convention).

HOW TO BECOME A PARTY

A State may notify the depositary of its consent to be bound by any annexed Protocol by which it is not already bound (article 4 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Protocol II as amended is silent with regard to declarations and notifications.

RESERVATIONS

Protocol II as amended is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Parties to the Convention may denounce the Convention or any of its annexed Protocols by so notifying the Secretary-General as depositary. The denunciation of the Convention shall be considered as also applying to all annexed Protocols by which the Party is bound (article 9).

**Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects
(Protocol V)
(Geneva, 28 November 2003)**

OBJECTIVES

The Protocol on explosive remnants of war (“Protocol V”) to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (the “Convention”) recognizes the serious post-conflict humanitarian problems caused by explosive remnants of war and addresses post-conflict remedial measures of a generic nature in order to minimize the occurrence, effects and the risk of explosive remnants of war.

KEY PROVISIONS

Parties which become participants in an armed conflict bear responsibility with respect to all explosive remnants of war in territory under their control. After the cessation of active hostilities, and as soon as feasible, such a Party to an armed conflict shall mark and clear, remove or destroy explosive remnants of war in affected territories under its control. Parties shall also cooperate among themselves and with other States and organizations in order to fulfill their duty of clearance, removal and destruction of explosive remnants of war.

ENTRY INTO FORCE

The Protocol entered into force on 12 November 2006 (article 5 of the Convention).

HOW TO BECOME A PARTY

A State may notify the Secretary-General of its consent to be bound by any annexed Protocol by which it is not already bound (article 4 of the Convention).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Protocol V is silent with regard to declarations and notifications.

RESERVATIONS

Protocol V is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Parties to the Convention may denounce the Convention or any of its annexed Protocols by so notifying the Secretary-General as depositary. The denunciation of the Convention shall be considered as also applying to all annexed Protocols by which the Party is bound (article 9 of the Convention).

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction *(Geneva, 3 September 1992)*

OBJECTIVES

The aim of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (the “Convention”) is to exclude completely the possibility of the use of chemical weapons and to promote free trade in chemicals, as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under this Convention.

KEY PROVISIONS

Each State party to the Convention undertakes never under any circumstances to develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone; to use chemical weapons; to engage in any military preparations to use chemical weapons; and to assist, encourage or induce, in any way, anyone to engage in any activity prohibited under the Convention. Furthermore, to address concerns regarding the possible use of herbicides as a method of warfare, the States parties recognize “the prohibition, embodied in the pertinent agreements and relevant principles of international law, of the use of herbicides as a method of warfare”.

Each State party also undertakes to destroy chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of the Convention.

Furthermore, each State party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party, in accordance with the provisions of this Convention.

Each State party undertakes to destroy any chemical weapons production facilities it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.

The Convention is verified through a combination of reporting requirements, routine on-site inspections of declared sites and challenge inspections. The Convention not only affects the military sector, but also civilian chemical industry worldwide through certain restrictions and obligations regarding the production, processing and consumption of chemicals that are considered relevant to the objectives of the Convention. Controlled chemicals are classified in three lists or “schedules”, which are subject to differing levels of verification. Schedule 1 chemicals include those that have been or can be easily used as chemical weapons and which have very limited, if any, uses for peaceful purposes. Schedule 2 chemicals include those that are precursors to, or that, in some cases, can themselves be used as, chemical weapons agents, but which have a number of other commercial uses (such as ingredients in insecticides, herbicides, lubricants and some pharmaceutical products). Schedule 3 chemicals include those that can be used to produce, or that, in some cases, can themselves be used as, chemical weapons, but which are widely used for peaceful purposes (including in herbicides, insecticides, paints, coatings, textiles and lubricants).

ENTRY INTO FORCE

The Convention entered into force on 29 April 1997 (article XXI).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification by signatory States. It is open to accession by any State (articles XVIII, XIX and XX).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention provides for mandatory declarations and notifications to be submitted to the Organization for the Prohibition of Chemical Weapons.

RESERVATIONS

The articles of the Convention are not subject to reservations. The annexes to the Convention shall not be subject to reservations incompatible with its object and purpose (article XXII).

DENUNCIATION/WITHDRAWAL

Any State Party may withdraw from the Convention giving notice 90 days in advance to all other States Parties, the Executive Council, the depositary and the United Nations Security Council. The notice of such withdrawal shall include a statement of the extraordinary events which the Party regards as jeopardizing its supreme interests (article XVI).

Comprehensive Nuclear-Test-Ban Treaty *(New York, 10 September 1996)*

OBJECTIVES

The objective of the Comprehensive Nuclear-Test-Ban Treaty (the “Treaty”) is to secure an end to all nuclear weapons testing and other forms of nuclear explosions. The Treaty, by prohibiting all nuclear explosions, constitutes an effective measure of nuclear disarmament and non-proliferation, and therefore contributes to the enhancement of international peace and security.

KEY PROVISIONS

The Treaty prohibits nuclear weapon test explosions or any other nuclear explosion, and obligates Parties to prohibit and prevent any such nuclear explosion at any place under their jurisdiction or control. In addition, Parties are obligated to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion.

The Treaty sets up a verification regime which consists of the international monitoring system comprising monitoring facilities, consultation and clarification, on-site inspections and confidence-building measures. The purpose of the international monitoring system is to detect and identify any activity prohibited under the Treaty. The consultation and clarification process encourages Parties to resolve possible violations before requesting an on-site inspection. If this mechanism fails, each Party has a right to request an on-site inspection. The Treaty specifies various guidelines concerning the request and approval for such an inspection, as well as how such an inspection shall be conducted. The Treaty also establishes the Comprehensive Nuclear-Test-Ban Treaty Organization (the CTBTO), which will implement the Treaty and provide a forum for consultation and cooperation.

The Protocol to the Treaty is an integral part of the Treaty and it contains detailed provisions. The provisions addressing an international monitoring system and international data centre functions set forth an obligation on the Parties to cooperate in an international exchange of seismological data, hydroacoustic data, infrasound data, and data on radionuclides in the atmosphere. The Protocol also provides for technical assistance to the Parties to the Treaty.

ENTRY INTO FORCE

This Treaty has not yet entered into force. According to article XIV, the Treaty will enter into force 180 days after the date of deposit of the instruments of ratification by all of the 44 States listed in annex 2 to the Treaty (article XIV).

Currently, the Preparatory Commission for the CTBTO, which was established by resolution of the States signatories to the Treaty on 19 November 1996, is carrying out the necessary preparation for the effective implementation of the Treaty pending its entry into force.

HOW TO BECOME A PARTY

The Treaty is currently open for signature and will remain open to all States for signature before its entry into force. The Treaty is subject to ratification by signatory States. Any State which does not sign this

Treaty before its entry into force may accede to it at any time thereafter. Upon signature of the Treaty, States become members of the Preparatory Commission for the CTBTO (articles XI, XII and XIII).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each Party shall designate a National Authority and shall so inform the CTBTO upon entry into force of the Treaty for such Party. The National Authority shall serve as the national focal point for liaison with the CTBTO and with the other Parties (article III).

Each Party, no later than 30 days after the entry into force of the Treaty for such Party, shall notify the Director-General of the names, dates of birth, sex, ranks, qualifications and professional experience of the persons proposed by the Party for designation as inspectors and inspector assistants (Part II, Section B of the Protocol to the Treaty).

Each Party must also immediately acknowledge receipt of the initial list of inspectors and inspection assistants proposed for designation. Any inspector or inspection assistant included in this list shall be regarded as accepted unless the Party declares its non-acceptance in writing within 30 days after acknowledgement of receipt of the list (Part II, Section B of the Protocol to the Treaty).

RESERVATIONS

Reservations to the articles and annexes to the Treaty are prohibited. The provisions of the Protocol to the Treaty and the annexes to the Protocol shall not be subject to reservations incompatible with the object and purpose of the Treaty (article XV).

DENUNCIATION/WITHDRAWAL

A Party may withdraw from the Treaty by giving notice six months in advance to all other Parties, the Executive Council, the depositary, and the United Nations Security Council. The notice of withdrawal shall also include a statement of the extraordinary event or events which the Party regards as jeopardizing its supreme interests (article IX).

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction *(Oslo, 18 September 1997)*

OBJECTIVES

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the “Convention”) is a cornerstone in the effort to end the suffering and casualties caused by anti-personnel mines. The Convention includes a comprehensive ban on anti-personnel mines, a framework of action to address the humanitarian impact of mines and mechanisms to facilitate cooperation in implementing the Convention.

KEY PROVISIONS

The Convention prohibits the use, development, production, acquisition, stockpiling, retention of or transfer to anyone, directly or indirectly of anti-personnel mines. Parties are also prohibited from assisting, encouraging or inducing anyone to engage in activities banned by the Convention.

Each Party is obligated to destroy all stockpiled mines as soon as possible but not later than four years after the entry into force of the Convention for that Party. Each Party is also obligated to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than ten years after the entry into force of the Convention for that Party. Parties are additionally required to make every effort to identify and mark areas in which anti-personnel mines are known or suspected to be emplaced, and take other measures to ensure the effective exclusion of civilians. Parties which are unable to destroy all mines within the ten-year timeframe may request an extension of the deadline.

Parties are permitted to retain or transfer a minimal number of anti-personnel mines solely for the development of and training in mine detection, mine clearance, or mine destruction techniques.

The Convention requires that Parties cooperate and provide technical and financial assistance to achieve the objectives of the Convention. Parties have the right to seek and receive assistance from other Parties, where feasible. Parties that are able to do so are required to provide assistance for mine victims, mine awareness programmes, mine clearance and related activities and other forms of assistance.

Each Party is also required to submit a report, no later than 180 days after the Convention enters into force for such Party, to the Secretary-General detailing, *inter alia*, national implementation measures, quantity of all stockpiled mines owned or possessed, location of all mined areas, types and quantities of all anti-personnel mines retained or transferred, status of programmes for the destruction of anti-personnel mines, and types and quantities of all mines destroyed. Each Party is required to update its report annually.

ENTRY INTO FORCE

The Convention entered into force on 1 March 1999 (article 17).

HOW TO BECOME A PARTY

This Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States. It is open for accession by any State (article 16).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

This Convention is silent with regard to declarations and notifications.

RESERVATIONS

Reservations are prohibited under this Convention (article 19).

DENUNCIATION/WITHDRAWAL

A Party may withdraw from the Convention by giving notice, including a full explanation of the motivations for the withdrawal, to all other Parties, the depositary, and the United Nations Security Council. The withdrawal shall take effect six months after the receipt of the instrument of withdrawal by the depositary. If, however, on the expiry of that six-month period, the withdrawing Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict (article 20).

Convention on Cluster Munitions (Dublin, 10 May 2008)

OBJECTIVES

The Convention on Cluster Munitions (the “Convention”) is a cornerstone in the effort to end the suffering and casualties caused by cluster munitions. The Convention includes a comprehensive ban on cluster munitions, a framework of action to address the humanitarian, social, economic and environmental impact of cluster munitions and mechanisms to facilitate cooperation in the Convention’s implementation.

KEY PROVISIONS

The Convention prohibits the use, development, production, acquisition, stockpiling, retention of or transfer to anyone, directly or indirectly, of cluster munitions. Parties are also prohibited from assisting, encouraging or inducing anyone to engage in activities banned by the Convention.

Each Party is obligated to destroy or ensure the destruction of all cluster munitions as soon as possible but not later than eight years after the entry into force of the Convention for that Party. Each Party is also obligated to clear and destroy, or ensure the clearance and destruction of cluster munitions remnants located in cluster munitions contaminated areas under its jurisdiction or control as soon as possible, but not later than ten years after the entry into force of the Convention for that Party. Parties are required to make every effort to identify, mark and monitor all cluster munitions contaminated areas or suspected hazardous areas under its jurisdiction or control and take other measures to ensure the effective exclusion of and raise awareness among civilians living in or around cluster munitions contaminated areas. Parties which are unable to destroy all cluster munitions remnants within the ten-year timeframe may request an extension of the deadline.

Parties are permitted to retain, acquire or transfer a limited number of cluster munitions and explosive submunitions for the development of and training in cluster munitions and explosive submunitions detection, clearance or destruction techniques, or for the development of cluster munitions counter-measures. In this case, the amount of explosive submunitions shall not exceed the minimum number absolutely necessary for these purposes.

Each Party shall adequately provide age- and gender-sensitive assistance for victims of cluster munitions, including medical care, rehabilitation and psychological support, as well as provide for their social and economical inclusion. Parties shall not discriminate against or among cluster munition victims and are obligated to develop, implement and enforce national laws and policies and to develop a national plan and budget.

The Convention requires that Parties cooperate and provide technical, material and financial assistance to achieve the objectives of the Convention. Parties have the right to seek and receive assistance and information from other Parties, where feasible. Parties in a position to do so shall provide assistance for cluster munitions victims as well as for cluster munitions clearance and destruction. Parties shall have the right to participate in the fullest possible exchange of equipment and scientific and technological information concerning the implementation of the Convention.

Each Party is required to submit a report, no later than 180 days after the Convention enters into force for such Party, to the Secretary-General detailing, *inter alia*, national implementation measures, the quantity of all cluster munitions, technical characteristics of each type of cluster munitions owned or possessed, the

status and progress of programmes for the destruction and the clearance, and types and quantities of cluster munitions destroyed. Each Party is required to update its report annually.

ENTRY INTO FORCE

The Convention entered into force on 1 August 2010 (article 17).

HOW TO BECOME A PARTY

This Convention is closed for signature. It is subject to ratification, acceptance or approval by signatory States. It is open for accession by any State (articles 15 and 16).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Any State may, at the time of its ratification, acceptance or approval or accession, declare that it will apply provisionally article 1 of this Convention pending its entry into force for that State (article 18).

RESERVATIONS

Reservations are prohibited under this Convention (article 19).

DENUNCIATION/WITHDRAWAL

A Party may withdraw from the Convention by giving notice, including a full explanation of the motivations for the withdrawal, to all other Parties, the depositary, and the United Nations Security Council. The withdrawal shall take effect six months after the receipt of the instrument of withdrawal by the depositary. If, however, on the expiry of that six-month period, the withdrawing Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict (article 20).

Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly
(Kinshasa, 30 April 2010)

OBJECTIVES

The purpose of the Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly (the “Convention”) is to prevent, combat and eradicate illicit trade and trafficking in small arms and light weapons in Central Africa. The Convention reflects the latest developments both in global and regional control/regulation of small arms and light weapons and in combating their trafficking. It takes into account the legal, political, institutional and cultural specificities and the security needs of the eleven Central African States, which share long and porous borders, vulnerable to cross-border trafficking. It is an important step collectively taken by the eleven Central African States to combat proliferation of small arms and light weapons, leading to a reduction/prevention of armed violence, and to bringing sustainable peace and security in the region. The Convention is also an important contribution to the global efforts in tackling illicit small arms and light weapons.

KEY PROVISIONS

The Convention authorizes transfers of weapons and ammunition only for maintaining law and order, defence, national security purposes, or participation in peacekeeping operations. Transfers to non-State armed groups are strictly prohibited.

The possession of light weapons by civilians is prohibited, while the possession of small arms – with the exception of weapons manufactured to military specifications – by civilians is authorized under certain conditions and subject to national control measures.

The industrial manufacture and home production of small arms and light weapons, their ammunition and all parts and components that can be used for their manufacture, repair and assembly are authorized under certain conditions and subject to the granting of a licence and strict national control measures.

The Convention stipulates that brokering in weapons and ammunition shall be regulated at the national level and brokers registered and that all weapons and their ammunition will be systematically marked in accordance with precise technical specifications. States members shall adopt a tracing procedure to enable the transfer of weapons and ammunition to be monitored. All surplus, obsolete or illicit arms and ammunition are to be systematically registered, collected and destroyed. The Convention includes provisions on the security of depots and necessary administrative measures to manage stockpiles and on border control points for entry of arms and ammunition into their territories.

States members are required to develop public and community education and awareness programmes at the local, national and regional levels to promote greater public and community involvement.

States parties are to establish and maintain centralized national electronic databases on small arms and light weapons, their ammunition and all parts and components that can be used for their manufacture, repair and assembly. In addition, the Secretary-General of the Economic Community of Central African States (ECCAS) shall establish and maintain a sub-regional electronic database on small arms and light weapons,

their ammunition and all parts and components that can be used for their manufacture, repair and assembly, as well as a sub-regional database on weapons used in peacekeeping operations.

States parties shall each appoint a national focal point on small arms and light weapons and a national commission to coordinate action to combat illicit trade and trafficking in small arms and light weapons.

The Convention also stipulates that the Secretary-General of ECCAS shall ensure follow-up and coordination of all the activities carried out at the sub-regional level for the purposes of combating illicit trade and trafficking in small arms and light weapons, their ammunition and all parts and components that can be used for their manufacture, repair and assembly.

ENTRY INTO FORCE

The Convention is not yet in force. The Convention shall enter into force 30 days after the date of deposit of the sixth instrument of ratification, acceptance, approval or accession (article 36).

HOW TO BECOME A PARTY

The Convention is open for signature to all the States members of ECCAS, the Republic of Rwanda and States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, at the United Nations Headquarters, until its entry into force. Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations (article 35). Any other interested State, other than those specified in article 35, paragraph 1, may accede to this Convention, subject to the approval of the Conference of States Parties (article 35).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Convention is silent with regard to declarations and notifications.

RESERVATIONS

The articles of the Convention shall not be subject to reservations (article 38).

DENUNCIATION/WITHDRAWAL

Any State Party has the right to withdraw from this Convention. Such withdrawal shall be effected by a State Party by means of written notification, including a statement of the extraordinary events that jeopardized its supreme interests, addressed to the Secretary-General of the United Nations in his or her capacity as depositary, who shall then convey it to the other States Parties. Withdrawal shall not take effect until 12 months after the depositary receives the withdrawal instrument. Withdrawal shall not release the State Party from the obligations imposed upon it by the Convention with regard to any violation that occurred before the date when the denunciation took effect, nor shall it hinder in any way the continued consideration of any matter concerning the interpretation or application of the Convention (article 39).

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal *(Basel, 22 March 1989)*

OBJECTIVES

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (the “Convention”) is the response of the international community to the problems caused by the annual worldwide production of hundreds of millions of tons of hazardous wastes.

These wastes are hazardous to people and the environment because they are toxic, poisonous, explosive, corrosive, flammable, eco-toxic, or infectious.

The Convention strictly regulates the transboundary movements of hazardous wastes and obliges Parties to ensure that such wastes are managed and disposed of in an environmentally sound manner. The main principles of the Basel Convention are: transboundary movements of hazardous wastes should be reduced to a minimum consistent with their environmentally sound management; hazardous wastes should be treated and disposed of as close as possible to their source of generation; and hazardous waste generation should be reduced and minimized at source.

KEY PROVISIONS

In order to achieve these principles, the Convention aims to control the transboundary movement of hazardous wastes, monitor and prevent illegal traffic, provide assistance for the environmentally sound management of hazardous wastes, promote cooperation between Parties in this field, and develop technical guidelines for the management of hazardous wastes.

The Convention sets out a number of general obligations for Parties. These obligations include taking the appropriate measures to reduce hazardous wastes to a minimum; ensuring the availability of adequate disposal facilities; ensuring that persons involved in the management of hazardous wastes take the necessary steps to prevent pollution and minimize its consequences; reducing the transboundary movement of hazardous wastes to the minimum consistent with the environmentally sound and efficient management of such wastes; prohibiting the export of such wastes to Parties, especially developing countries, which have prohibited by their legislation imports of such wastes or which have reason to believe that the wastes will not be managed in an environmentally sound manner; and preventing the import of hazardous wastes if there are reasons to believe that the wastes will not be managed in an environmentally sound manner.

Under the Convention, transboundary movements of hazardous wastes or other wastes can take place only upon prior written notification by the State of export to the competent authorities of the States of import and transit (if appropriate). Each shipment of hazardous waste or other waste must be accompanied by a movement document from the point at which a transboundary movement begins to the point of disposal. Hazardous waste shipments made without such documents are illegal. In addition, there are outright bans on the export of these wastes to certain countries. Transboundary movements can take place, however, if the State of export does not have the capability of managing or disposing of the hazardous waste in an environmentally sound manner.

The Convention also defines illegal traffic of hazardous wastes and deems such activity to be criminal. It obliges Parties to take appropriate legal, administrative and other measures to implement and enforce the

provisions of the Convention, including measures to prevent and punish conduct in contravention of the Convention.

Further, the Convention obliges Parties to cooperate in order to improve and achieve environmentally sound management of hazardous wastes and other wastes through disseminating information; monitoring the effects of the management of hazardous wastes on human health and the environment; developing and implementing new environmentally sound low-waste technologies, and improving existing technologies; and promoting the transfer of technology and management systems. The Convention also encourages cooperation between Parties and international organizations, taking into account the needs of developing countries, to promote public awareness, the development of sound management of hazardous wastes and the adoption of new technologies.

Parties to the Convention are required to report any accident occurring during the transboundary movement of hazardous wastes or other wastes and their disposal, which are likely to present risks to human health and the environment in other States. Moreover, the Convention obliges Parties to transmit annual reports pertaining to, *inter alia*, the movement, reduction and disposal of hazardous wastes.

The Convention was amended in 1995 (see summary to follow).

ENTRY INTO FORCE

The Convention entered into force on 5 May 1992 (article 25).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by States and to formal confirmation or approval by political and/or economic integration organizations, which have signed the Convention. The Convention is open for accession by States and by political and/or economic integration organizations (articles 22 and 23).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

When ratifying, accepting, approving, formally confirming or acceding to this Convention, or at any time thereafter, a State or political and/or economic integration organization may declare that it recognizes as compulsory *ipso facto* and without special agreement, in relation to any Party accepting the same obligation: (a) submission of the dispute to the International Court of Justice; and/or (b) arbitration in accordance with the Convention (article 20).

Political and/or economic integration organizations, in their instruments of formal confirmation, approval or accession, shall declare the extent of their competence with respect to the matters governed by the Convention (articles 22 and 23).

A State or political and/or economic integration organization may, when signing, ratifying, accepting, approving, formally confirming or acceding to the Convention, make declarations or statements, however phrased or named, with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of the Convention, provided that such declarations or statements do not purport to exclude or to modify the legal effects of the provisions of the Convention in their application to that State (article 26).

RESERVATIONS

No reservations may be made to the Convention (article 26).

WITHDRAWAL/DENUNCIATION

A Party may withdraw from the Convention by giving written notification to the depositary at any time after three years from the date on which the Convention has entered into force for that Party. The withdrawal takes effect one year from the date of receipt of the notification by the depositary, or on such later date as may be specified in the notification (article 27).

Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal *(Geneva, 22 September 1995)*

OBJECTIVES

The objective of the Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (the “Amendment”) is to address the situation of the transboundary movements of hazardous wastes to developing countries.

KEY PROVISIONS

The Amendment provides that each Party listed in Annex VII of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (the Convention) shall prohibit all transboundary movements of hazardous wastes which are destined for operations according to Annex IV A (operations which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses), to States not listed in Annex VII. The Amendments also required Parties listed in Annex VII to phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes under Article 1(i)(a) of the Convention which are destined for operations according to Annex IV B (operations which may lead to resource recovery, recycling, reclamation, direct re-use or alternative uses) to States not listed in Annex VII. Transboundary movements are not prohibited in this context unless the wastes in question are characterized as hazardous under the Convention.

ENTRY INTO FORCE

The Amendment has not yet entered into force. Amendments adopted in accordance with paragraphs 3 or 4 of article 17 of the Convention shall enter into force between Parties having accepted them on the ninetieth day after the receipt by the depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties to the Convention who accepted them. The amendments shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, approval, formal confirmation or acceptance of the amendments (article 17 of the Convention).

HOW TO BECOME A PARTY

Parties to the Convention may consent to be bound by the Amendment by depositing instruments of ratification, approval, formal confirmation, or acceptance with the depositary (article 17 of the Convention).

Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal *(Basel, 10 December 1999)*

OBJECTIVES

The objective of the Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal (the “Protocol”) is to provide for a comprehensive regime for liability as well as adequate and prompt compensation for damage resulting from the transboundary movement of hazardous wastes and other wastes, including incidents occurring because of illegal traffic in those wastes. Each phase of a transboundary movement, from the point at which the wastes are loaded on the means of transport to their export, international transit, import and final disposal, is considered.

KEY PROVISIONS

The person who notifies in accordance with article 6 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (the “Convention”), shall be strictly liable for damage until the disposer has taken possession of the hazardous wastes and other wastes. Thereafter the disposer is strictly liable. Any person in operational control of hazardous wastes at the time of an incident has a duty to take all reasonable measures to mitigate damages arising therefrom. Strict liability is subject to limited exceptions especially in cases of war and natural phenomena. Notwithstanding the provisions concerning strict liability, any person shall be liable for damage caused or contributed to by his lack of compliance with the provisions implementing the Convention or by his wrongful intentional, reckless or negligent acts of omission.

The Protocol provides for a right of recourse for any person liable under the Protocol, contains a provision on contributory fault and establishes financial limits for liability as well as time limits for bringing a claim for compensation. The Protocol also addresses insurance and financial guarantees, financial mechanisms, State responsibility, jurisdiction, choice of law, mutual recognition and enforcement of judgments.

ENTRY INTO FORCE

The Protocol is not yet in force. It shall enter into force on the ninetieth day after the date of deposit of the twentieth instrument of ratification, acceptance, formal confirmation, approval or accession (article 29).

HOW TO BECOME A PARTY

The Protocol is closed for signature. It is subject to ratification, acceptance or approval by States and to formal confirmation or approval by regional economic integration organizations that are Parties to the Convention. The Protocol is open for accession by States and regional economic integration organizations that are Parties to the Convention (articles 26, 27 and 28).

OPTIONAL/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Regional economic integration organizations, in their instruments of formal confirmation, approval or accession, shall declare the extent of their competence with respect to the matters governed by the Protocol (article 27).

A State and political and/or economic integration organization may, when signing, ratifying, accepting, approving, formally confirming or acceding to the Protocol, make declarations or statements, however phrased or named, with a view, *inter alia*, to the harmonization of its laws and regulations with the provisions of the Protocol, provided that such declarations or statements do not purport to exclude or to modify the legal effects of the provisions of the Protocol in their application to that State or that organization (article 30).

Any Party may, by a way of notification to the depositary, exclude the application of the Protocol, in respect of all transboundary movements for which it is the State of export, for such incidents that occur in an area under its national jurisdiction, as regards damage in its area of national jurisdiction (article 3).

A State shall, by notification to the depositary at the time of signature, ratification, or approval of, or accession to the Protocol, indicate if it does not provide for a right to bring a direct action against persons providing insurance, bonds or other financial guaranties to strict or fault-based liable individuals under the Protocol (article 14).

RESERVATIONS

No reservations may be made to the Protocol (article 30).

DENUNCIATION/WITHDRAWAL

At any time after three years from the date on which the Protocol has entered into force for a Party, that Party may withdraw from the Protocol by giving written notification to the depositary. Withdrawal shall be effective one year from receipt of notification by the depositary, or on such later date as may be specified in the notification (article 31).

Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto, 11 December 1997)

OBJECTIVES

The Kyoto Protocol to the United Nations Framework Convention on Climate Change (the “Protocol”) has the same ultimate objective as the United Nations Framework Convention on Climate Change (the “Convention”), which is the stabilization of atmospheric concentrations of greenhouse gases at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.

At the first United Nations Framework Convention on Climate Change Conference of the Parties held in Berlin in 1995, the Parties reviewed the commitments by the developed countries under the Convention and decided that the commitment to aim at returning their emissions to 1990 levels by the year 2000 was inadequate for achieving the Convention’s long-term objective. The Conference adopted the Berlin Mandate and launched a new round of negotiations on strengthening the commitments of the Parties from developed countries. At the third Conference of the Parties in Kyoto in 1997, the Parties adopted the Protocol.

KEY PROVISIONS

In accordance with the Protocol, Parties from developed countries are committed to reducing their combined greenhouse gas emissions by at least 5 per cent from 1990 levels by the period 2008-2012. The targets cover the six main greenhouse gases, namely, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydro fluorocarbons (HFCs), per fluorocarbons (PFCs) and sulphur hexafluoride (SF₆), along with some activities in the land-use change and forestry sector that remove carbon dioxide from the atmosphere (carbon “sinks”). Each Party from developed countries is required to have made demonstrable progress in implementing its emission reduction commitments by 2005.

The Protocol also establishes three innovative mechanisms, known as joint implementation, emissions trading and the clean development mechanism, which are designed to help Parties included in Annex I to the Convention to reduce the costs of meeting their emission targets. The clean development mechanism also aims to promote sustainable development in developing countries.

The procedure for the communication and review of information is established in the Protocol. Parties from developed countries are required to incorporate in their national communications the supplementary information necessary to demonstrate compliance with their commitments under the Protocol in accordance with guidelines to be developed. The information submitted shall be reviewed by expert review teams, pursuant to guidelines established by the Conference of the Parties, which is the supreme body that shall regularly reviews and promotes effective implementation of the Convention and the Protocol.

The Protocol provides that the Parties shall periodically review the Protocol in the light of the best available scientific information and assessment on climate change and its impacts. The first review will take place at the second session of the Conference of the Parties serving as the meeting of the Parties to the

Protocol. Further reviews shall take place at regular intervals and in a timely manner. A framework for a compliance system is required to be developed under the Protocol.

Annex B to the Protocol was amended in 2006 (see summary to follow).

ENTRY INTO FORCE

The Protocol entered into force on 16 February 2005 (article 25).

HOW TO BECOME A PARTY

The Protocol is closed for signature. It remains open to ratification, acceptance, approval or accession by States and any regional economic integration organizations which are Parties to the Convention (article 24).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A regional economic integration organization shall declare the extent of its competence with respect to matters governed by the Protocol (article 24 (3)).

RESERVATIONS

No reservations may be made to the Protocol (article 26).

DENUNCIATION/ WITHDRAWAL

At any time after three years from the date on which the Protocol has entered into force for a Party that Party may withdraw from the Protocol by giving written notification to the depositary. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal (article 27).

Any Party that withdraws from the Convention shall be considered as also having withdrawn from the Protocol (article 27).

**Amendment to Annex B of the Kyoto Protocol
to the United Nations Framework Convention on Climate Change
(Nairobi, 17 November 2006)**

KEY PROVISIONS

Annex B of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (the “Protocol”) lists the States with quantified emission limitation and reduction commitments (QELRCs) and their respective QELRCs, in accordance with article 3 of the Protocol. The Amendment to the Protocol (the “Amendment”) includes Belarus among the States listed in Annex B with a QELRC of 92. Belarus is one of the countries undergoing the process of transition to a market economy.

ENTRY INTO FORCE

The Amendment has not yet entered into force. The Amendment shall enter into force for those Parties having accepted it on the ninetieth day after the date of receipt by the depositary of an instrument of acceptance by at least three fourths of the Parties to the Protocol. The Amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits with the depositary its instrument of acceptance of the Amendment (article 20 of the Protocol).

HOW TO BECOME A PARTY

Parties to the Protocol may consent to be bound by the Amendment by depositing instruments of acceptance with the depositary (article 20 of the Protocol).

Convention on the Law of the Non-Navigational Uses of International Watercourses *(New York, 21 May 1997)*

OBJECTIVES

The international community has devised principles for international watercourse management in order to address the essential need of the present and future generations to use and manage shared water resources in a sustainable manner. Over the past century, these principles have been refined and codified in the Convention on the Law of the Non-Navigational Uses of International Watercourses (the “Convention”).

KEY PROVISIONS

The scope of the Convention applies to the uses of international watercourses and of their waters for purposes other than navigation, and to the protection, preservation and management of those watercourses. The Convention defines the term “watercourse” as a system of surface waters and ground waters constituting by virtue of their physical relationship a unitary whole and normally flowing into a common terminus.

The Convention sets out general principles for watercourse States. Watercourse States are obliged in their respective territories to utilize international watercourses in an equitable and reasonable manner, to take all appropriate measures to prevent the causing of significant harm to other watercourse States, and to exchange data and information on the condition of the watercourse.

The Convention provides for Parties to exchange information and consult each other, and, if necessary, negotiate on the possible effects of planned measures on the condition of an international watercourse. The Convention mandates Parties to, individually and jointly, undertake to protect and preserve the ecosystems of international watercourses and to protect and preserve the marine environment.

Parties are obliged to take all appropriate measures to prevent or mitigate conditions relating to an international watercourse that may be harmful to other watercourse States, whether resulting from natural causes or human conduct. Parties are also obliged to notify without delay other potentially affected States and competent international organizations of any emergency situations originating within their territory, and shall also take all practical measures necessitated by the circumstances to prevent, mitigate and eliminate the harmful effects of such situations.

ENTRY INTO FORCE

The Convention has not yet entered into force. It shall enter into force on the ninetieth day following the date of deposit of the thirty-fifth instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations. For each State or regional economic integration organization that ratifies, accepts or approves the Convention, or accedes thereto after the deposit of the thirty-fifth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession. For the purpose of calculating the entry into force, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by States (article 36).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance, approval by States and by regional economic integration organizations. It is open for accession by States and regional economic integration organizations (article 35).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Regional economic integration organizations shall declare, in their instruments of ratification, acceptance, approval or accession, the extent of their competence with respect to matters governed by the Convention. Subsequently, such regional economic integration organizations shall notify the depositary of any substantial modification in the extent of their competence (article 35).

When ratifying, accepting, approving or acceding to the Convention, or at any time thereafter, a Party which is not a regional economic integration organization may declare in a written instrument submitted to the depositary that, in respect of any dispute not resolved in accordance with the provisions of article 33 (2), it recognizes as compulsory *ipso facto* and without special agreement in relation to any Party accepting the same obligation: (a) submission of the dispute to the International Court of Justice, and/or (b) arbitration by an arbitral tribunal established and operating, unless the Parties to the dispute otherwise agree, in accordance with the provisions of the Convention. A Party which is a regional economic integration organization may make a declaration with like effect in relation to arbitration (article 33).

RESERVATIONS

The Convention is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

The Convention is silent with regard to denunciation and withdrawal.

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade *(Rotterdam, 10 September 1998)*

OBJECTIVES

The objective of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (the “Convention”) is to promote shared responsibility and cooperation among Parties in international trade of certain hazardous pesticides and chemicals in order to protect human health and the environment from potential harm.

The Convention renders the monitoring and controlling of trade in dangerous substances more efficient and transparent. In addition, the Convention strengthens the ability of importing countries to decide which chemicals they wish to receive and to exclude those they cannot manage safely. If trade does take place, the Convention’s requirements for labeling and provision of information on potential health and environmental effects will promote the safe use of such chemicals.

KEY PROVISIONS

The Convention establishes a Prior Informed Consent (PIC) procedure as a means for obtaining and disseminating the policies of importing countries relating to future shipments of certain chemicals and for ensuring compliance with such policies by exporting countries. The decision not to import a certain chemical must be trade neutral, i.e., such a decision must be followed by a prohibition of domestic production of the chemical for domestic use or for imports from any other source.

The Convention provides for the exchange of information among Parties of potentially hazardous chemicals that may be imported and exported, and for a national decision-making process regarding import and compliance by exporters.

Each Party shall facilitate the exchange of scientific, technical, economic and legal information concerning the chemicals within the scope of this Convention. Parties shall also facilitate the provision of publicly available information on domestic regulatory actions. Information on domestic regulatory actions that substantially restrict one or more uses of a chemical shall be made available to other Parties, directly or through the secretariat of the Convention.

The Convention provides for technical assistance between the Parties. The Parties shall cooperate in promoting technical assistance for development of infrastructure and the capacity necessary to manage chemicals to enable the implementation of the Convention. In this respect, the needs of developing countries and countries with economies in transition shall be taken into account.

Each Party must designate one or more national authorities to act on its behalf in the performance of the administrative functions required by the Convention.

The implementation of the Convention will be overseen by a Conference of the Parties. A Chemicals Review Committee will be established to review notifications and nominations from Parties, and make recommendations to the Conference of the Parties on which chemicals should be included in the PIC procedure. The Convention requires that the entire process be conducted in an open and transparent manner.

ENTRY INTO FORCE

The Convention entered into force on 24 February 2004 (article 26).

HOW TO BECOME A PARTY

The Convention is closed for signature. It remains open for ratification, acceptance, approval by States and by regional economic integration organizations. It is open for accession by States and by regional economic integration organizations.

When an organization, one or more of whose Member States is a Party to the Convention, becomes a Party to the Convention, the organization and the Member States shall not be entitled to exercise rights under the Convention concurrently (article 25).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

When ratifying, accepting, approving or acceding to this Convention, or at any time thereafter, a Party that is not a regional economic integration organization may declare that, with respect to any dispute concerning the interpretation or application of the Convention, it accepts the submission of a dispute to the International Court of Justice and/or arbitration in accordance with procedures to be adopted by the Conference of the Parties (article 20).

A Party that is a regional economic integration organization may make a declaration with like effect in relation to arbitration (article 20).

At the time of ratification, acceptance, approval or accession, a regional economic integration organization is required to make a specific declaration on its competence with respect to matters governed by the Convention (article 25).

RESERVATIONS

No reservations may be made to this Convention (article 27).

DENUNCIATION/WITHDRAWAL

At any time after three years from the date on which this Convention has entered into force for a Party, such Party may withdraw from the Convention by giving written notification to the depositary. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal (article 28).

Cartagena Protocol on Biosafety to the Convention on Biological Diversity *(Montreal, 29 January 2000)*

OBJECTIVE

One of the key agreements adopted at the 1992 Earth Summit in Rio de Janeiro was the Convention on Biological Diversity (the “Convention”), which sets out commitments for maintaining the world’s ecological underpinnings in parallel with economic development. The Cartagena Protocol on Biosafety to the Convention on Biological Diversity (the “Protocol”) is a supplementary agreement to the Convention. The Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. This Protocol establishes an advance informed agreement (AIA) procedure for ensuring that countries are provided with the information necessary to make informed decisions before agreeing to the import of such organisms into their territory. The Protocol contains reference to a precautionary approach and reaffirms the precautionary language in Principle 15 of the Rio Declaration on Environment and Development. The Protocol also establishes a Biosafety Clearing-House to facilitate the exchange of information on living modified organisms and to assist countries in the implementation of the Protocol.

KEY PROVISIONS

Recognizing that modern biotechnology has great potential for human well-being if developed and used with adequate safety measures for the environment and human health, the Parties undertake to ensure that the development, handling, transport, use, transfer and release of any living modified organisms is undertaken in a manner that prevents or reduces the risks to biological diversity, and to human health.

The transboundary movements of living modified organisms are subject to an AIA procedure under which transboundary movement is only allowed after advanced written consent by the competent national authority of the importing Party has been given. This procedure involves several distinct requirements, namely: notification by the exporting Party, acknowledgement of notification by the importing Party, a decision-making procedure by the importing Party, and the right to review such decisions in the light of new scientific information. When the transboundary movement is authorized, the Parties are obligated to take necessary measures to require that living modified organisms are handled, packaged and transported under conditions of safety.

The Protocol provides for several exceptions to that procedure, including the transboundary movements of pharmaceuticals; living modified organisms that are solely transiting through the territory of a Party or that are destined for contained use only or living modified organisms intended for direct use as food or feed, or for processing.

In any circumstances, lack of scientific certainty due to insufficient relevant scientific information and knowledge regarding the extent of the potential adverse effects of a living modified organism shall not prevent the Parties from taking a decision, as appropriate, with regard to the import of the living modified organism in question in order to avoid or minimize such potential adverse effects.

A Biosafety Clearing-House is established for the purpose of facilitating the exchange of information on, and experience with, living modified organisms to assist Parties to implement the Protocol, taking into account the special needs of developing country Parties. Each Party shall make available to the Biosafety

Clearing-House copies of any national laws, regulations and guidelines applicable to the import of living modified organisms intended for direct use as food or feed, or for processing, if available.

Parties undertake to cooperate in the development and/or strengthening of human resources and institutional capacities in biosafety, including biotechnology to the extent that it is required for biosafety, for the purpose of the effective implementation of this Protocol, in developing States, and in States with economies in transition, which are Parties to the Protocol. Such assistance in capacity building in biosafety may occur through existing global, regional, sub-regional and national institutions and organizations and, as appropriate, through facilitating private sector involvement.

The Protocol called for a process to elaborate international rules and procedures on liability and redress for damage resulting from the transboundary movements of living modified organisms. Accordingly, a supplementary agreement, known as the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety was adopted on 15 October 2010 in Nagoya, Japan by the fifth meeting of the Conference of the Parties serving as the meeting of the Parties.

ENTRY INTO FORCE

The Protocol entered into force on 11 September 2003 (article 37).

HOW TO BECOME A PARTY

The Protocol is closed for signature (article 36). It remains open for ratification, acceptance, approval by States or regional economic integration organizations that are Parties to the Convention. The Protocol is open for accession by States or regional economic integration organizations (articles 32, 34 and 35 of the Convention, and article 32 of the Protocol).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each Party shall notify the Secretariat of the names and addresses of its focal point and its designated competent national authorities, and any changes thereto (article 19).

RESERVATIONS

No reservations may be made to the Protocol (Article 38).

DENUNCIATION/WITHDRAWAL

At any time after two years from the date on which this Protocol has entered into force for a Party, such Party may withdraw from the Protocol by giving written notification to the depositary. Such withdrawal shall take place upon expiry of one year after the date of its receipt by the depositary, or on such later date as may be specified in the notification of the withdrawal (article 39).

Stockholm Convention on Persistent Organic Pollutants *(Stockholm, 22 May 2001)*

OBJECTIVES

The Stockholm Convention on Persistent Organic Pollutants (the “Convention”) is a global treaty that aims at protecting human health and the environment from persistent organic pollutants (POPs). POPs are chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of living organisms and are toxic to humans and wildlife. This Convention provides opportunities for international cooperation in the reduction of POPs emissions and, if possible, in their elimination.

KEY PROVISIONS

The Convention requires Parties to take measures to reduce or eliminate the release of POPs from intentional production and use by prohibiting and/or taking the legal and administrative measures necessary to eliminate the production and use as well as the import and export of specified POPs; restricting the production and use of specified POPs; and restricting the importation and exportation of specified POPs for certain purposes.

Parties maintaining specific exemptions or having an acceptable purpose shall take appropriate measures to ensure that any production or use under such exemption or purpose is carried out in a manner that prevents or minimizes human exposure and release of POPs into the environment.

Parties shall take prescribed measures to reduce or eliminate releases from unintentional production, including the development of an action plan, promotion of the development of substitute or modified materials, products and processes, and the promotion of the use of the best available techniques and the best environmental practices.

Parties are also under an obligation to take measures to reduce or eliminate releases of POPs from stockpiles and wastes. Parties are required to manage stockpiles in a safe, efficient and environmentally sound manner.

It is incumbent upon each Party to develop a plan for the implementation of its obligations under the Convention. For purposes of its implementation plan, Parties are obliged to cooperate with global, regional and subregional organizations.

Parties are also obliged to facilitate the exchange of information concerning alternatives to POPs, and the reduction or elimination of the production, use and release of POPs. Parties are further obliged to promote awareness; develop and implement educational and public awareness programmes; encourage appropriate research, development, monitoring and cooperation pertaining to POPs at the national and international levels; and provide technical assistance, financial resources and mechanisms.

ENTRY INTO FORCE

The Convention entered into force on 17 May 2004 (article 26).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by States and by regional economic integration organizations. It remains open for accession by States and by regional economic integration organizations (article 25).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATION

When ratifying, accepting, approving or acceding to the Convention, or at any time thereafter, a Party that is not a regional economic integration organization may declare in a written instrument submitted to the depositary that, with respect to any dispute concerning the interpretation or application of the Convention, it recognizes one or both of the following as compulsory in relation to any Party accepting the same obligation: arbitration in accordance with procedures to be adopted by the Conference of the Parties and/or submission of the dispute to the International Court of Justice (article 18).

A Party that is a regional economic integration organization may make a declaration with like effect in relation to arbitration in accordance with the procedure referred to above (article 18).

In its instrument of ratification, acceptance, approval or accession, a regional economic integration organization shall declare the extent of its competencies in respect of matters governed by this Convention (article 25).

In its instrument of ratification, acceptance, approval or accession, any Party may declare that, with respect to it, any amendment to Annex A, B or C shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession (article 25).

RESERVATIONS

No reservation may be made to the Convention (article 27).

DENUNCIATION/WITHDRAWAL

At any time after three years from the date on which this Convention has entered into force for a Party, such Party may withdraw from the Convention by giving written notification to the depositary. Any such withdrawal shall take effect upon the expiry of one year from the date of receipt by the depositary of the notification of withdrawal or on such later date as may be specified in the notification of withdrawal (article 28).

Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity *(Nagoya, 29 October 2010)*

OBJECTIVES

The Convention on Biological Diversity (the “Convention”) sets out commitments to conserve and sustainably use biological diversity. The fair and equitable sharing of benefits arising from the utilization of genetic resources is one of three core objectives of the Convention. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (the “Nagoya Protocol”) is a supplementary agreement to the Convention. Its objective is the fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity and implementing the three objectives of the Convention. By promoting the use of genetic resources and associated traditional knowledge, and by strengthening the opportunities for fair and equitable sharing of benefits from their use, the Nagoya Protocol creates incentives to conserve biological diversity, sustainably use its components, and further enhance the contribution of biological diversity to sustainable development and human well-being.

KEY PROVISIONS

The Nagoya Protocol applies to genetic resources that are covered by the Convention, and to the benefits arising from their utilization. It also applies to traditional knowledge associated with genetic resources that are covered by the Convention and the benefits arising from their utilization. It sets out core obligations for its Parties to take measures in relation to compliance, access to genetic resources and benefit-sharing.

The Nagoya Protocol significantly advances the Convention’s third objective by providing greater legal certainty and transparency for both providers and users of genetic resources. Specific obligations to support compliance with national legislation or regulatory requirements of the Party providing genetic resources and contractual obligations reflected in mutually agreed terms are a significant innovation of the Nagoya Protocol. These compliance provisions, as well as provisions establishing more predictable conditions for access to genetic resources, will contribute to ensuring the sharing of benefits when genetic resources leave a Party providing genetic resources. In addition, the Protocol’s provisions on access to traditional knowledge held by indigenous and local communities when it is associated with genetic resources will strengthen the ability of these communities to benefit from the use of their knowledge, innovations and practices.

A range of tools and mechanisms provided by the Nagoya Protocol will assist Parties in their implementation including: (1) establishing national focal points and competent national authorities to serve as contact points for information, grant access or cooperate on issues of compliance; (2) an Access and Benefit-sharing Clearing-House to share information, such as domestic regulatory requirements or information on national focal points and competent national authorities; (3) capacity-building to support key aspects of implementation based on a Party’s assessment of its own needs; (4) awareness-raising; (5) technology transfer; and (6) targeted financial support for capacity-building and development initiatives through the Nagoya Protocol’s financial mechanism, the Global Environment Facility

ENTRY INTO FORCE

The Nagoya Protocol is not yet in force. The Protocol will enter into force on the ninetieth day after the date of deposit of the fiftieth instrument of ratification, acceptance, approval or accession by State or regional economic integration organizations that are Parties to the Convention (article 33).

HOW TO BECOME A PARTY

The Nagoya Protocol is open for signature by Parties to the Convention. It remains open for signature at United Nations Headquarters in New York until 1 February 2012 (article 32).

Instruments of ratification, acceptance, approval or accession may be deposited by States and regional economic integration organizations that are Parties to the Convention (article 33).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Each Party shall notify the Secretariat no later than the date of entry into force of this Protocol for it, of the contact information of its focal point and its designated competent national authority or authorities, and any changes thereto (article 13).

RESERVATIONS

No reservations may be made to the Nagoya Protocol (article 34).

DENUNCIATION/WITHDRAWAL

At any time after two years from the date on which the Nagoya Protocol has entered into force for a Party, such Party may withdraw from the Nagoya Protocol by giving written notification to the depositary. Withdrawal shall take place upon expiry of one year after the date of its receipt by the depositary, or on such later date as may be specified in the notification of the withdrawal (article 35).

Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety *(Nagoya, 15 October 2010)*

OBJECTIVE

The Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety (the “Supplementary Protocol”) is a supplementary agreement to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, which seeks to protect biological diversity from the potential risks of living modified organisms resulting from modern biotechnology. The Supplementary Protocol was adopted in response to article 27 of the Cartagena Protocol which called for the elaboration of international rules and procedures in the field of liability and redress for damage resulting from trans-boundary movements of living modified organisms. It aims to further contribute to the conservation and sustainable use of biological diversity, taking also into account risks to human health, by requiring Parties to ensure that response measures are taken in the event of damage or sufficient likelihood of damage.

KEY PROVISIONS

The Supplementary Protocol specifies the measures that need to be taken in response to damage resulting from living modified organisms that find their origin in a transboundary movement. The Supplementary Protocol defines “damage” as an adverse effect on the conservation and sustainable use of biological diversity that is measurable and significant. It also provides for an indicative list of factors that should be used to determine the significance of an adverse effect.

In the event of damage or sufficient likelihood of damage, Parties have the obligation to require the appropriate operator (defined as the person in direct or indirect control of the living modified organisms) to immediately inform the competent authority, evaluate the damage and take appropriate response measures. The competent authority must identify the operator which has caused the damage, and evaluate the damage to determine which response measures should be taken by the operator. The competent authority is further required to provide reasons for its determination and to notify the operator accordingly. The competent authority may also take the appropriate response measures itself, particularly where the operator has failed to do so. It may then recover the costs and expenses from the operator.

The purpose of response measures is to prevent, minimize, contain, mitigate, or otherwise avoid damage. Response measures include actions to restore biological diversity to the condition that existed before the damage occurred, or its nearest equivalent, or where this is not possible, to replace the loss of biological diversity with other components of biological diversity for the same, or for another type of use either at the same or, as appropriate, at an alternative location. Such measures are supposed to be implemented in accordance with national law.

In implementing the Supplementary Protocol, Parties may apply their existing national law, including general rules and procedures on civil liability, or apply or develop civil liability rules and procedures specific to damage resulting from living modified organisms.

ENTRY INTO FORCE

The Supplementary Protocol is not yet in force. It shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession by States or regional economic integration organizations that are Parties to the Protocol (article 18).

HOW TO BECOME A PARTY

The Supplementary Protocol is open for signature by Parties to the Cartagena Protocol on Biosafety. It remains open for signature at United Nations Headquarters in New York until 6 March 2012 (article 17). Instruments of ratification, acceptance, approval or accession may be deposited by States and regional economic integration organizations that are Parties to the Cartagena Protocol on Biosafety (article 18).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Supplementary Protocol is silent with regard to declarations and notifications.

RESERVATIONS

No reservations may be made to the Supplementary Protocol (article 19).

DENUNCIATION/WITHDRAWAL

At any time after two years from the date on which the Supplementary Protocol has entered into force for a Party, such Party may withdraw from the Supplementary Protocol by giving written notification to the depositary. Such withdrawal shall take place upon expiry of one year after the date of its receipt by the depositary, or on such later date as may be specified in the notification of the withdrawal. Any Party which withdraws from the Cartagena Protocol on Biosafety shall be considered as also having withdrawn from the Supplementary Protocol (article 20).

Convention on the Safety of United Nations and Associated Personnel *(New York, 9 December 1994)*

OBJECTIVES

The Convention on the Safety of United Nations and Associated Personnel (the “Convention”) is a key legal instrument in efforts to give United Nations and associated personnel the security and the environment they need to do their work. The Convention required Parties to take all necessary measures to protect United Nations and associated personnel, to establish criminal offences punishable by appropriate penalties, and to cooperate in the prevention of such crimes and the provision of assistance to one another in connection with criminal proceedings.

KEY PROVISIONS

The Convention obliges Parties to take all appropriate measures to ensure the safety and security of United Nations and associated personnel. The Convention provides for the prompt release and return of captured or detained United Nations and associated personnel. Parties are required to cooperate with the United Nations and other Parties in the implementation of the Convention, in particular in any case where the host State is unable to take the required measures.

The Convention requires Parties to establish as criminal offences: (a) the murder, kidnapping or any other attack upon the person or liberty of any United Nations or associated personnel; (b) a violent attack upon the official premises, the private accommodation or the means of transportation of any United Nations or associated personnel likely to endanger his or her person or liberty; (c) a threat to commit any such attack with the objective of compelling a physical or juridical person to do or refrain from doing any act; (d) an attempt to commit any such attack; and (e) an act constituting participation as an accomplice in any such attack, or in an attempt to commit such attack, or in organizing or ordering others to commit such attack. Parties are required to make the above crimes punishable by appropriate penalties.

Each Party is also required to establish jurisdiction over offences committed in its territory or onboard a ship or aircraft registered in that State, or when the alleged offender is a national of that State. A Party may establish jurisdiction over such crimes in other cases as well.

The Convention requires Parties either to prosecute or extradite offenders. A State that chooses not to extradite an alleged offender shall promptly submit the case for prosecution to its competent authorities. Offences set forth in the Convention are deemed to be extraditable offences in any existing extradition treaty between Parties. Parties additionally undertake to include such crimes as extraditable offences in future extradition treaties concluded between them. The Convention itself may also be used as the legal basis for extradition in certain cases.

In addition, the Convention provides for the widest measure of mutual legal assistance between the Parties in connection with criminal proceedings brought in respect of crimes set out in the Convention. Under the Convention, an alleged offender is to be accorded fair treatment, a fair trial and full protection of his or her rights at all stages of the investigations or proceedings.

Parties are obliged to cooperate in the prevention of the crimes set out in the Convention, particularly by taking all practical measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories, and by exchanging information and coordinating the taking of administrative and other measures to prevent the commission of those crimes.

The Convention shall in no way affect the applicability of international humanitarian law and of universally recognized standards of human rights as contained in international instruments in connection with United Nations operations and United Nations and associated personnel. Similarly, nothing in the Convention shall be construed so as to derogate from the right to act in self-defence.

ENTRY INTO FORCE

The Convention entered into force on 15 January 1999 (article 27).

HOW TO BECOME A PARTY

The Convention is closed for signature. It is subject to ratification, acceptance or approval by any signatory State. The Convention is open to accession by any State (articles 25 and 26).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

Any Party which has established jurisdiction in the circumstances set out in article 10, paragraph 2, shall notify the Secretary-General. If such Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General (article 10).

Whenever a crime set out in article 9 is committed, any Party which has information concerning the victim and circumstances of the crime shall endeavour to transmit such information, under the conditions provided for in its national law, fully and promptly to the Secretary-General and the State or States concerned (article 12).

Measures taken to ensure prosecution or extradition shall be notified, in conformity with national law and without delay, to the Secretary-General (article 13).

The Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General (article 18).

RESERVATIONS

The Convention is silent with regard to reservations. States may declare, at the time of signature, ratification, acceptance, approval or accession, that they are not bound by article 22(1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of request for arbitration, to the International Court of Justice. A reservation made in accordance with article 22 may be withdrawn at any time by notification to the depositary (article 22).

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Convention by written notification to the depositary. Such denunciation shall take effect one year following the date on which the notification is received by the depositary (article 28).

Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel *(New York, 8 December 2005)*

OBJECTIVES

The entry into force of the Convention on the Safety of United Nations and Associated Personnel (the “Convention”) in 1999 was a major step forward in strengthening the legal regime surrounding United Nations protection. The scope of the Convention covered United Nations operations where such operations are for the purpose of maintaining or restoring international peace and security, or where the Security Council or the General Assembly has declared that an exceptional risk exists to the safety of the personnel participating in the operation. Humanitarian, development, and other non-peacekeeping operations were covered only through such a declaration of exceptional risk. This was considered to be a serious flaw as there are no generally agreed criteria for determining whether such a risk exists. The new Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel (the “Optional Protocol”) corrects this flaw. It expands the legal protection to all other United Nations operations, from emergency humanitarian assistance to peace building and the delivery of humanitarian, political and development assistance.

KEY PROVISIONS

The Optional Protocol expands the scope of the Convention to all other United Nations operations established by a competent organ of the United Nations in accordance with the Charter of the United Nations and conducted under United Nations authority and control for the purpose of: (a) delivering humanitarian, political or development assistance in peace building, or (b) delivering emergency humanitarian assistance. A host State may make a declaration to the Secretary-General of the United Nations that it shall not apply the provisions of the Optional Protocol with respect to the delivery of emergency humanitarian assistance conducted in response to a natural disaster.

The duty of a Party to the Optional Protocol with respect to the application of article 8 of the Convention to United Nations operations as defined in the Optional Protocol shall be without prejudice to its right to take action in the exercise of its national jurisdiction over any United Nations or associated personnel who violates the laws and regulations of that Party, provided that such action is not in violation of any other international law obligation of the Party.

ENTRY INTO FORCE

The Optional Protocol entered into force on 19 August 2010 (article VI).

HOW TO BECOME A PARTY

The Optional Protocol is closed for signature. It is subject to ratification, acceptance or approval by the signatory States, and is open to accession by any non-signatory State (article V).

Any State which is not a Party to the Convention may ratify, accept, approve or accede to the Optional Protocol if at the same time it ratifies, accepts, approves or accedes to the Convention in accordance with articles 25 and 26 of the Convention (article V).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A State may make a declaration to the Secretary-General of the United Nations that it shall not apply the provisions of the Protocol with respect to an operation under article II (1) (b) which is conducted for the sole purpose of responding to a natural disaster. Such declaration shall be made prior to the deployment of the operation (article II).

RESERVATIONS

The Optional Protocol is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

Any Party may denounce the Optional Protocol by written notification to the depositary. Denunciation shall take effect one year following the date on which notification is received by the depositary (article VII).

Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries

(New York, 24 September 2010)

OBJECTIVES

Land-locked developing countries face several development challenges due to the geographical disadvantage of having no territorial access to the sea and the ensuing serious difficulties for the effective integration of their economies into the multilateral trading system.

The objective of the Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries (the “Agreement”) is to establish an International Think Tank that will provide a centre of excellence for analytical research and policy advice for landlocked developing countries and contribute to strengthening analytical capacities of such countries in key areas of economic growth and poverty reduction, in particular transit transport, aid for trade and trade facilitation, and other development areas to help overcome their geographical disadvantages.

KEY PROVISIONS

In the Agreement, the Parties agree to establish the “International Think Tank for Landlocked Developing Countries” with its Headquarters to be located in Ulaanbaatar, Mongolia.

The overall goal of the International Think Tank is to use top-quality research and advocacy to improve the ability of landlocked developing countries to build capacity with a view to benefiting from the international trade, including World Trade Organization negotiations, with the ultimate aim of raising human development and reducing poverty.

In order to fulfill its objectives, the International Think Tank shall collaborate with specialized institutions in landlocked developing countries, international organizations, and donor countries, research institutions in landlocked developing countries and in other countries, as well as key private sector and civil society institutions, and convene working group meetings and online discussions on identified subjects pertinent to landlocked and transit developing countries.

The membership of the International Think Tank shall be open to all States who are Parties to the Agreement. All other relevant institutions may be invited by the Board of Governors to join the Think Tank as Observers. The International Think Tank will consist of a Board of Governors and a Secretariat.

Parties will be requested to make voluntary contributions to the Think Tank’s budget. The Parties shall also ask the Think Tank to mobilize funds from international organizations and other development partners, including private organizations, in particular for funding of development programmes, such as research activities, economic studies, seminars and conferences.

The International Think Tank shall have an international status and enjoy privileges and immunities usually granted to similar international organizations working in Mongolia.

ENTRY INTO FORCE

The Agreement is not yet in force. The Agreement shall enter into force on the sixtieth day after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession (article XII).

HOW TO BECOME A PARTY

The Agreement is open for signature by landlocked developing countries. It remains open for signature at the United Nations Headquarters in New York until 31 October 2011. Instruments of ratification, acceptance or approval may be deposited by signatory States (article X). Instruments of accession may be deposited by any landlocked developing country (article XI).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

The Agreement is silent with regard to declarations and notifications.

RESERVATIONS

The Agreement is silent with regard to reservations.

DENUNCIATION/WITHDRAWAL

The Agreement is silent with regard to denunciation and withdrawal.

The International Cocoa Agreement *(Geneva, 25 June 2010)*

OBJECTIVES

The main objectives of the International Cocoa Agreement, 2010 (the “Agreement”) are to strengthen the global cocoa sector, support its sustainable development and increase the benefits for all stakeholders. The Agreement was adopted on 25 June 2010 by the United Nations Cocoa Conference for the Negotiation of a Successor Agreement to the International Cocoa Agreement, 2001. The International Cocoa Organization (ICCO) was established in 1973 to administer the provisions and supervise the operations of the first International Cocoa Agreement and its successor Agreements. The International Cocoa Agreement, 2010 is the seventh of these agreements.

KEY PROVISIONS

The International Cocoa Agreement, 2010 builds on the success of the predecessor Agreement, by implementing measures leading to an increase in the income of cocoa farmers; and by supporting cocoa producers in improving the functioning of their cocoa economies. It will also deliver cocoa of better quality; take effective account of food safety issues; and help to establish social, economic, and environmental sustainability, so that farmers are rewarded for producing cocoa that meets ethical and environmental considerations. The Agreement recognizes the contribution of the cocoa sector to poverty alleviation, the importance of cocoa and cocoa trade for the economies of developing countries and the livelihoods of millions of people, particularly in developing countries where small-scale farmers rely on cocoa production as a direct source of income.

Membership of the ICCO is open to governments, the European Union and intergovernmental organizations which have consented to be bound by this Agreement provisionally or definitively. It distinguishes between two categories: cocoa exporting and cocoa importing Members.

The International Cocoa Council is the highest authority in the ICCO, and shall consist of all the Members of the Organization. The subsidiary bodies of the Council comprise the Administration and Finance Committee, the Economics Committee and the Consultative Board on the World Cocoa Economy, and any other committees established by the Council. The Administration and Finance Committee, consisting of six exporting Members on a rotational basis and six importing Members, advises the Council on matters related to the budget and other administrative and financial tasks. The Economics Committee, open to all Members of the Organization, aims to ensure the transparency of the international cocoa market; it reviews and analyses developments in the world cocoa economy, examines and recommends to the Council development projects for funding, and addresses issues related to the economic dimension of sustainable development in the cocoa economy. The Consultative Board on the World Cocoa Economy advises the Council on issues of general and strategic interest to the cocoa sector. It was established to encourage the active participation of experts from the private sector in the work of the ICCO and to promote a continuous dialogue among experts from the public and private sectors.

ENTRY INTO FORCE

The Agreement is not yet in force. It shall enter into force definitively on 1 October 2012, or any time thereafter, if by such date Governments representing at least five exporting countries accounting for at least 80 per cent of the total exports of countries listed in annex A and Governments representing importing countries having at least 60 per cent of total imports as set out in annex B have deposited their instruments of ratification, acceptance, approval or accession with the depositary. It shall also enter into force definitively once it has entered into force provisionally and these percentage requirements are satisfied by the deposit of instruments of ratification, acceptance, approval or accession. Provisionally, the Agreement shall enter into force on 1 January 2011 if by such date Governments representing at least five exporting countries accounting for at least 80 per cent of the total exports of countries listed in annex A and Governments representing importing countries having at least 60 per cent of total imports as set out in annex B have deposited their instruments of ratification, acceptance, approval or accession, or have notified the depositary that they will apply this Agreement provisionally when it enters into force. Such Governments shall be provisional Members (article 57).

If the above-mentioned requirements have not been met by 1 September 2011, the Secretary-General of the United Nations Conference on Trade and Development shall, at the earliest time practicable, convene a meeting of those Governments which have deposited instruments of ratification, acceptance, approval or accession, or have notified the depositary that they will apply this Agreement provisionally. These Governments may decide whether to put this Agreement into force definitely or provisionally among themselves, in whole or in part, on such date as they may determine or to adopt any other arrangement as they may deem necessary (article 57).

HOW TO BECOME A PARTY

The Agreement is open for signature by parties to the International Cocoa Agreement, 2001, and Governments invited to the United Nations Cocoa Conference, 2010. It remains open for signature at the United Nations Headquarters until and including 30 September 2012. The Council under the International Cocoa Agreement, 2001, or the Council under this Agreement may, however, extend once the period of signature of this Agreement (Article 53).

The Agreement is subject to ratification, acceptance or approval by signatory States. It is also open to accession by any State entitled to sign the Agreement (articles 54 and 55). The Agreement can be applied provisionally (article 56).

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

A signatory Government which intends to ratify, accept or approve the Agreement or a Government which intends to accede to the Agreement, but which has not yet been able to deposit its instrument, may at any time notify the depositary that, in accordance with its constitutional procedures and/or its domestic laws and regulations, it will apply this Agreement provisionally either when it enters into force in accordance with article 57 or, if it already is in force, at a specific date (article 56).

Each Contracting Party shall notify the Secretary-General whether it is an exporting Member or an importing Member at the time of deposit of its instrument of ratification, acceptance or approval or as soon as possible thereafter (article 54).

RESERVATIONS

No reservations may be made to the Agreement (article 58).

DENUNCIATION/WITHDRAWAL

At any time after the entry into force of this Agreement, any Member may withdraw from this Agreement by giving written notice of withdrawal to the depositary. Withdrawal shall become effective 90 days after the notice is received by the depositary (article 59).

**MULTILATERAL TREATIES DEPOSITED WITH THE SECRETARY-GENERAL
(AS OF 30 APRIL 2011)***

CHAPTER I. CHARTER OF THE UNITED NATIONS AND STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

1. Charter of the United Nations. San Francisco, 26 June 1945
2. Declarations of acceptance of the obligations contained in the Charter of the United Nations
3. Statute of the International Court of Justice
4. Declarations recognizing as compulsory the jurisdiction of the International Court of Justice under Article 36, paragraph 2, of the Statute of the Court
5. a). Amendments to Articles 23, 27 and 61 of the Charter of the United Nations, adopted by the General Assembly of the United Nations in resolutions 1991 A and B (XVIII) of 17 December 1963. New York, 17 December 1963
5. b). Amendment to Article 109 of the Charter of the United Nations, adopted by the General Assembly of the United Nations in resolution 2101 (XX) of 20 December 1965. New York, 20 December 1965
5. c). Amendment to Article 61 of the Charter of the United Nations, adopted by the General Assembly of the United Nations in resolution 2847 (XXVI) of 20 December 1971. New York, 20 December 1971

CHAPTER II. PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

1. Revised General Act for the Pacific Settlement of International Disputes. New York, 28 April 1949

CHAPTER III. PRIVILEGES AND IMMUNITIES, DIPLOMATIC AND CONSULAR RELATIONS, ETC.

1. Convention on the Privileges and Immunities of the United Nations. New York, 13 February 1946
2. Convention on the Privileges and Immunities of the Specialized Agencies. New York, 21 November 1947 and annexes
3. Vienna Convention on Diplomatic Relations. Vienna, 18 April 1961
4. Optional Protocol to the Vienna Convention on Diplomatic Relations, concerning Acquisition of Nationality. Vienna, 18 April 1961
5. Optional Protocol to the Vienna Convention on Diplomatic Relations, concerning the Compulsory Settlement of Disputes. Vienna, 18 April 1961
6. Vienna Convention on Consular Relations. Vienna, 24 April 1963
7. Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality. Vienna, 24 April 1963
8. Optional Protocol to the Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes. Vienna, 24 April 1963
9. Convention on special missions. New York, 8 December 1969
10. Optional Protocol to the Convention on Special Missions concerning the compulsory settlement of disputes. New York, 8 December 1969
11. Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character. Vienna, 14 March 1975
12. Vienna Convention on Succession of States in Respect of State Property, Archives and Debts. Vienna, 8 April 1983
13. United Nations Convention on Jurisdictional Immunities of States and Their Property. New York, 2 December 2004

CHAPTER IV. HUMAN RIGHTS

1. Convention on the Prevention and Punishment of the Crime of Genocide. New York, 9 December 1948
2. International Convention on the Elimination of All Forms of Racial Discrimination. New York, 7 March 1966
2. a). Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination. New York, 15 January 1992
3. International Covenant on Economic, Social and Cultural Rights. New York, 16 December 1966
3. a). Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. New York, 10 December 2008.
4. International Covenant on Civil and Political Rights. New York, 16 December 1966
5. Optional Protocol to the International Covenant on Civil and Political Rights. New York, 16 December 1966

* The numbers assigned to the treaties in this list reflect those used in the United Nations Treaty Collection at <http://treaties.un.org>

6. Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity. New York, 26 November 1968
7. International Convention on the Suppression and Punishment of the Crime of Apartheid. New York, 30 November 1973
8. Convention on the Elimination of All Forms of Discrimination against Women. New York, 18 December 1979
8. a). Amendment to article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women. New York, 22 December 1995
8. b). Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. New York, 6 October 1999
9. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 10 December 1984
9. a). Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 8 September 1992
9. b). Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 18 December 2002
10. International Convention against Apartheid in Sports. New York, 10 December 1985
11. Convention on the Rights of the Child. New York, 20 November 1989
11. a). Amendment to article 43 (2) of the Convention on the Rights of the Child. New York, 12 December 1995
11. b). Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. New York, 25 May 2000
11. c). Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. New York, 25 May 2000
12. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. New York, 15 December 1989
13. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. New York, 18 December 1990
14. Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean. Madrid, 24 July 1992
15. Convention on the Rights of Persons with Disabilities. New York, 13 December 2006
15. a). Optional Protocol to the Convention on the Rights of Persons with Disabilities. New York, 13 December 2006
16. International Convention for the Protection of All Persons from Enforced Disappearance. New York, 20 December 2006

CHAPTER V. REFUGEES AND STATELESS PERSONS

1. Constitution of the International Refugee Organization. New York, 15 December 1946
2. Convention relating to the Status of Refugees. Geneva, 28 July 1951
3. Convention relating to the status of Stateless Persons. New York, 28 September 1954
4. Convention on the Reduction of Statelessness. New York, 30 August 1961
5. Protocol relating to the Status of Refugees. New York, 31 January 1967

CHAPTER VI. NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

1. Protocol amending the Agreements, Conventions and Protocols on Narcotic Drugs, concluded at The Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925, and 13 July 1931, at Bangkok on 27 November 1931 and at Geneva on 26 June 1936. Lake Success, New York, 11 December 1946
2. International Opium Convention. The Hague, 23 January 1912
3. Agreement concerning the Suppression of the Manufacture of, Internal Trade in, and Use of, Prepared Opium. Geneva, 11 February 1925 and Lake Success, New York, 11 December 1946
4. Agreement concerning the Suppression of the Manufacture of, Internal Trade in, and Use of, Prepared Opium. Geneva, 11 February 1925
5. International Opium Convention. Geneva, 19 February 1925 and Lake Success, New York, 11 December 1946
6. a). International Opium Convention. Geneva, 19 February 1925
6. b). Protocol. Geneva, 19 February 1925
7. Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs. Geneva, 13 July 1931 and Lake Success, New York, 11 December 1946
8. a). Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs. Geneva, 13 July 1931
8. b). Protocol of Signature. Geneva, 13 July 1931

9. Agreement concerning the Suppression of Opium Smoking. Bangkok, 27 November 1931 and Lake Success, New York, 11 December 1946
10. Agreement concerning the Suppression of Opium Smoking. Bangkok, 27 November 1931
11. Convention for the Suppression of the Illicit Traffic in Dangerous Drugs. Geneva, 26 June 1936 and Lake Success, New York, 11 December 1946
12. a). Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs. Geneva, 26 June 1936
12. b). Protocol of Signature. Geneva, 26 June 1936
13. Protocol Bringing under International Control Drugs Outside the Scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol signed at Lake Success, New York, on 11 December 1946. Paris, 19 November 1948
14. Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and use of Opium. New York, 23 June 1953
15. Single Convention on Narcotic Drugs, 1961. New York, 30 March 1961
16. Convention on Psychotropic Substances. Vienna, 21 February 1971
17. Protocol amending the Single Convention on Narcotic Drugs, 1961. Geneva, 25 March 1972
18. Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961. New York, 8 August 1975
19. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. Vienna, 20 December 1988

CHAPTER VII. TRAFFIC IN PERSONS

1. Protocol signed at Lake Success, New York, on 12 November 1947, to amend the Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, and the Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933. Lake Success, New York, 12 November 1947
2. International Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, as amended by the Protocol signed at Lake Success, New York, on 12 November 1947. Lake Success, 12 November 1947
3. International Convention for the Suppression of the Traffic in Women and Children. Geneva, 30 September 1921
4. International Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933, as amended by the Protocol signed at Lake Success, New York, on 12 November 1947. Lake Success, 12 November 1947
5. International Convention for the Suppression of the Traffic in Women of Full Age. Geneva, 11 October 1933
6. Protocol amending the International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, and the International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910. Lake Success, New York, 4 May 1949
7. International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, amended by the Protocol signed at Lake Success, New York, 4 May 1949. Lake Success, New York, 4 May 1949
8. International Agreement for the Suppression of the “White Slave Traffic”. Paris, 18 May 1904
9. International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910, amended by the Protocol signed at Lake Success, New York, 4 May 1949. Lake Success, New York, 4 May 1949
10. International Convention for the Suppression of the White Slave Traffic. Paris, 4 May 1910
11. a). Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Lake Success, New York, 21 March 1950
11. b). Final Protocol to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Lake Success, New York, 21 March 1950

CHAPTER VIII. OBSCENE PUBLICATIONS

1. Protocol to amend the Convention for the suppression of the circulation of, and traffic in, obscene publications, concluded at Geneva on 12 September 1923. Lake Success, New York, 12 November 1947
2. Convention for the Suppression of the Circulation of, and Traffic in, Obscene Publications, concluded at Geneva on 12 September 1923 and amended by the Protocol signed at Lake Success, New York, on 12 November 1947. New York, 12 November 1947
3. International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications. Geneva, 12 September 1923

4. Protocol amending the Agreement for the Suppression of the Circulation of Obscene Publications, signed at Paris, on 4 May 1910. Lake Success, New York, 4 May 1949
5. Agreement for the Suppression of the Circulation of Obscene Publications, signed at Paris on 4 May 1910, amended by the Protocol signed at Lake Success, New York, 4 May 1949. New York, 4 May 1949
6. Agreement for the Repression of Obscene Publications. Paris, 4 May 1910

CHAPTER IX. HEALTH

1. Constitution of the World Health Organization. New York, 22 July 1946
1. a). Amendments to articles 24 and 25 of the Constitution of the World Health Organization. Geneva, 28 May 1959
1. b). Amendment to article 7 of the Constitution of the World Health Organization. Geneva, 20 May 1965
1. c). Amendments to articles 24 and 25 of the Constitution of the World Health Organization. Geneva, 23 May 1967
1. d). Amendments to articles 34 and 55 of the Constitution of the World Health Organization. Geneva, 22 May 1973
1. e). Amendments to articles 24 and 25 of the Constitution of the World Health Organization. Geneva, 17 May 1976
1. f). Amendment to article 74 of the Constitution of the World Health Organization. Geneva, 18 May 1978
1. g). Amendments to articles 24 and 25 of the Constitution of the World Health Organization. Geneva, 12 May 1986
1. h). Amendments to articles 24 and 25 of the Constitution of the World Health Organization. Geneva, 16 May 1998
2. Protocol concerning the Office international d'hygiène publique. New York, 22 July 1946
3. Agreement on the establishment of the International Vaccine Institute. New York, 28 October 1996
4. WHO Framework Convention on Tobacco Control. Geneva, 21 May 2003

CHAPTER X. INTERNATIONAL TRADE AND DEVELOPMENT

1. a). General Agreement on Tariffs and Trade. Geneva, 30 October 1947
1. b). Havana Charter for an International Trade Organization. Havana, 24 March 1948.
1. c). Agreement on most-favoured-nation treatment for areas of Western Germany under military occupation. Geneva, 14 September 1948
1. d). Memorandum of understanding relative to application to the Western Sectors of Berlin of the Agreement on most-favoured-nation treatment for areas of Western Germany under military occupation. Annecy, 13 August 1949
2. Agreement establishing the African Development Bank. Khartoum, 4 August 1963
2. a). Amendments to the Agreement establishing the African Development Bank. Abidjan, 17 May 1979
2. b). Agreement establishing the African Development Bank done at Khartoum on 4 August 1963, as amended by resolution 05-79 adopted by the Board of Governors on 17 May 1979. Lusaka, 7 May 1982
3. Convention on Transit Trade of Land-locked States. New York, 8 July 1965
4. Agreement establishing the Asian Development Bank. Manila, 4 December 1965
5. Articles of Association for the establishment of an Economic Community of West Africa. Accra, 4 May 1967
6. Agreement establishing the Caribbean Development Bank. Kingston, 18 October 1969
7. Convention on the Limitation Period in the International Sale of Goods. New York, 14 June 1974
7. a). Protocol amending the Convention on the Limitation Period in the International Sale of Goods. Vienna, 11 April 1980
7. b). Convention on the Limitation Period in the International Sale of Goods, as amended by the Protocol of 11 April 1980. New York, 14 June 1974
8. Agreement establishing the International Fund for Agricultural Development. Rome, 13 June 1976
9. Constitution of the United Nations Industrial Development Organization. Vienna, 8 April 1979
10. United Nations Convention on Contracts for the International Sale of Goods. Vienna, 11 April 1980
11. Charter of the Asian and Pacific Development Centre. Bangkok, 1 April 1982
11. a). Amendments to the Charter of the Asian and Pacific Development Centre. Kuala Lumpur, 16 July 1998
12. United Nations Convention on International Bills of Exchange and International Promissory Notes. New York, 9 December 1988
13. United Nations Convention on the Liability of Operators of Transport Terminals in International Trade. Vienna, 17 April 1991
14. Agreement to establish the South Centre. Geneva, 1 September 1994
15. United Nations Convention on Independent Guarantees and Stand-by Letters of Credit. New York, 11 December 1995
16. Agreement Establishing the Bank for Economic Cooperation and Development in the Middle East and North Africa. Cairo, 28 August 1996
17. United Nations Convention on the Assignment of Receivables in International Trade. New York, 12 December 2001

18. United Nations Convention on the Use of Electronic Communications in International Contracts. New York, 23 November 2005
19. Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries. New York, 24 September 2010

CHAPTER XI. TRANSPORT AND COMMUNICATIONS

A. *Customs Matters*

1. Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road. Geneva, 16 June 1949
2. Additional Protocol to the Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road. Geneva, 16 June 1949
3. Additional Protocol to the Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road, relating to the International Transport of goods by container under the T.I.R. Carnet Régime. Geneva, 11 March 1950
4. Additional Protocol amending certain provisions of the Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road. Geneva, 28 November 1952
5. International Convention to Facilitate the Importation of Commercial Samples and Advertising Material. Geneva, 7 November 1952
6. Convention concerning Customs Facilities for Touring. New York, 4 June 1954
7. Additional Protocol to the Convention concerning Customs Facilities for Touring, relating to the Importation of Tourist Publicity Documents and Material. New York, 4 June 1954
8. Customs Convention on the Temporary Importation of Private Road Vehicles. New York, 4 June 1954
9. Customs Convention on Containers. Geneva, 18 May 1956
10. Customs Convention on the Temporary Importation of Commercial Road Vehicles. Geneva, 18 May 1956
11. Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats. Geneva, 18 May 1956
12. Customs Convention concerning spare parts used for repairing EUROP wagons. Geneva, 15 January 1958
13. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention). Geneva, 15 January 1959
14. European Convention on Customs Treatment of Pallets used in International Transport. Geneva, 9 December 1960
15. Customs Convention on Containers, 1972. Geneva, 2 December 1972
16. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention). Geneva, 14 November 1975
17. International Convention on the Harmonization of Frontier Controls of Goods. Geneva, 21 October 1982
18. Convention on Customs Treatment of Pool Containers used in International Transport. Geneva, 21 January 1994

B. *Road Traffic*

1. Convention on Road Traffic. Geneva, 19 September 1949
2. Protocol concerning countries or territories at present occupied. Geneva, 19 September 1949
3. Protocol on Road Signs and Signals. Geneva, 19 September 1949
4. European Agreement supplementing the 1949 Convention on road traffic and the 1949 Protocol on road signs and signals. Geneva, 16 September 1950
5. European Agreement on the application of article 3 of annex 7 of the 1949 Convention on Road Traffic Concerning the Dimensions and Weights of Vehicles Permitted to Travel on Certain Roads of the Contracting Parties. Geneva, 16 September 1950
6. European Agreement on the application of article 23 of the 1949 Convention on road traffic, concerning the dimensions and weights of vehicles permitted to travel on certain roads of the Contracting Parties. Geneva, 16 September 1950
7. Declaration on the construction of main international traffic arteries. Geneva, 16 September 1950
8. General Agreement on Economic Regulations for International Road transport (a) Additional Protocol (b) Protocol of Signature. Geneva, 17 March 1954
8. c). Protocol relating to the adoption of Annex C. 1 to the Set of Rules annexed to the General Agreement on Economic Regulations for International Road transport. Geneva, 1 July 1954

9. Agreement on Signs for Road Works, amending the European Agreement of 16 September 1950 supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals 1. Geneva, 16 December 1955
10. Convention on the Taxation of Road Vehicles for Private Use in International Traffic. Geneva, 18 May 1956
11. Convention on the Contract for the International Carriage of Goods by Road (CMR). Geneva, 19 May 1956
11. a). Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR). Geneva, 5 July 1978
11. b). Additional Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR) concerning the Electronic Consignment Note. Geneva, 20 February 2008
12. Convention on the Taxation of Road Vehicles engaged in International Goods Transport. Geneva, 14 December 1956
13. Convention on the Taxation of Road Vehicles Engaged in International Passenger Transport. Geneva, 14 December 1956
14. European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Geneva, 30 September 1957
14. a). Protocol amending article 14 (3) of the European Agreement of 30 September 1957 concerning the international Carriage of Dangerous Goods by Road (ADR). New York, 21 August 1975
14. b). Protocol amending article 1 (a), article 14 (1) and article 14 (3) (b) of the European Agreement of 30 September 1957 concerning the International Carriage of Dangerous Goods by Road (ADR). Geneva, 28 October 1993
15. European Agreement on Road Markings. Geneva, 13 December 1957
16. Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of These Prescriptions. Geneva, 20 March 1958
17. Agreement on Special Equipment for the Transport of Perishable Foodstuffs and on the Use of such Equipment for the International Transport of some of those Foodstuffs. Geneva, 15 January 1962
18. European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR). Geneva, 19 January 1962
19. Convention on Road Traffic. Vienna, 8 November 1968
20. Convention on road signs and signals. Vienna, 8 November 1968
21. European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR). Geneva, 1 July 1970
22. Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP). Geneva, 1 September 1970
23. European Agreement supplementing the Convention on road traffic opened for signature at Vienna on 8 November 1968. Geneva, 1 May 1971
24. European Agreement supplementing the Convention on road signs and signals opened for signature at Vienna on 8 November 1968. Geneva, 1 May 1971
25. Protocol on Road Markings, additional to the European Agreement supplementing the Convention on Road Signs and Signals opened for signature at Vienna on 8 November 1968. Geneva, 1 March 1973
26. Convention on the contract for the international carriage of passengers and luggage by road (CVR). Geneva, 1 March 1973
26. a). Protocol to the Convention on the contract for the international carriage of passengers and luggage by road (CVR). Geneva, 5 July 1978
27. Agreement on minimum requirements for the issue and validity of driving permits (APC). Geneva, 1 April 1975
28. European Agreement on main international traffic arteries (AGR). Geneva, 15 November 1975
28. a). Amendments to Article 9 of the European Agreement on main international traffic arteries (AGR). Geneva, 29 March 2007
29. Intergovernmental Agreement on the Establishment of an Inter-African Motor Vehicle Third Party Liability Insurance Card. New York, 1 October 1978
30. Convention on Civil Liability for Damage caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels (CRTD). Geneva, 10 October 1989
31. Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections. Vienna, 13 November 1997
31. 1). Rule No. 1. "Uniform provisions for periodical technical inspections of wheeled vehicles with regard to the protection of the environment". Geneva, 14 December 2001
32. Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles. Geneva, 25 June 1998
33. Agreement on International Roads in the Arab Mashreq. Beirut, 10 May 2001
34. Intergovernmental Agreement on the Asian Highway Network. Bangkok, 18 November 2003

C. Transport by Rail

1. International Convention to facilitate the crossing of frontiers for passengers and baggage carried by rail. Geneva, 10 January 1952
2. International Convention to facilitate the crossing of frontiers for goods carried by rail. Geneva, 10 January 1952
3. European Agreement on Main International Railway Lines (AGC). Geneva, 31 May 1985
4. Agreement on International Railways in the Arab Mashreq. Beirut, 14 April 2003
5. Intergovernmental Agreement on the Trans-Asian Railway Network. Jakarta, 12 April 2006
6. Convention on the International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes. Geneva, 9 February 2006

D. Water Transport

1. Convention relating to the limitation of the liability of owners of inland navigation vessels (CLN). Geneva, 1 March 1973
1. a). Protocol to the Convention relating to the Limitation of the Liability of Owners of Inland Navigation Vessels (CLN). Geneva, 5 July 1978
2. Convention on the contract for the international carriage of passengers and luggage by inland waterway (CVN). Geneva, 6 February 1976
2. a). Protocol to the Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN). Geneva, 5 July 1978
3. United Nations Convention on the Carriage of Goods by Sea, 1978. Hamburg, 31 March 1978
4. International Convention on Maritime Liens and Mortgages, 1993. Geneva, 6 May 1993
5. European Agreement on Main Inland Waterways of International Importance (AGN). Geneva, 19 January 1996
6. European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN). Geneva, 26 May 2000
7. Memorandum of Understanding on Maritime Transport Cooperation in the Arab Mashreq. Damascus, 9 May 2005
8. United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea. New York, 11 December 2008

E. Multimodal Transport

1. United Nations Convention on International Multimodal Transport of Goods. Geneva, 24 May 1980
2. European Agreement on Important International Combined Transport Lines and Related Installations (AGTC). Geneva, 1 February 1991
2. a). Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) of 1991. Geneva, 17 January 1997

CHAPTER XII. NAVIGATION

1. Convention on the International Maritime Organization. Geneva, 6 March 1948
1. a). Amendments to articles 17 and 18 of the Convention on the International Maritime Organization. London, 15 September 1964
1. b). Amendment to article 28 of the Convention on the International Maritime Organization. London, 28 September 1965
1. c). Amendments to articles 10, 16, 17, 18, 20, 28, 31 and 32 of the Convention on the International Maritime Organization. London, 17 October 1974
1. d). Amendments to the title and substantive provisions of the Convention on the International Maritime Organization. London, 14 November 1975 and 9 November 1977
1. e). Amendments to the Convention on the International Maritime Organization relating to the institutionalization of the Committee on Technical Co-operation in the Convention. London, 17 November 1977
1. f). Amendments to articles 17, 18, 20 and 51 of the Convention on the International Maritime Organization. London, 15 November 1979
1. g). Amendments to the Convention on the International Maritime Organization, (institutionalization of the Facilitation Committee). London, 7 November 1991
1. h). Amendments to the Convention on the International Maritime Organization. London, 4 November 1993
2. Convention regarding the Measurement and Registration of Vessels Employed in Inland Navigation. Bangkok, 22 June 1956
3. Convention relating to the unification of certain rules concerning collisions in inland navigation. Geneva, 15 March 1960
4. Convention on the registration of inland navigation vessels. Geneva, 25 January 1965

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5. Convention on the measurement of inland navigation vessels. Geneva, 15 February 1966
6. Convention on a Code of Conduct for Liner Conferences. Geneva, 6 April 1974
7. United Nations Convention on Conditions for Registration of Ships. Geneva, 7 February 1986
8. International Convention on Arrest of Ships, 1999. Geneva, 12 March 1999

CHAPTER XIII. ECONOMIC STATISTICS

1. Protocol amending the International Convention relating to Economic Statistics, signed at Geneva on 14 December 1928. Paris, 9 December 1948
2. International Convention relating to economic statistics, signed at Geneva on 14 December 1928, amended by the Protocol signed at Paris on 9 December 1948. Paris, 9 December 1948
3. a). International Convention relating to Economic Statistics. Geneva, 14 December 1928
3. b). Protocol. Geneva, 14 December 1928

CHAPTER XIV. EDUCATIONAL AND CULTURAL MATTERS

1. Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character. Lake Success, New York, 15 July 1949
2. Agreement on the importation of educational, scientific and cultural materials. Lake Success, New York, 22 November 1950
3. International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations. Rome, 26 October 1961
4. Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms. Geneva, 29 October 1971
5. Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950. Nairobi, 26 November 1976
6. International Agreement for the Establishment of the University for Peace. New York, 5 December 1980
7. Statutes of the International Centre for Genetic Engineering and Biotechnology. Madrid, 13 September 1983
7. a). Protocol of the Reconvened Plenipotentiary Meeting on the Establishment of the International Centre for Genetic Engineering and Biotechnology. Vienna, 4 April 1984
7. b). Amendments to Articles 6(6) and 7(1) of the Statutes of the International Centre for Genetic Engineering and Biotechnology. Trieste, Italy, 3 December 1996
7. c). Protocol to the Statutes of the International Centre for Genetic Engineering and Biotechnology on the Seat of the Centre. Trieste, Italy, 24 October 2007

CHAPTER XV. DECLARATION OF DEATH OF MISSING PERSONS

1. Convention on the declaration of death of missing persons. Lake Success, New York, 6 April 1950
2. Protocol for extending the period of validity of the Convention on the Declaration of Death of Missing Persons. New York, 16 January 1957
3. Protocol for the further extension of the period of validity of the Convention on the Declaration of Death of Missing Persons. New York, 15 January 1967

CHAPTER XVI. STATUS OF WOMEN

1. Convention on the Political Rights of Women. New York, 31 March 1953
2. Convention on the Nationality of Married Women. New York, 20 February 1957
3. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. New York, 10 December 1962

CHAPTER XVII. FREEDOM OF INFORMATION

1. Convention on the International Right of Correction. New York, 31 March 1953

CHAPTER XVIII. PENAL MATTERS

1. Protocol amending the Slavery Convention signed at Geneva on 25 September 1926. New York, 7 December 1953
2. Slavery Convention, signed at Geneva on 25 September 1926 and amended by the Protocol. New York, 7 December 1953

3. Slavery Convention. Geneva, 25 September 1926
4. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Geneva, 7 September 1956
5. International Convention Against the Taking of Hostages. New York, 17 December 1979
6. International Convention Against the Recruitment, Use, Financing and Training of Mercenaries. New York, 4 December 1989
7. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. New York, 14 December 1973
8. Convention on the Safety of United Nations and Associated Personnel. New York, 9 December 1994
8. a). Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel. New York, 8 December 2005
9. International Convention for the Suppression of Terrorist Bombings. New York, 15 December 1997
10. Rome Statute of the International Criminal Court. Rome, 17 July 1998
10. a). Amendment to article 8 of the Rome Statute of the International Criminal Court. Kampala, 10 June 2010
10. b). Amendments on the crime of aggression to the Rome Statute of the International Criminal Court. Kampala, 11 June 2010
11. International Convention for the Suppression of the Financing of Terrorism. New York, 9 December 1999
12. United Nations Convention against Transnational Organized Crime. New York, 15 November 2000
12. a). Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. New York, 15 November 2000
12. b). Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. New York, 15 November 2000
12. c). Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. New York, 31 May 2001
13. Agreement on the Privileges and Immunities of the International Criminal Court. New York, 9 September 2002
14. United Nations Convention against Corruption. New York, 31 October 2003
15. International Convention for the Suppression of Acts of Nuclear Terrorism. New York, 13 April 2005

CHAPTER XIX. COMMODITIES

1. International Agreement on Olive Oil, 1956. Geneva, 17 October 1955 and New York, 15 November 1955
2. Protocol amending the International Agreement on Olive Oil, 1956. Geneva, 31 March 1958 and 3 April 1958
3. International Agreement on Olive Oil, 1956, as amended by the Protocol of 3 April 1958. Geneva, 3 April 1958
4. International Coffee Agreement, 1962. New York, 28 September 1962
5. International Coffee Agreement, 1968. New York, 18 and 31 March 1968
5. a). Extension with modifications of the International Coffee Agreement, 1968, approved by the International Coffee Council in resolution No. 264 of 14 April 1973. 14 April 1973
5. b). International Coffee Agreement, 1968, as extended with modifications by the International Coffee Council in Resolution No. 264 of 14 April 1973. 14 April 1973
5. c). Protocol for the continuation in force of the International Coffee Agreement, 1968, as extended. London, 26 September 1974
5. d). International Coffee Agreement, 1968, as extended by the Protocol of 26 September 1974. 26 September 1975
6. International Sugar Agreement, 1968. New York, 3 and 24 December 1968
7. Agreement establishing the Asian Coconut Community. Bangkok, 12 December 1968
8. Agreement establishing the International Pepper Community. Bangkok, 16 April 1971
9. International Cocoa Agreement, 1972. Geneva, 21 October 1972
10. International Sugar Agreement, 1973. Geneva, 13 October 1973
10. a). Extension of the International Sugar Agreement, 1973. Geneva, 30 September 1975
10. b). International Sugar Agreement, 1973. Geneva, 30 September 1975
10. c). Second extension of the International Sugar Agreement, 1973, as extended. Geneva, 18 June 1976
10. d). International Sugar Agreement, 1973. Geneva, 18 June 1976
10. e). Third extension of the International Sugar Agreement, 1973, as further extended. Geneva, 31 August 1977
11. Agreement establishing the Asian Rice Trade Fund. Bangkok, 16 March 1973
12. Protocol for the continuation in force of the International Coffee Agreement, 1968, as extended. London, 26 September 1974
13. Fifth International Tin Agreement, 1975. Geneva, 21 June 1975
14. International Cocoa Agreement, 1975. Geneva, 20 October 1975

15. International Coffee Agreement, 1976. London, 3 December 1975
15. a). Extension of the International Coffee Agreement, 1976. London, 25 September 1981
15. b). International Coffee Agreement, 1976, as extended. London, 25 September 1981
16. Agreement establishing the International Tea Promotion Association. Geneva, 31 March 1977
17. Agreement establishing the Southeast Asia Tin Research and Development Centre. Bangkok, 28 April 1977
18. International Sugar Agreement, 1977. Geneva, 7 October 1977
18. a). Extension of the International Sugar Agreement, 1977. Washington, 20 November 1981 and 21 May 1982
18. b). Extension of the International Sugar Agreement, 1977. Geneva, 21 May 1982
19. Agreement establishing the International Tropical Timber Bureau. Geneva, 9 November 1977
20. International Natural Rubber Agreement, 1979. Geneva, 6 October 1979
21. Agreement establishing the Common Fund for Commodities. Geneva, 27 June 1980
22. International Cocoa Agreement, 1980. Geneva, 19 November 1980
23. Sixth International Tin Agreement. Geneva, 26 June 1981
24. International Agreement on jute and jute products, 1982. Geneva, 1 October 1982
25. International Coffee Agreement, 1983. New York, 16 September 1982
25. a). Extension of the International Coffee Agreement, 1983. London, 3 July 1989
25. b). International Coffee Agreement, 1983. London, 16 September 1982
25. c). Second Extension of the International Coffee Agreement, 1983, as modified. London, 28 September 1990
25. d). International Coffee Agreement, 1983. London, 16 September 1982
25. e). Third Extension of the International Coffee Agreement, 1983, as modified. London, 27 September 1991
25. f). International Coffee Agreement, 1983. London, 1 October 1992
25. g). Fourth Extension of the International Coffee Agreement, 1983, as modified. London, 1 October 1993
25. h). International Coffee Agreement, 1983. London, 1 October 1993
26. International Tropical Timber Agreement, 1983. Geneva, 18 November 1983
27. International Sugar Agreement, 1984. Geneva, 5 July 1984
28. a). International Wheat Agreement, 1986: (a) Wheat Trade Convention, 1986. London, 14 March 1986
28. b). International Wheat Agreement, 1986: (b) Food Aid Convention, 1986. London, 13 March 1986
29. Terms of Reference of the International Nickel Study Group. Geneva, 2 May 1986
30. International Agreement on olive oil and table olives, 1986. Geneva, 1 July 1986
30. a). Protocol of 1993 extending the International Agreement on Olive Oil and Table Olives, 1986. Geneva, 10 March 1993
30. b). International Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993. Geneva, 1 July 1986
31. International Cocoa Agreement, 1986. Geneva, 25 July 1986
32. International Natural Rubber Agreement, 1987. Geneva, 20 March 1987
33. International Sugar Agreement, 1987. London, 11 September 1987
34. Terms of Reference of the International Tin Study Group. New York, 7 April 1989
35. Terms of Reference of the International Copper Study Group. Geneva, 24 February 1989
36. International Agreement on Jute and Jute Products, 1989. Geneva, 3 November 1989
37. International Sugar Agreement, 1992. Geneva, 20 March 1992
38. International Cocoa Agreement, 1993. Geneva, 16 July 1993
39. International Tropical Timber Agreement, 1994. Geneva, 26 January 1994
40. International Coffee Agreement, 1994. London, 30 March 1994
40. a). International Coffee Agreement, 1994, as extended until 30 September 2001, with modifications, by Resolution No. 384 adopted by the International Coffee Council in London on 21 July 1999. London, 30 March 1994
41. a). Grains Trade Convention, 1995. London, 7 December 1994
41. b). Food Aid Convention, 1995. London, 5 December 1994
41. c). Food Aid Convention, 1999. London, 13 April 1999
42. International Natural Rubber Agreement, 1994. Geneva, 17 February 1995
43. International Coffee Agreement 2001. London, 28 September 2000
44. International Cocoa Agreement, 2001. Geneva, 2 March 2001
45. Agreement establishing the Terms of Reference of the International Jute Study Group, 2001. Geneva, 13 March 2001
46. International Tropical Timber Agreement, 2006. Geneva, 27 January 2006
47. International Cocoa Agreement, 2010. Geneva, 25 June 2010

CHAPTER XX. MAINTENANCE OBLIGATIONS

1. Convention on the Recovery Abroad of Maintenance. New York, 20 June 1956

CHAPTER XXI. LAW OF THE SEA

1. Convention on the Territorial Sea and the Contiguous Zone. Geneva, 29 April 1958
2. Convention on the High Seas. Geneva, 29 April 1958
3. Convention on Fishing and Conservation of the Living Resources of the High Seas. Geneva, 29 April 1958
4. Convention on the Continental Shelf. Geneva, 29 April 1958
5. Optional Protocol of Signature concerning the Compulsory Settlement of Disputes. Geneva, 29 April 1958
6. United Nations Convention on the Law of the Sea. Montego Bay, 10 December 1982
6. a). Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982. New York, 28 July 1994
7. Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. New York, 4 August 1995
8. Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea. New York, 23 May 1997
9. Protocol on the Privileges and Immunities of the International Seabed Authority. Kingston, 27 March 1998

CHAPTER XXII. COMMERCIAL ARBITRATION

1. Convention on the Recognition and Enforcement of Foreign Arbitral Awards. New York, 10 June 1958
2. European Convention on International Commercial Arbitration. Geneva, 21 April 1961

CHAPTER XXIII. LAW OF TREATIES

1. Vienna Convention on the Law of Treaties. Vienna, 23 May 1969
2. Vienna Convention on succession of States in respect of treaties. Vienna, 23 August 1978
3. Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations. Vienna, 21 March 1986

CHAPTER XXIV. OUTER SPACE

1. Convention on registration of objects launched into outer space. New York, 12 November 1974
2. Agreement governing the Activities of States on the Moon and Other Celestial Bodies. New York, 5 December 1979

CHAPTER XXV. TELECOMMUNICATIONS

1. Convention relating to the distribution of programme-carrying signals transmitted by satellite. Brussels, 21 May 1974
2. Constitution of the Asia-Pacific Telecommunity. Bangkok, 27 March 1976
2. a). Amendment to article 11, paragraph 2 (a), of the Constitution of the Asia-Pacific Telecommunity. Bangkok, 13 November 1981
2. b). Amendments to articles 3 (5) and 9 (8) of the Constitution of the Asia-Pacific telecommunity. Colombo, 29 November 1991
2. c). Amendments to the Constitution of the Asia-Pacific Telecommunity. New Delhi, 23 October 2002
3. Agreement establishing the Asia-Pacific Institute for Broadcasting Development. Kuala Lumpur, 12 August 1977
3. a). Amendments to the Agreement establishing the Asia-Pacific Institute for Broadcasting Development. Islamabad, 21 July 1999
4. Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations. Tampere, 18 June 1998

CHAPTER XXVI. DISARMAMENT

1. Convention on the prohibition of military or any other hostile use of environmental modification techniques. New York, 10 December 1976
2. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III). Geneva, 10 October 1980

2. a). Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, entitled Protocol on Blinding Laser Weapons). Vienna, 13 October 1995
2. b). Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects. Geneva, 3 May 1996
2. c). Amendment to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects. Geneva, 21 December 2001
2. d). Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V). Geneva, 28 November 2003
3. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. Geneva, 3 September 1992
4. Comprehensive Nuclear-Test-Ban Treaty. New York, 10 September 1996
5. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction. Oslo, 18 September 1997
6. Convention on Cluster Munitions. Dublin, 30 May 2008
7. Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly. Kinshasa, 30 April 2010

CHAPTER XXVII. ENVIRONMENT

1. Convention on Long-range Transboundary Air Pollution. Geneva, 13 November 1979
1. a). Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe EMEP). Geneva, 28 September 1984
1. b). Protocol to the 1979 Convention on Long-Range Transboundary Air pollution on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent. Helsinki, 8 July 1985
1. c). Protocol to the 1979 Convention on long-range transboundary air pollution concerning the control of emissions of nitrogen oxides or their transboundary fluxes. Sofia, 31 October 1988
1. d). Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes. Geneva, 18 November 1991
1. e). Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Further Reduction of Sulphur Emissions. Oslo, 14 June 1994
1. f). Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals. Aarhus, 24 June 1998
1. g). Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants. Aarhus, 24 June 1998
1. h). Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone. Gothenburg (Sweden), 30 November 1999
1. i). Amendments to the Text and to Annexes I, II, III, IV, VI and VIII to the 1998 Protocol on Persistent Organic Pollutants. Geneva, 18 December 2009
1. j). Amendments to Annexes I and II to the 1998 Protocol on Persistent Organic Pollutants. Geneva, 18 December 2009
2. Vienna Convention for the Protection of the Ozone Layer. Vienna, 22 March 1985
2. a). Montreal Protocol on Substances that Deplete the Ozone Layer. Montreal, 16 September 1987
2. b). Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. London, 29 June 1990
2. c). Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. Copenhagen, 25 November 1992
2. d). Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted by the Ninth Meeting of the Parties. Montreal, 17 September 1997
2. e). Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. Beijing, 3 December 1999
3. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Basel, 22 March 1989
3. a). Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Geneva, 22 September 1995
3. b). Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal. Basel, 10 December 1999

- 3 b). Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal. Basel, 10 December 1999.
4. Convention on Environmental Impact Assessment in a Transboundary Context. Espoo, Finland, 25 February 1991
4. a). Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context. Sofia, 27 February 2001
4. b). Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context. Kiev, 21 May 2003
4. c). Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context. Cavtat, 4 June 2004
5. Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Helsinki, 17 March 1992
5. a). Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes. London, 17 June 1999
5. b). Amendments to Articles 25 and 26 of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Geneva, 17 February 2004
6. Convention on the Transboundary Effects of Industrial Accidents. Helsinki, 17 March 1992
7. United Nations Framework Convention on Climate Change. New York, 9 May 1992
7. a). Kyoto Protocol to the United Nations Framework Convention on Climate Change. Kyoto, 11 December 1997
7. b). Amendment to Annex B to the Kyoto Protocol to the United Nations Framework Convention on Climate Change. Nairobi, 17 November 2006
8. Convention on Biological Diversity. Rio de Janeiro, 5 June 1992
8. a). Cartagena Protocol on Biosafety to the Convention on Biological Diversity. Montreal, 29 January 2000
8. b). Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity. Nagoya, 29 October 2010
8. c). Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety. Nagoya, 15 October 2010
9. Agreement on the conservation of small cetaceans of the Baltic, North East Atlantic, Irish and North Seas. New York, 17 March 1992
9. a). Amendment to the Agreement on the conservation of small cetaceans of the Baltic, North East Atlantic, Irish and North Seas. Esbjerg, 22 August 2003
10. United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. Paris, 14 October 1994
11. Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora. Lusaka, 8 September 1994
12. Convention on the Law of the Non-Navigational Uses of International Watercourses. New York, 21 May 1997
13. Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Aarhus, Denmark, 25 June 1998
13. a). Protocol on Pollutant Release and Transfer Registers. Kiev, 21 May 2003
13. b). Amendment to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Almaty, 27 May 2005
14. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. Rotterdam, 10 September 1998
15. Stockholm Convention on Persistent Organic Pollutants. Stockholm, 22 May 2001
16. Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes and to the 1992 Convention on the Transboundary Effects of Industrial Accidents. Kiev, 21 May 2003

CHAPTER XXVIII. FISCAL MATTERS

1. a). Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties. Madrid, 13 December 1979
1. b). Additional Protocol to the Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties. Madrid, 13 December 1979

CHAPTER XXIX. MISCELLANEOUS

1. Agreement on Succession Issues. Vienna, 29 June 2001

LEAGUE OF NATIONS MULTILATERAL TREATIES

1. International Convention concerning the Use of Broadcasting in the Cause of Peace. Geneva, 23 September 1936
2. Special Protocol concerning Statelessness. The Hague, 12 April 1930
3. Protocol relating to a Certain Case of Statelessness. The Hague, 12 April 1930
4. Convention on Certain Questions relating to the Conflict of Nationality Laws. The Hague, 12 April 1930
5. Protocol relating to Military Obligations in Certain Cases of Double Nationality. The Hague, 12 April 1930
6. Protocol on Arbitration Clauses. Geneva, 24 September 1923
7. Convention on the Execution of Foreign Arbitral Awards. Geneva, 26 September 1927
8. Convention for the Settlement of Certain Conflicts of Laws in connection with Bills of Exchange and Promissory Notes. Geneva, 7 June 1930
9. Convention for the Settlement of Certain Conflicts of Laws in connection with Cheques. Geneva, 19 March 1931
10. Convention providing a Uniform Law for Bills of Exchange and Promissory Notes. Geneva, 7 June 1930
11. Convention providing a Uniform Law for Cheques. Geneva, 19 March 1931
12. Convention on the Stamp Laws in connection with Bills of Exchange and Promissory Notes. Geneva, 7 June 1930
13. Convention on the Stamp Laws in connection with Cheques. Geneva, 19 March 1931
14. a). International Convention for the Suppression of Counterfeiting Currency. Geneva, 20 April 1929
14. b). Protocol to the International Convention for the Suppression of Counterfeiting Currency. Geneva, 20 April 1929
15. Optional Protocol regarding the Suppression of Counterfeiting Currency. Geneva, 20 April 1929
16. Convention and Statute on Freedom of Transit. Barcelona, 20 April 1921
17. Convention and Statute on the Regime of Navigable Waterways of International Concern. Barcelona, 20 April 1921
18. Additional Protocol to the Convention on the Regime of Navigable Waterways of International Concern. Barcelona, 20 April 1921
19. Declaration recognising the Right to a Flag of States having no Sea-coast. Barcelona, 20 April 1921
20. Convention and Statute on the International Régime of Maritime Ports. Geneva, 9 December 1923
21. Convention on the Taxation of Foreign Motor Vehicles. Geneva, 30 March 1931
22. International Convention relating to the Simplification of Customs Formalities. Geneva, 3 November 1923
23. International Convention for the Campaign against Contagious Diseases of Animals. Geneva, 20 February 1935
24. International Convention concerning the Transit of Animals, Meat and Other Products of Animal Origin. Geneva, 20 February 1935
25. International Convention concerning the Export and Import of Animal Products (other than Meat, Meat Preparations, Fresh Animal Products, Milk and Milk Products). Geneva, 20 February 1935
26. Convention establishing an International Relief Union. Geneva, 12 July 1927
27. Convention on the International Régime of Railways. Geneva, 9 December 1923
28. Convention regarding the Measurement of Vessels employed in Inland Navigation. Paris, 27 November 1925
29. General Act of Arbitration (Pacific Settlement of International Disputes). Geneva, 26 September 1928
30. Convention concerning the Unification of Road Signals. Geneva, 30 March 1931
31. Agreement concerning Maritime Signals. Lisbon, 23 October 1930
32. Convention relating to the Non-Fortification and Neutralisation of the Aaland Islands. Geneva, 20 October 1921
33. Agreement concerning Manned Lightships not on their Stations. Lisbon, 23 October 1930



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